ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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Cap. lxxxii.

An Act to provide for the Repair and Maintenance of the Cathedral Church of *Saint Patrick, Dublin.* [24th *July* 1851.]

WHEREAS the Cathedral Church of *Saint Patrick, Dublin,* by reason of Age, has fallen into a dangerous State of Decay, and no adequate Fund having been provided by Law for keeping the same in good and sufficient Repair, it is necessary that Provision should be made for that Purpose: And whereas Public Service and Worship in the said Cathedral Church has been and is now conducted by Persons holding the several Offices of Dean's Vicar, and Four other Clerical Vicars, and Four Petty or Minor Canons, the Presentation to which said several Offices, for the Time being, belongs to the Dean of the said Cathedral Church absolutely: And whereas, under the present urgent Necessity for providing a Fund as aforesaid, it is expedient that the said Service and Worship should be performed by the Dean's Vicar and One other Clerical Vicar in the said Dean's Presentation, to aid continually in the said Service and the Cure of Souls, and by Two Petty or Minor Canons of the said Cathedral Church: And whereas it is expedient,

when and as the Offices of Three Clerical Vicars of the said Cathedral Church, that is to say, the Precentor's Vicar, the Chancellor's Vicar, and the Vicar of the Archdeacon of *Dublin*, and also of Two of the said Petty or Minor Canons respectively, shall become vacant, that the Emoluments, Revenue, and Profits of the said Offices should be appropriated to the Augmentation of the Economy Fund of the said Cathedral Church, for the Purpose of maintaining the Service and repairing the Fabric of the said Cathedral Church: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

On the next Avoidances of the Offices of Three of the Clerical Vicars of Saint Patrick's Cathedral, the Emoluments thereof to be added to the Economy Fund.

I. That from and after the next Avoidances of each and every of the Offices of the Precentor's Vicar, the Chancellor's Vicar, and the Archdeacon of *Dublin*'s Vicar of the Cathedral Church of *Saint Patrick*, *Dublin*, the Steward of the Corporation of the Vicars Choral of the said Cathedral Church for the Time being shall from Time to Time pay over to the Proctor of the Dean and Chapter of the said Cathedral Church for the Time being, or to such other Person as the said Dean and Chapter shall for that Purpose appoint, all and every the Emoluments, Revenue, and Profits of each of the said Offices of the Precentor's Vicar, the Chancellor's Vicar, and the Archdeacon of *Dublin*'s Vicar, at the usual and accustomed Times for accounting in each and every Year, which said Emoluments, Revenue, and Profits respectively shall thereupon and thenceforth be added to and form Part of the Economy Fund of the said Cathedral Church, and be applied to the Purposes of this Act.

On the next Avoidances of the Offices of Two of the Minor Canons of the said Cathedral Church, the Emoluments thereof to be added to the Economy Fund.

II. That from and after the next Avoidances of Two of the Offices of the Petty or Minor Canons of the said Cathedral Church the Steward of the Corporation for the Time being of Petty or Minor Canons of the said Cathedral Church shall, when and as the said Offices or either of them shall become void, from Time to Time pay over to the said Proctor of the said Cathedral Church for the Time being, or to such other Person as the said Dean and Chapter shall for that Purpose appoint, all and every the Emoluments, Revenue, and Profits of each of the said Offices of Two of the Petty or Minor Canons of the said Cathedral Church, at the usual and accustomed Times for accounting in each and every Year, which said Emoluments, Revenue, and Profits respectively shall thereupon and thenceforth be added to and form Part of the Economy Fund of the said Cathedral Church, and be applied to the Purposes of this Act.

Penalty on Stewards failing to account.

III. That in Case the said Steward of the Corporation of the Vicars Choral of the said Cathedral Church, or the said Steward of

the Corporation of Petty or Minor Canons, shall fail to pay to the said Proctor of the said Dean and Chapter, or to such other Person as the said Dean and Chapter shall appoint, at the usual and accustomed Times for accounting in each and every Year, the Emoluments, Revenue, and Profits of the said Offices respectively, after the next Avoidances of the same, he shall be liable to a Penalty of not exceeding Fifty Pounds for each and every such Default, to be recovered by Information or Complaint before any Two of Her Majesty's Justices of the Peace in *Ireland*, by Distress and Sale of the Goods of the Offender, under the Warrant of such Justices; and the Penalties so recovered shall form Part of the said Economy Fund, and be applied to the Purposes of this Act.

Power to borrow on Security of Economy Fund.

IV. That the said Dean and Chapter may, for the Purposes of this Act, borrow at Interest, at a Rate not exceeding Five Pounds *per Centum per Annum*, Monies on Mortgage or Bond on the Security of the said Economy Fund.

Power to re-borrow.

V. That if, after having borrowed any Part of the Money so authorized to be borrowed on Mortgage or Bond, the said Dean and Chapter shall pay off the same, it shall be lawful for them again to borrow from Time to Time the Amount so paid off.

Mortgages and Bonds to be duly stamped.

VI. That every Mortgage or Bond for securing Money borrowed by the said Dean and Chapter shall be by Deed under the Common Seal of the said Dean and Chapter, duly stamped, and wherein the Consideration shall be truly stated; and every such Mortgage Deed or Bond may be according to the Form in the Schedule (A.) or (B.) to this Act annexed, or to the like Effect.

Transfers of Mortgages and Bonds to be duly stamped.

VII. That any Party entitled to any such Mortgage or Bond may from Time to Time transfer his Right and Interest therein to any other Person; and every such Transfer shall be by Deed duly stamped, wherein the Consideration shall be truly stated; and every such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Interest on Mortgages and Bonds to be paid half-yearly.

VIII. That, unless otherwise provided by any Mortgage or Bond, the Interest of the Money borrowed thereupon shall be paid half-yearly to the several Parties entitled thereto.

Repayment of Money borrowed at a Time fixed.

IX. That the said Dean and Chapter may, if they think proper, fix a Period for the Repayment of all Principal Monies borrowed under the Provisions of this Act, with the Interest thereof; and in such Case the said Dean and Chapter shall cause such Period to be inserted in

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the said Mortgage Deed or Bond; and upon the Expiration of such Period the Principal Sum, together with the Arrears of Interest thereon, shall, on Demand, be paid to the Party entitled to such Mortgage or Bond.

Repayment of Money borrowed where no Time fixed.

X. That, if no Time be fixed in the Mortgage Deed or Bond for the Repayment of the Money so borrowed, the Party entitled to the Mortgage or Bond may, at the Expiration or at any Time after the Expiration of Twelve Calendar Months from the Date of such Mortgage or Bond, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Calendar Months previous Notice for that Purpose, and in the like Case the said Dean and Chapter may at any Time pay off the Money borrowed, on giving the like Notice; and every such Notice shall be in Writing or Print, or both, and if given by a Mortgagee or Bond Creditor shall be delivered to the Registrar of the said Dean and Chapter, and if given by the said Dean and Chapter shall be given either personally to such Mortgagee or Bond Creditor, or left at his Residence, or if such Mortgagee or Bond Creditor be unknown to the said Dean and Chapter, or cannot be found after diligent Inquiry, such Notice shall be given by Advertisement in the *Dublin Gazette* and in some *Dublin* Newspaper.

Interest to cease on Expiration of Notice to pay off Mortgage or Bond.

XI. That if the said Dean and Chapter shall have given Notice of their Intention to pay off any such Mortgage or Bond at a Time when the same may lawfully be paid off by them, then, at the Expiration of such Notice, all further Interest shall cease to be payable on such Mortgage or Bond, unless, on Demand of Payment made pursuant to such Notice, or at any Time thereafter, the said Dean and Chapter shall fail to pay the said Principal and Interest due at the Expiration of such Notice on such Mortgage or Bond.

Sinking Fund for Payment of Monies borrowed.

XII. That in order to discharge the Principal Monies borrowed as aforesaid on Security of the Economy Fund, the said Dean and Chapter shall every Year, when and so soon as all the Offices to be avoided under the Provisions of this Act shall have become vacant, and the Emoluments, Revenue, and Profits of such Offices shall have been added to the said Economy Fund, appropriate and set apart One Thirtieth Part of the Sums so borrowed respectively as a Sinking Fund to be applied in paying off the respective Principal Monies so borrowed, and shall from Time to Time cause such Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation, in the Way of Compound Interest or otherwise, until the same respectively shall be of sufficient Amount to pay off the Principal Debts respectively to which

which such Sinking Fund shall be applicable: Provided always, that it shall be lawful for the said Dean and Chapter from Time to Time to apply any Portion of the Sinking Fund for the Time being in paying off any Part of the respective Principal Monies so borrowed which the said Dean and Chapter shall think ought then to be paid off in the Manner herein-after mentioned.

Mode of paying off Mortgages.

XIII. That whenever the said Dean and Chapter shall be enabled to pay off One or more of the Mortgages or Bonds which shall then be payable, and shall not be able to pay off the whole of the same Class, they shall decide the Order in which they shall be paid off by Lot among the Class to which One or more of the Mortgages or Bonds belong, and shall cause a Notice, signed by their Registrar, to be given to the Persons entitled to the Money to be paid off pursuant to such Lot; and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid off, together with the Interest due thereon, at a Place to be specified, at the Expiration of Six Months from the Date of giving such Notice.

Application of Monies.

XIV. That all Monies which shall come to the Hands of the said Dean and Chapter under the Provisions of this Act, in augmentation of the said Economy Fund, or which shall be raised by any Mortgage or Security thereof granted by the said Dean and Chapter, shall be applied and disposed of as follows:

Firstly, in defraying the Charges and Expenses which shall have been incurred in or shall be incident to the obtaining and passing this Act;

Secondly, in paying the Interest of all Monies borrowed and which shall be from Time to Time due and owing on the Credit of the said Economy Fund;

Thirdly, in repairing and maintaining in repair the said Cathedral Church;

Fourthly (when and so soon as all the Offices to be avoided under the Provisions of this Act shall have become vacant, as herein-before mentioned), in setting apart and appropriating annually the Sum herein-before directed to be set apart and appropriated in Payment off of the Principal Monies which shall have been borrowed or secured on the said Economy Fund;

And lastly, in paying off the Principal of all Monies due on the Credit of the said Economy Fund.

The Corporation of Minor Canons not to grant or let their Lands for a longer Term than One

XV. That from and after the passing of this Act the Corporation of Petty or Minor Canons of the said Cathedral Church shall not demise, grant, or let any of their Lands, Tenements, or Hereditaments for any longer Term than One whole Year, without the Consent of the said Dean and Chapter for that Purpose first had and

Year, without Consent of Dean and Chapter.

obtained, according to the Custom and Practice of the said Vicars Choral, under pain of Expulsion; and all such Demises, Grants, or Leases hereafter to be made by the said Petty or Minor Canons, without such Consent aforesaid, shall be utterly void.

Short Title.

XVI. That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *St. Patrick*'s Cathedral Economy Fund Act, 1851."

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SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Form of Mortgage Deed.

Mortgage.—Number £

By virtue of [*here insert Title of Act*], we, the Dean and Chapter of St. Patrick's Cathedral, Dublin, in consideration of the Sum of Pounds paid to us by *A. B.* of do assign unto the said *A. B.*, his Executors, Administrators, and Assigns, the Economy Fund of the said Dean and Chapter, to hold to the said *A. B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at Pounds per Centum per Annum for the same, shall be fully paid and satisfied [the Principal Sum to be repaid at the End of Years from the Date hereof, *in case any Period be agreed upon for that Purpose*] [at]

Given under our Common Seal, this Day of One thousand eight hundred and .

SCHEDULE (B.)

Form of Bond.

Bond.—Number £

By virtue of [*here insert the Title of this Act*], we, the Dean and Chapter of St. Patrick's Cathedral, Dublin, in consideration of the Sum of Pounds to us in hand paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above Obligation is such, that if the said Dean and Chapter shall pay to the said *A. B.*, his Executors, Administrators, and Assigns, at [ ] on the Day of which will be in the

the Year One thousand eight hundred and the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly on the Day of and Day of then the above-written Obligation is to become void, otherwise to remain in full Force.

Given under our Common Seal, this Day of One thousand eight hundred and .

SCHEDULE (C.)

Form of Transfer of Mortgage or Bond.

I *A. B.* of in consideration of the Sum of paid to me by *G. H.* of do hereby transfer to the said *G. H.*, his Executors, Administrators, and Assigns, a certain Bond [*or* Mortgage], Number made by the Dean and Chapter of St. Patrick's Cathedral, Dublin, to bearing Date the Day of for securing the Sum of and Interest [*or if such Transfer be by Endorsement*, "the within Security"], and all my Right, Estate, and Interest in and to the Money thereby secured [*and if the Transfer be of a Mortgage*, "and in and to the Money and Property thereby assigned"].

In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and .

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