



## CHAPTER xvi.

An Act to abolish the rate now leviable for certain church purposes in the parish of All Saints' Poplar in the county of London and to make other provisions for securing the stipend of the rector of All Saints' Poplar and for other purposes. A.D. 1903.  
[30th June 1903.]

**W**HEREAS by an Act passed in the fifty-third year of the reign of King George the Third intituled "An Act for paving lighting watching and improving the hamlet of Poplar and Blackwall in the county of Middlesex and for the better relief and maintenance of the poor of the said hamlet" (in this Act referred to as "the Act of 1813") the churchwardens and overseers of the poor of the said hamlet of Poplar and Blackwall for the time being together with other persons qualified as therein mentioned were appointed trustees for carrying the said Act into execution : 53 Geo. 3.  
c. 84.

And whereas by an Act passed in the fifty-seventh year of the reign of King George the Third intituled "An Act for making the hamlet of Poplar and Blackwall in the county of Middlesex a separate and distinct parish and for erecting a parish church therein and other purposes relating thereto" (in this Act referred to as "the Act of 1817") the said hamlet of Poplar and Blackwall was constituted a separate and distinct parish by the name of the parish of All Saints' Poplar in the county of Middlesex and the trustees appointed under the Act of 1813 together with the rector and churchwardens of the said parish were appointed vestrymen for putting the Act of 1817 into execution by the name of the vestrymen of the parish of All Saints' Poplar in the county of Middlesex :

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And whereas the Act of 1817 empowered the said vestrymen to build equip and maintain in the said parish a church to be called and known by the name of the parish church of the parish of All Saints' Poplar in the county of Middlesex as well as a parsonage house for the residence of the rector or minister :

And whereas by the same Act the right of presentation to or right of appointing the rector of the said parish church was vested in the principal and scholars of the King's Hall and College of Brasenose in Oxford and it was also provided that two churchwardens should be chosen yearly for the said parish one by the inhabitant ratepayers and the other by the rector of the said parish :

And whereas the Act of 1817 directed the said vestrymen out of the fees and moneys to be received and the rates authorised to be levied under the said Act to pay to the rector of the said parish the yearly sum of four hundred and fifty pounds by equal quarterly payments and the said vestrymen were authorised to appoint an afternoon or evening lecturer for the said parish church at a yearly stipend of not less than sixty pounds and also to appoint a clerk to the said vestrymen :

And whereas a lecturer and a clerk to the said vestrymen were appointed accordingly and the present lecturer receives a yearly stipend of one hundred pounds and the present clerk receives a yearly stipend of ten pounds :

And whereas the said vestrymen were by the Act of 1817 empowered to borrow on the credit of rates to be levied by virtue of the said Act such sums of money not exceeding in the whole thirty thousand pounds as they should judge necessary for the several purposes of the said Act and the said vestrymen were also empowered from time to time to levy a rate or rates on the occupiers of all lands hereditaments and other property within the said parish of All Saints' Poplar liable to be rated to the poor rates not exceeding twelve pence in the pound in any one year :

And whereas the said parish church and rectory house were duly erected out of moneys borrowed under the authority of the said Act which moneys have long since been repaid and for many years the expenses of maintenance and repair of the said church and rectory house as well as the payment of the stipends of the rector lecturer and clerk to the said vestrymen were defrayed out of the rates levied under the authority of the said Act :

And whereas after the passing of the Compulsory Church Rate (Abolition) Act 1868 questions arose as to the purposes for which the rates leviable under the Act of 1817 might still continue to be levied and in the month of March one thousand eight hundred and eighty-two it was in effect decided by the High Court on a special case stated in the matter of an appeal against a rate made under the Act of 1817 that the said rates could only continue to be levied for (1) repairs of the rectory house (2) payment of the rector's stipend (3) payment of the lecturer's stipend and (4) payment of the stipend of the clerk to the said vestrymen :

A.D. 1903  
31 & 32 Vict.  
c 109.

And whereas by the London Government Act 1899 the metropolitan borough of Poplar was constituted and the civil parish of All Saints' Poplar aforesaid is included within its area and by virtue of the same Act the powers of the trustees as the local authority under the Act of 1813 were transferred to the Council of the said metropolitan borough of Poplar but their powers as vestrymen under the Act of 1817 relating to the affairs of the church and to church property were not so transferred but were left to be dealt with by a scheme under section 23 of the said London Government Act :

And whereas by the borough of Poplar (All Saints' Poplar) Scheme 1901 made and duly confirmed under the said section 23 and in this Act referred to as "the scheme of 1901" the trustees appointed under the Act of 1813 were abolished and the Act of 1813 was repealed and the following persons were appointed vestrymen for the purpose of putting the Act of 1817 into execution :—

- (a) The rector of All Saints' Poplar ; and
- (b) The churchwarden appointed by the said rector and the churchwarden elected in accordance with the provisions of the said scheme ; and
- (c) Ten persons annually elected by the inhabitants of the ecclesiastical district for the time being attached to the church of All Saints' Poplar ; and
- (d) Such persons other than the overseers as would have been vestrymen if the said scheme had not been made :

And whereas having regard to the dissatisfaction which exists with respect to the said rate and to the difficulty and expense of collecting the same as a separate rate the said vestrymen have not since their appointment under the scheme of 1901 levied any rate but have borrowed temporarily certain sums to meet the payment of the rector's stipend and other payments under the Act of 1817 :

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And whereas it is expedient to abolish the said rate and a scheme has been prepared in consultation with the Ecclesiastical Commissioners for its abolition and for the commutation of all liabilities thereto on the part of the vestrymen and ratepayers of the parish of All Saints' Poplar in consideration of a sum of nineteen thousand pounds to be raised within the said parish in manner provided by this Act by the Council of the borough of Poplar and to be paid by them to the Ecclesiastical Commissioners :

And whereas it is expedient that such scheme as embodied in or authorised by this Act be carried into effect :

And whereas the said vestrymen and the Council of the said borough have by resolutions passed at a vestry meeting and at a Council meeting held respectively on the eleventh day of December one thousand nine hundred and two and on the eighteenth day of December one thousand nine hundred and two approved the provisions of such scheme :

And whereas the Ecclesiastical Commissioners are willing to accept the said sum of nineteen thousand pounds and in consideration thereof to make the annual and other payments by this Act authorised and they have consented to the provisions of this Act :

And whereas it is expedient to empower the Council of the borough of Poplar to borrow money for the purposes of giving effect to the provisions of this Act :

And whereas the Reverend Henry Mosley the present rector of all Saints' Poplar has consented to the provisions of this Act :

And whereas the Reverend Edward Bray the present lecturer and James Butoux Skeggs the present clerk to the said vestrymen have agreed to relinquish their respective offices and they have respectively consented to the provisions of this Act :

And whereas the principal and scholars of the King's Hall and College of Brasenose in Oxford as patrons of the said rectory have consented to the provisions of this Act :

And whereas the Right Reverend Arthur Foley Lord Bishop of London 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal

[3 EDW. 7.] *All Saints' Poplar (Rate Abolition) Act, 1903.* [Ch. xvi.]

and Commons in this present Parliament assembled and by the authority of the same as follows:— A.D. 1903.

**1.** This Act may be cited as *All Saints' Poplar (Rate Abolition) Act 1903.* Short title.

**2.** In this Act "the vestrymen" means the vestrymen appointed under the scheme of 1901 "The Council" means the Council of the metropolitan borough of Poplar. Interpretation.

**3.** As from the twenty-fourth day of June one thousand nine hundred and three the vestrymen and the ratepayers of the parish of All Saints' Poplar shall be by virtue of this Act freed and discharged from all payments obligations and liabilities whatsoever under the Act of 1817 or otherwise in respect of the maintenance and repair of the rectory house of the parish of All Saints' Poplar and in respect of the stipend of the rector of the said parish and in respect of the stipends of the lecturer and clerk appointed under the Act of 1817 and in respect of any other matter under the said Act and the right power or duty to make assess collect levy or recover the rate authorised by the Act of 1817 for any purpose whatever 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 nine hundred and three may be levied and recovered as if this Act had not been passed. Abolition of rate.

**4.** The Council shall on or before the twenty-fourth day of June one thousand nine hundred and three pay to the account of the Ecclesiastical Commissioners at the Bank of England a sum of nineteen thousand pounds to be raised in manner hereinafter provided in commutation of all the payments and liabilities of every description from which the vestrymen or ratepayers of the parish of All Saints' Poplar are relieved under the provisions of this Act Provided that if the Council do not pay the said sum as aforesaid on or before the said date the Council shall out of their general rate pay as from that date interest at the rate of three pounds per centum per annum to the Ecclesiastical Commissioners on the said sum of nineteen thousand pounds or on so much thereof as shall for the time being remain unpaid until payment thereof to the Ecclesiastical Commissioners. Sum of nineteen thousand pounds payable as consideration for abolition of rate.

**5.** Out of the sum of nineteen thousand pounds to be paid to the Ecclesiastical Commissioners under this Act the Ecclesiastical Commissioners shall as soon as may be after its receipt pay (*a*) to Payments out of sum of nineteen thousand pounds.

A.D. 1903. the rector of the rectory and parish of all Saints' Poplar any arrears of his stipend accrued due since the twenty-ninth day of September one thousand nine hundred and one (*b*) to the lecturer under the Act of 1817 any arrears of his stipend accrued due since the twenty-ninth day of September one thousand nine hundred and one (*c*) to the clerk to the said vestrymen under the Act of 1817 any arrears of his stipend accrued due since the twenty-ninth day of September one thousand nine hundred and one (*d*) any sums now owing for repairs of the said rectory house since the twenty-ninth day of September one thousand nine hundred and one Or in case payments in respect of any of such stipends or repairs for the period between the twenty-ninth day of September one thousand nine hundred and one and the twenty-fourth day of June one thousand nine hundred and three have been made out of moneys advanced by any person then the Ecclesiastical Commissioners shall repay such moneys together with interest at the stipulated rate if any Provided that the total amount expended by the Ecclesiastical Commissioners under the foregoing provisions shall not exceed one thousand two hundred pounds.

The Ecclesiastical Commissioners shall also out of the said sum of nineteen thousand pounds pay the costs charges and expenses preliminary and of and incidental to obtaining this Act as taxed by the taxing master of the House of Lords or of the House of Commons and shall also pay to the Reverend Edward Bray the present holder of the office of lecturer under the Act of 1817 the sum of three hundred pounds in consideration of his relinquishing that office and to James Buteux Skeggs the present clerk to the said vestrymen under the Act of 1817 the sum of thirty pounds in consideration of his relinquishing that office.

Annual payments by Ecclesiastical Commissioners in respect of balance of sum of nineteen thousand pounds.

**6.**—(1) The balance of the said sum of nineteen thousand pounds after the expenditure hereinbefore directed or authorised to be made shall be retained and held by the Ecclesiastical Commissioners and a sum equivalent to three pounds per centum per annum on the balance so retained (hereinafter called “the said annuity”) shall as from the twenty-fourth day of June one thousand nine hundred and three be applied and expended by them in making the following payments (that is to say):—

- (i) An annual sum of four hundred and fifty pounds shall be paid by them to the rector for the time being of All Saints' Poplar by 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 nine hundred and three ;

- (ii) Such sums shall be paid by them to the present holder of the office of lecturer under the Act of 1817 and to the present holder of the office of clerk to the said vestrymen under the same Act respectively as will represent the proportion of their respective stipends which shall have accrued for the period between the twenty-fourth day of June one thousand nine hundred and three and the taking effect of their respective resignations of their respective offices under this Act.

(2) The residue of the said annuity after making the payments aforesaid shall be applied by the Ecclesiastical Commissioners—

- (i) In or towards the expenses of insurance of the fabric of the parish church and of maintenance repair and insurance of the rectory house of All Saints' Poplar in such manner and on such terms and conditions (if any) as they may in their discretion see fit ; and
- (ii) In or towards payment of any such salaries of any such officers as may be hereafter attached to the said church of All Saints' Poplar or for such other purposes in connection with the said church and rectory house as they may with the approval of the Lord Bishop of London determine ;
- (iii) In payment to the incumbent or incumbents for the time being of any district or new parish which may at any time have been or may be formed wholly or partly out of the original limits of the civil parish of All Saints' Poplar of such yearly or other sum as they may with the approval of the Lord Bishop of London determine.

7. The receipts in writing of the rector of the parish church of All Saints' Poplar and of the lecturer and clerk to the said vestrymen appointed under the Act of 1817 respectively shall be a good discharge to the Ecclesiastical Commissioners for any payment of moneys to them respectively under this Act.

Receipts of rector and others.

8. The Council 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 without any authority other than this Act on the security of the general rate leviable by them under the Metropolis Management Act 1855 and the London Government Act 1899 such

Borrowing powers of Council of borough of Poplar.

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*Act, 1903.*

A.D. 1903. — sums as they may require for the purpose of making the above-mentioned commutation payment of nineteen thousand pounds to the Ecclesiastical Commissioners and for the purpose of meeting the costs charges and expenses of and incidental to raising the same Provided always that in calculating the moneys which the Council may borrow under any other enactment any sums which they may borrow under this Act shall not be reckoned.

Application of certain sections of Metropolis Management Act 1855.

9. For the purpose of securing repayment of any sums authorised to be borrowed as aforesaid the Council may mortgage the general rate leviable by them as aforesaid and the following sections of the Metropolis Management Act 1855 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 mortgage) ;

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

Section 189 (Transfer of mortgages register of transfer).

Period and mode of repayment of borrowed moneys.

10. The Council shall 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.

Power to borrow under Local Loans Act.

11. The Council 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 or 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 Council shall be a charge upon 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 Council 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.

Proviso for raising moneys exclusively from parish

12. Provided always and it is hereby expressly declared that all moneys required by the Council for payment of interest on and repayment of principal of the sum or sums borrowed by them under the powers of this Act shall be raised by an addition to the



general rate levied by the Council within and throughout the civil parish of All Saints' Poplar and not otherwise and for that purpose it shall be the duty of the Council to insert under a separate heading in the demand note for rates within the said parish the amount of the addition to the general rate which will be from time to time required by the Council for the purposes of this Act and the Council shall have the same powers and duties for assessing collecting and recovering the amount of such addition within the said parish as they have for assessing collecting and recovering the general rate.

A.D. 1903.  
of All Saints'  
Poplar.

**13.** On and after the next avoidance of the respective offices of lecturer and clerk to the vestrymen appointed under the Act of 1817 those offices 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 the said church and the right and mode of appointment to the same and the tenure and salary thereof respectively.

Abolition and  
rearrange-  
ment 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 or under the hand of their secretary and any such instrument may if the Ecclesiastical Commissioners think fit be published in the London Gazette.

As to exer-  
cise of powers  
by Ecclesias-  
tical Com-  
missioners.

**15.** The provisions of section 17 of the New Parishes Act 1843 relating to the appointment and office of churchwardens shall extend and apply to the rectory and parish church of All Saints' Poplar and to the ecclesiastical district now attached thereto and the said rectory and ecclesiastical district shall be deemed to have become a new parish within the meaning of section 15 of the said Act.

Application  
of certain  
provisions of  
New Parishes  
Act 1843.

**16.** From and after the date of appointment of new churchwardens under the powers of this Act and of the New Parishes Act 1843 the churchwardens of the parish of All Saints' Poplar shall cease to hold their respective offices and the existing right of appointment to the office of rector's churchwarden and the existing power of electing a churchwarden and of electing vestrymen for the purposes of the Act of 1817 shall cease and determine.

As to exist-  
ing church-  
wardens of  
All Saints'.

**17.** From and after the twenty-fourth day of June one thousand nine hundred and three the site of the church of All Saints' Poplar with the buildings rights and appurtenances thereof

Vesting of  
church &c.  
of All Saints'  
Poplar.

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A.D. 1903. — and the rectory house of All Saints' Poplar 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.

Repeal. **18.** From and after the twenty-fourth day of June one thousand nine hundred and three the Act of 1817 and section 3 of the Scheme of 1901 shall be repealed and references to churchwardens in section 2 of the said scheme shall be construed as references to churchwardens appointed under this Act Provided that the repeal by this Act of the Act of 1817 shall not alter or affect—

- (i) The constitution of the parish of All Saints' Poplar as a separate and distinct parish or of the rectory of All Saints' Poplar; or
- (ii) The patronage of or right of presentation to the rectory and parish church of All Saints' Poplar; or
- (iii) The ownership of or right to receive the great tithes or any modus or composition in lieu thereof arising within the parish of All Saints' Poplar.

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Printed by EYRE and SPOTTISWOODE,  
FOR  
T. DIGBY PIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

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