ANNO TERTIO

VICTORIÆ REGINÆ.

Cap. ix.

An Act to amend and enlarge the Powers and Provisions of an Act passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Second, for building a Chapel in the Town of *Wolverhampton* in the County of *Stafford*.

[23d *March* 1840.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for erecting and building a new Chapel in the Town of* Wolverhampton *in the County of* Stafford: And whereas the Trustees acting under and by virtue of the said Act have proceeded to carry the same into execution, and have built the said Chapel, and provided a Chapel-yard or Cemetery annexed thereto: And whereas the Right Honourable *George Harry* Earl of *Stamford* and *Warrington* has the Right of Presentation to the said Chapel, and the Reverend *Humphrey Pountney* is the Chaplain or Curate thereof: And whereas it is expedient that some of the Powers and Provisions of the said Act should be altered, amended, and enlarged, but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, 28 G. 2. c. 34.

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, That the said recited Act, and all the Powers and Provisions therein contained (except so much thereof as are altered, repealed, or otherwise provided for), shall extend and be applicable to this Act, and to the several Powers and Provisions herein contained, in as full and ample a Manner, to all Intents and Purposes, as if the same had been repeated and re-enacted in this Act; and the said recited Act, and the Powers and Provisions therein contained, shall be construed with the Alterations made therein by this Act.

Powers of recited Act extended to this Act, except as hereby repealed.

II. And be it further enacted, That so much of the said recited Act as authorizes and enables the Chaplains or Curates of the said Chapel to purchase and take in perpetuity, to them and their Successors, any Lands, Tenements, and Hereditaments (in addition to the said Chapel and the Cemetery belonging to the same), not exceeding in the whole the yearly Value of One hundred Pounds, and as enacts that the Rents to be fixed and set upon the Pews or Seats by the said Trustees in manner therein mentioned should not amount in the whole to more than the Sum of Two hundred Pounds by the Year, nor less than One hundred and thirty Pounds by the Year, and that the said Rents so fixed by the said Trustees should not be altered or alterable (except in case of appointing an Organist as therein-after mentioned), and that out of such annual Rent the Minister of the said Chapel should pay to a Clerk for officiating in the same the Sum of Ten Pounds by the Year, and as enacts that if the Minister of the said Chapel or his Successors should at any Time demand, take, or receive any greater Rent for such Pews or Seats, or any of them, than should be settled by the said Trustees, such Minister so offending should, upon Complaint made thereof by the said Trustees or any Five or more of them, and on being convicted in manner therein mentioned, be rendered incapable of holding the Cure or Benefice created by the said Act, shall be and the same is hereby declared to be repealed.

Repeal of certain Provisions of recited Act.

III. And be it further enacted, That it shall be lawful for the Chaplain or Curate for the Time being of the said Chapel, and he is hereby authorized and empowered, to purchase or take and hold in perpetuity, to himself and his Successors, any Lands, Tenements, or Hereditaments whatsoever, in addition to the said Chapel, and to the Chapel-yard or Cemetery belonging to the same, and also in addition to any other Lands, Tenements, or Hereditaments which may have been purchased by or be vested in any such Chaplain or Curate, the Statutes of Mortmain, or any Law, Statute, or Usage whatsoever, to the contrary in anywise notwithstanding.

Curate may purchase Lands.

IV. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized, from Time to Time as they shall deem expedient, to alter or advance the present Rents of the Pews or Seats fixed in pursuance of the said recited Act, and from Time to Time hereafter to alter, advance, or reduce the said Rents, as to such Trustees shall seem proper, so that the same shall not be

Trustees may alter Pew Rents.

less than One hundred and thirty Pounds by the Year; and such altered, advanced, or reduced Rents the Minister of the said Chapel shall from Time to Time demand, take, and receive in lieu and instead of the Rents authorized to be demanded, taken, and received under and by virtue of the said recited Act, and out of such annual Rents the Minister for the Time being of the said Chapel shall pay to a Clerk for officiating in the same the Sum of Ten Pounds by the Year.

Repeal of Clause in recited Act as to Limitation of Actions.

V. And whereas it is in the said recited Act enacted, That if any Action or Suit should be commenced against any Person or Persons for any thing done in pursuance of such Act, every such Action or Suit should be commenced within Six Months next after the Fact committed, and the Defendant or Defendants in any such Action or Suit might plead the General Issue, and give such Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of such Act; and if it should appear so to have been done, the Jury should find for the Defendant or Defendants, and if the Plaintiff should be nonsuited or discontinue his Action after the Defendant or Defendants should have appeared, or if Judgment should be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants should and might recover Treble Costs, and have the like Remedy for the same as any Defendants have in other Cases by Law, and it is expedient that such Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Public Act.

VI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1840.