



CHAPTER xiii.

An Act to abolish the Composition Rate now leviabie for certain Church purposes in the Parish of Saint Matthew Bethnal Green in the county of London and to make other provisions for securing the stipend of the Rector of Saint Matthew Bethnal Green and the maintenance of the fabrics of the Churches of Saint Matthew Bethnal Green and Saint John Bethnal Green and for other purposes. A.D. 1898.
[23rd May 1898.]

WHEREAS by an Act passed in the year one thousand seven hundred and forty-two and intituled "An Act to make the Hamlet of Bethnal Green in the Parish of Saint Dunstan Stepney in the County of Middlesex a separate and distinct Parish and for erecting a Parish Church therein" the hamlet of Bethnal Green was constituted a separate parish by the name of Saint Matthew Bethnal Green and the parish church of Saint Matthew Bethnal Green was erected and provision was made for the maintenance of the said church and its services and for the stipend of the rector out of certain payments arising within the said hamlet and known as garden pennies small tithes Easter offerings and other dues: 16 Geo. 2.
c. xxviii.

And whereas by a local and personal Act passed in the year one thousand eight hundred and thirteen the stipend of the rector of Saint Matthew Bethnal Green was increased to four hundred pounds per annum: 53 Geo. 3.
c. cxiii.

And whereas by virtue of an Order in Council dated the twenty-eighth day of January one thousand eight hundred and thirty-seven and duly published in the London Gazette on the thirty-first day of March one thousand eight hundred and thirty-seven and pursuant to the Act or Acts therein mentioned the ecclesiastical district of Saint John Bethnal Green was formed out of the parish of Saint Matthew Bethnal Green and constituted a separate ecclesiastical district and is herein-after referred to as the benefice of Saint John Bethnal Green:

A.D. 1898
8 & 9 Vict.
c. clxxx.

And whereas by a local and personal Act passed in the year one thousand eight hundred and forty-five and intituled "An Act for
" extinguishing garden pennies small tithes and Easter offerings
" within the Parish of Saint Matthew Bethnal Green and for
" providing a Fund for the payment of the Stipend of the Rector of
" the said Parish" (in this Act referred to as "the Composition
Rate Act 1845") it was provided (among other things) that from
and after the passing thereof all garden pennies small tithes and
Easter offerings and all payments in lieu of small tithes arising
within the said parish of Saint Matthew Bethnal Green should
cease and be for ever extinguished and that the churchwardens of
the said parish should once or oftener in each year convene a
meeting of the vestrymen governors and directors of the poor of
the said parish (herein-after called "the Vestry") and that at such
meeting the Vestry or in case of their refusal or neglect the church-
wardens should make a sufficient rate on hereditaments within the
parish to be called "the composition rate" and to be assessed
collected and paid in manner by the said Act provided for the
following purposes (that is to say):—

- (a) For raising from time to time the annual sum of four hundred pounds as stipend for the rector of the said parish;
- (b) For maintaining divine worship in the church of Saint Matthew Bethnal Green;
- (c) For the repair of the said church of Saint Matthew and the churchyard belonging to the same;
- (d) For maintaining divine worship in and for the repair of the church of Saint John in the said parish;
- (e) For the payment of all necessary and proper salaries and disbursements relative to the said church and churchyard of Saint Matthew and to the offices of pew opener sexton and beadle in the church of Saint John;
- (f) For the payment of the costs and expenses therein mentioned including the costs charges and expenses of the said churchwardens incident to the office of churchwarden not exceeding one hundred and fifty pounds in any one year:

And whereas the vestry duly made and levied and continue to make and levy and to apply the composition rate for the purposes aforesaid but the making and levying thereof has long given rise to dissatisfaction:

And whereas a scheme has been prepared in consultation with the Ecclesiastical Commissioners for the abolition of the said composition rate and for the commutation of all liabilities thereto on the part of the Vestry and the ratepayers of the parish of Saint Matthew

Bethnal Green in consideration of the payment of a lump sum of twenty thousand pounds by the Vestry to the Ecclesiastical Commissioners and it is expedient that such scheme as embodied in or authorised by this Act be carried into effect: A.D. 1898.

And whereas the Vestry have by a resolution passed at a vestry meeting duly held for the purpose on the fourteenth day of December one thousand eight hundred and ninety-seven approved of the provisions of such scheme:

And whereas the Ecclesiastical Commissioners are willing to accept the said sum to be paid by the Vestry and to pay over two thousand pounds part thereof to the Incorporated Church Building Society and in consideration of the balance of the said sum to pay in respect thereof an annual sum of five hundred and forty pounds to be applied to the purposes aforesaid or some of them and they have consented to the provisions of this Act:

And whereas it is expedient to empower the Vestry to borrow money for the purposes of this Act:

And whereas the rectory of Saint Matthew Bethnal Green is at present vacant:

And whereas the Reverend Edmund Raven Hollings the present incumbent of the said benefice and church of Saint John Bethnal Green has consented to the provisions of this Act:

And whereas the Right Reverend Mandell Lord Bishop of London as patron of both the said rectory and the said benefice in whose diocese and jurisdiction the said parish is situate has consented to the provisions of this Act:

And whereas the objects of this Act cannot be attained without the 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 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 as follows (that is to say):—

1. This Act may be cited as the Saint Matthew Bethnal Green Short title.
(Church Rate Abolition) Act 1898.

2. As from the twenty-fourth day of June one thousand eight hundred and ninety-eight the Vestry and the ratepayers of the parish of Saint Matthew Bethnal Green shall be by virtue of this Act freed and discharged from all payments obligations and liabilities whatsoever under any of the recited Acts or otherwise in respect of the maintenance and repair of the churches of Saint Matthew Bethnal Green or of Saint John Bethnal Green and in respect of divine worship in the said churches and in respect of the payment Abolition of
composition
rate.

[Ch. xiii.] *Saint Matthew Bethnal Green (Church Rate Abolition) Act, 1898.* [61 VICT.]

A.D. 1898. — of any stipend or salary of any ministers or officers of or in the church of Saint Matthew Bethnal Green or of any pew opener sexton or beadle in the church of Saint John or otherwise and the right power or duty to make assess collect levy or recover the composition rate under the Composition Rate Act 1845 for any of the purposes aforesaid and the liability of any person to be assessed to or pay any such rate shall absolutely cease and determine Provided that notwithstanding anything in this Act all sums payable in respect or on account of any such rate made before the said twenty-fourth day of June one thousand eight hundred and ninety-eight may be levied and recovered as if this Act had not been passed.

Payment of commutation money.

3. The Vestry shall on or before the twenty-fourth day of June one thousand eight hundred and ninety-eight pay to the account of the Ecclesiastical Commissioners at the Bank of England the sum of twenty thousand pounds to be raised in manner herein-after provided in commutation of all the payments and liabilities of every description from which they or the ratepayers of the parish of Saint Matthew Bethnal Green are relieved under the provisions of this Act Provided that if the Vestry do not pay the said sum as aforesaid on or before the said date the Vestry shall out of their general rate leviable under the provisions of the Metropolis Management Act 1855 pay interest at the rate of three pounds per centum per annum to the Ecclesiastical Commissioners on the said sum of twenty thousand pounds or on so much thereof as shall for the time being remain unpaid until payment thereof to the Ecclesiastical Commissioners.

Application of sum of 20,000*l.*

4. Of the sum of twenty thousand pounds to be paid to the Ecclesiastical Commissioners under this Act the sum of eighteen thousand pounds shall be retained and held by the Commissioners and the sum of two thousand pounds shall be paid by the Ecclesiastical Commissioners to the Incorporated Church Building Society and be held by that society on the trusts herein-after mentioned.

Annual payment of 540*l.* by Ecclesiastical Commissioners and application of same.

5. As from the said twenty-fourth day of June one thousand eight hundred and ninety-eight there shall be paid by the Ecclesiastical Commissioners in respect of the said sum of eighteen thousand pounds so retained and held by them an annual sum of five hundred and forty pounds to be applied by the Ecclesiastical Commissioners in manner following (that is to say) :—

(1) An annual sum of three hundred and fifty pounds shall be paid by the Ecclesiastical Commissioners to the rector of Saint Matthew Bethnal Green in equal half-yearly instalments on the twenty-fourth day of June and the twenty-fifth day of December

in every year the first half-yearly payment to be made on the twenty-fifth day of December one thousand eight hundred and ninety-eight: A.D. 1898.

(2) The balance of the said sum of five hundred and forty pounds shall be applied by the Ecclesiastical Commissioners—

(a) In or towards payment to any existing officials of the church of Saint Matthew Bethnal Green and to any existing pew opener sexton and beadle of the church of Saint John Bethnal Green of their respective salaries (if any) until the next avoidance of such respective offices;

(b) In or towards payment of the salaries of any offices as may be attached to the said churches under this Act and in making such payments for or towards the maintenance of divine worship in the churches of Saint Matthew Bethnal Green and Saint John Bethnal Green or either of them or for such other purposes in connexion with the said churches or either of them as the Ecclesiastical Commissioners with the approval of the Lord Bishop of London may determine.

6.—(1) On receipt of the said sum of two thousand pounds from the Ecclesiastical Commissioners the Incorporated Church Building Society shall place one thousand pounds thereof to a separate account to be entitled "The Saint Matthew Bethnal Green Fabric Fund" and shall place one thousand pounds thereof to a separate account to be entitled "The Saint John Bethnal Green Fabric Fund" and shall invest the moneys carried to such funds respectively in any investments in which trustees are for the time being authorised by law to invest trust money. Establishment of fabric funds.

(2) The annual income of the two funds shall be applied in paying the premiums on any insurance against fire which may be effected on the two churches respectively and in effecting from time to time such repairs of the fabric of the said churches as the society on the application of the respective incumbents and churchwardens may determine.

(3) The society shall also have power on such application as aforesaid to realise any part of either of the said funds and to make a grant of capital money for any of the purposes aforesaid.

(4) Subject as aforesaid the income of the said respective funds shall be accumulated by being invested in such investments as are herein-before authorised.

7. In the event of any interest on the said sum of twenty thousand pounds being paid by the Vestry to the Ecclesiastical Commissioners one-twentieth of such interest shall be paid by the Apportionment of interest payable by Vestry

A.D. 1898. Ecclesiastical Commissioners to the Incorporated Church Building Society and be carried to the Saint Matthew Bethnal Green Fabric Fund and one-twentieth of such interest shall be paid by the Ecclesiastical Commissioners to the said society and be carried to the Saint John Bethnal Green Fabric Fund.

Receipts of incumbents and others,

8. The receipts in writing of the incumbents of the rectory and church of Saint Matthew Bethnal Green and of the benefice and church of Saint John Bethnal Green shall be a good discharge to the Ecclesiastical Commissioners and to the Incorporated Church Building Society for any payment of moneys and the receipt in writing of any two of the committee of the Incorporated Church Building Society for any payment of moneys in respect of the fabric funds of the said churches shall be a good discharge to the Ecclesiastical Commissioners and the Ecclesiastical Commissioners shall be under no liability to see to the application thereof.

Borrowing powers of Vestry.

9. The Vestry may from time to time in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of any other Acts borrow at interest on the security of the general rate leviable by them under the Metropolis Management Act 1855 for the following purposes the following sum (that is to say) :—

For the purpose of paying the costs charges and expenses preliminary and of and incidental to obtaining this Act and for the purpose of the commutation payment of £20,000 to the Ecclesiastical Commissioners (including all costs incurred by the Vestry in or about raising the said sum) the sum of twenty thousand five hundred pounds :

Provided always that in calculating the moneys which the Vestry may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned.

Application of certain sections of Metropolis Management Act 1855.

10. For the purpose of securing repayment of any sums authorised to be borrowed as aforesaid the Vestry may mortgage the general rate leviable by them under the Metropolis Management Act 1855 and the following sections of that Act shall extend and apply mutatis mutandis to and in relation to all mortgages made under the powers of this Act (that is to say) :—

Section 185 (Form of mortgage Register of mortgages) ;

Section 188 (Payment of principal and interest may be enforced by the appointment of a receiver) ;

Section 189 (Transfer of mortgages Register of transfers).

A.D. 1898.

11. The Vestry shall out of the general rate pay off all moneys borrowed by them as aforesaid within sixty years from the borrowing of the same by equal yearly or half-yearly instalments of principal or of principal and interest combined.

Period and mode of repayment of borrowed moneys.

12. The Vestry may if they think fit borrow any moneys which they are by this Act authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed in manner by this section authorised by the Vestry shall be a charge upon and shall be paid out of the general rate which shall be deemed to be the local rate as defined by the Local Loans Act 1875 Every such loan shall be discharged within the time prescribed in that behalf by this Act and such discharge or the discharge of any part thereof may be effected by means of a sinking fund under the Local Loans Act 1875 if the Vestry shall so think fit Provided that the payment into any such sinking fund and the investments thereof and generally the regulations thereof shall be such as the Local Government Board shall prescribe.

Power to borrow under Local Loans Act 1875.

13. On and after the next avoidance of any office of or in the churches of Saint Matthew Bethnal Green and Saint John Bethnal Green that office and all existing rights of appointment to the same shall cease and determine and it shall be lawful for the Ecclesiastical Commissioners with the approval of the Lord Bishop of London to settle what offices shall be attached to each of the said churches and the right or mode of appointment to the same and the tenure and salary thereof respectively Provided that until the next avoidance of any such office all the rights and powers of the Vestry and of the churchwardens of the parish of Saint Matthew Bethnal Green in relation to any such office shall by virtue of this Act be transferred to and vested in the rector of Saint Matthew Bethnal Green and the incumbent of Saint John Bethnal Green as the case may require.

Abolition and re-arrangement of offices.

14. Any power authority or act vested in conferred on or to be done by the Ecclesiastical Commissioners by or under this Act may be exercised or done by them by any instrument under their seal and any such instrument may if the Commissioners think fit be published in the London Gazette.

As to exercise of powers by Commissioners.

15. The powers duties and liabilities of the churchwardens of the parish of Saint Matthew Bethnal Green so far as they relate to the affairs of the churches of Saint Matthew Bethnal Green and

As to present churchwardens of parish of Saint Matthew

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Rate Abolition) Act, 1898.

A.D. 1898. of Saint John Bethnal Green shall cease and determine and the said churchwardens shall no longer act in the affairs aforesaid as the churchwardens of the ecclesiastical districts now attached to the churches of Saint Matthew Bethnal Green and Saint John Bethnal Green but save as aforesaid nothing in this Act contained shall be construed to affect or alter their powers duties or liabilities.

Application
of New
Parishes Act
1843.

16. The provisions of section 17 of the New Parishes Act 1843 relating to the appointment and office of churchwardens and section 15 of the same Act relating to the receipt fixing and payment of surplice fees shall extend and apply to the rectory and parish church of Saint Matthew Bethnal Green and to the ecclesiastical district now attached thereto as fully and effectually as if the rectory had become a new parish under the provisions of the said Act.

Vesting of
church &c.
of Saint
Matthew
Bethnal
Green.

17. From and after the twenty-fourth day of June one thousand eight hundred and ninety-eight the site of the church of Saint Matthew Bethnal Green with the buildings rights and appurtenances thereof and the house of residence of the rector with the appurtenances thereof shall become and be vested in the incumbent of the said rectory and his successors for ever and be subject to the like provisions as if they had respectively become so vested under the provisions of the Church Building Acts.

Costs of Act.

18. The costs charges and expenses preliminary and of and incidental to preparing obtaining and passing this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Vestry out of the general rate or out of moneys borrowed under the authority of this Act.

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