



ANNO QUINQUAGESIMO QUARTO

GEORGI II. REGIS.



Cap. 135.

An Act for amending an Act of King *Charles* the Second, relating to the Cathedral Church of *Saint Asaph*, in the County of *Flint*.

[17th June 1814.]

WHEREAS an Act was passed in the Twenty-ninth and Thirtieth Years of the Reign of His Majesty King *Charles* the Second, intituled *An Act for the appropriating the Rectories of Llanrhaiadr yn Mochnant, in the Counties of Denbigh and Montgomery, and of Skeifiog in the County of Flint, for Repairs of the Cathedral Church of Saint Asaph, and the better Maintenance of the Choir there; and also for the uniting several Rectories sine cura, and the Vicarages of the same Parishes, within the Diocese of Saint Asaph aforesaid:* And whereas the Rectory of *Llanrhaiadr yn Mochnant*, in the Counties of *Denbigh* and *Montgomery* and Diocese of *Saint Asaph*, and all the Glebe, Tythes, Issues and Profits thereof, were by the said recited Act vested in the Dean and Chapter of the Cathedral Church of *Saint Asaph* in the County of *Flint*, and their Successors for ever, to the only Intent and Purpose that the Rents, Issues and Profits of the same should be by them from Time to Time for ever bestowed and employed to and for the satisfying and defraying the Charge of the Repairs of the said Cathedral Church of *Saint Asaph*, in the First Place; and the Residue of the said Profits, for the Augmentation of the Revenue of the Choir thereof; and that the Rents, Issues and Profits of

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Power to borrow Money.

the said Rectory of *Llanrhaidr yn Mochnant* should be distributed, disbursed and apportioned by the said Dean and Chapter of *Saint Asaph*, by and with the Consent of the Bishop of *Saint Asaph* for the Time being: And whereas the Repairs of the said Cathedral Church have for several Years last past, been attended with considerable Expence, insomuch that the Rents, Issues and Profits of the said Rectory of *Llanrhaidr yn Mochnant* have been insufficient for defraying such Expences; and several large Sums of Money are now due and owing on account thereof; and it is necessary that some further Repairs and Alterations in the said Cathedral Church should be made: And whereas it would greatly facilitate the Liquidation of the said Debts, and the Completion of the said Repairs and Alterations, if the said Dean and Chapter were empowered to borrow Money upon the Credit of the Rents, Issues and Profits of the said Rectory of *Llanrhaidr yn Mochnant*, for effecting such Purposes; but which cannot be done without the Aid and 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, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Dean and Chapter of the said Cathedral Church of *Saint Asaph* shall be and they are hereby empowered from Time to Time to borrow any Sum or Sums of Money, not exceeding in the whole the Sum of Ten thousand Pounds, either by Assignment of the Rents, Issues and Profits of the said Rectory of *Llanrhaidr yn Mochnant* aforesaid, or by the granting of Annuities for Lives, as herein-after mentioned, or partly by Assignment, or partly by granting of Annuities for Lives, as they shall think most advisable; and that the said Rents, Issues and Profits of the said Rectory of *Llanrhaidr yn Mochnant* shall be a Security for the Payment of the Principal and Interest which shall at any Time be or become due to any Person or Persons, or to the Executors, Administrators or Assigns of such Person or Persons who shall advance Money to the said Dean and Chapter of the said Cathedral Church, pursuant to the Provisions of this Act.

Form of Assignment.

II. And be it further enacted, That if the said Dean and Chapter of the said Cathedral Church shall at any Time borrow Money as aforesaid, it shall be lawful for the said Dean and Chapter, by Writing under the Hand of the Dean of the said Cathedral Church, and the Seal of the Dean and Chapter of the said Cathedral Church, from Time to Time to grant and assign all or any Part or Parts of the said Rents, Issues and Profits arising from the said Rectory of *Llanrhaidr yn Mochnant*, to any Person or Persons as shall be willing to lend or advance any Money thereon, or to the Trustee or Trustees, Executors, Administrators or Assigns, of any such Person or Persons respectively, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Grant and Assignment shall be from Time to Time defrayed by the said Dean and Chapter out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect contained in the Schedule (No. 1.) to this Act annexed; and every such Assignment shall be good, valid and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her or their Executors, Administrators or Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act; and

and all such Assignments shall be numbered, commencing with Number One, and so proceeding in Arithmetical Progression ascending, whereof the common Excess or Difference shall always be One.

III. And be it further enacted, That it shall and may be lawful for the said Dean and Chapter of the said Cathedral Church of *Saint Asaph*, and they are hereby authorized and empowered from Time to Time when they shall judge necessary, by Writing under the Hand of the Dean of the said Cathedral Church and the Seal of the Dean and Chapter of the said Cathedral Church, to grant Annuities to any Person or Persons who shall contract, advance and pay into the Hands of the said Dean and Chapter, or into the Hands of their Actuary and Receiver for the Time being, any Sum or Sums of Money for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the natural Life of each such Annuitant respectively, or during the natural Lives of any Two such Contributors and the Life of the Survivor, or the natural Life of such other Person, or the natural Lives of Two such Persons, and the Life of the Survivor, as shall be nominated by or on the Behalf of such respective Annuitants at the Time of Payment of their respective Purchase Money; so that the Annual Interest of the whole Money to be raised by granting of Annuities as aforesaid, and also to be raised by borrowing Money as aforesaid, shall, together, at no One Time exceed Five hundred Pounds; and the said Annuities shall be payable and paid by the said Dean and Chapter of the said Cathedral Church of *Saint Asaph*, or their Actuary and Receiver, in the Chapter House of the said Cathedral Church, or at such other Place in the Parish of *Saint Asaph* aforesaid, as they the said Dean and Chapter shall for that Purpose appoint, by equal Half Yearly Payments, or otherwise, as in the Grant or Grants thereof shall be respectively expressed, and to commence from the Receipt of any Sum or Sums of Money respectively; and such Annuity or Annuities shall not be subject or liable to any Deduction or Abatement for or in respect of any Tax, Charge, or Assessment imposed or to be imposed by the Authority of Parliament, or otherwise howsoever, upon the Rents, Issues, and Profits of the said Rectory of *Llanrhaidr yn Mochnant* charged therewith, or by whom or out of which the same are to be answered and paid; and the Grant of every such Annuity shall be in the Words or to the Effect contained in the Schedule (No. 2.) to this Act annexed; and every such Grant shall be good, valid and effectual, without any Enrolment or Registry of the Memorial thereof in the High Court of Chancery or elsewhere, except as herein-after mentioned, any Law or Statute to the contrary thereof in anywise notwithstanding.

Money may be raised by Annuities for Life.

IV. And be it further enacted, That there shall be provided by the said Dean and Chapter, and kept in the Chapter House of the said Cathedral Church, or in such other Place, within the said Parish of *Saint Asaph*, as they shall appoint, a Book or Books, in which shall be fairly written in Words at Length, the Names and Surnames, with the proper Additions and Places of Abode, of all Persons who shall have advanced and lent any Sum or Sums of Money under the Authority of this Act, or who shall be Purchasers of any of the Annuities aforesaid, and of all Persons by whose Hands the said Persons so advancing, lending and purchasing Annuities aforesaid respectively shall pay in any Sum or Sums of Money upon the Credit of this Act, and also the Sum and Sums so paid for the

Books to be kept for entering Securities and Grants of Annuities.

Purchase of such Annuities, and the respective Days of Payment thereof; to which Book or Books it shall and may be lawful for the Person or Persons advancing Money under the Authority of this Act, and purchasing Annuities as aforesaid respectively, and their Assigns, from Time to Time and at all seasonable Times to have recourse to and inspect the same, without Fee or Reward.

Annuitants may compel Payment of Annuities.

V. And for the more effectual securing to the said Annuitants the full and regular Payment of their respective Annuities as aforesaid; be it further enacted, That if it shall happen that the said respective Annuities so as aforesaid to be granted or sold, or any Part thereof, shall be behind or unpaid by the Space of Twenty-one Days next after the same shall respectively become due and payable as aforesaid (being demanded), they the said Annuitants respectively, and his, her and their respective Executors, Administrators and Assigns, are hereby empowered from Time to Time to commence and prosecute One or more Action or Actions at Law, upon the Case or in Debt, in any of His Majesty's Courts of Record at *Westminster*, or in the Courts of Great Sessions in *Wales*, in order to recover such Annuity or Annuities or yearly Sums, and all Arrears thereof that shall be due to him, her or them respectively, against the said Dean and Chapter refusing or neglecting to pay the same, and shall and may upon such Action or Actions recover the Money so due and payable.

Rents, &c. to be chargeable with Annuities.

VI. And be it further enacted, That the Rents, Issues and Profits of the said Rectory of *Llanrhaidr yn Mochnant*, shall be charged and chargeable with and for the Payment of the Annuity or Annuities so granted or sold; and in case of Default of Payment of the said Annuity or Annuities, within the Space of Twenty-one Days next after the Time or Times when the same shall become due and payable, the said Rents, Issues and Profits of the said Rectory of *Llanrhaidr yn Mochnant*, shall be from thenceforth vested in the Person or Persons who shall have advanced and paid such Sum or Sums of Money upon the Credit of this Act, or his, her or their Executors, Administrators or Assigns, until the same shall be fully paid and satisfied, and all Costs and Charges occasioned by the Non-payment of the same.

Securities and Annuities may be transferred.

VII. And be it further enacted, That it shall and may be lawful to and for any Person or Persons entitled to any of the Securities for the Money borrowed by virtue of this Act as aforesaid, or to be raised by granting of Annuities as aforesaid, and his, her and their respective Executors, Administrators, and Assigns, to assign over their respective Securities, and the said Annuities and the Deeds of Grant thereof, to any Person or Persons whomsoever; all which Assignments or Transfers shall be produced and notified to the Actuary of the said Dean and Chapter, within Forty Days next after the Date thereof, who shall cause an Entry of such Transfers or Assignments to be made in a proper Book or Books to be provided for that Purpose, containing in Words at length, the Dates, Names of the Parties, and the Sums therein respectively mentioned to be assigned and transferred; for which the said Actuary shall be paid by the Person to whom such Transfer shall be made, the Sum of Ten Shillings and no more; all which said Books shall and may at all seasonable Times be perused and inspected without Fee or Reward by any Person or Persons interested in any such Security, Assignment, or Annuity;

Transfers to be entered in Books to be kept for that Purpose.

Annuit; and after such Entry made, such Assignment and Transfer shall entitle such Assignee, his, her, or their Executors, Administrators, or Assigns, to the Benefit thereof and Payment thereon; and such Assignees may in such Manner assign or transfer again, and so *toties quoties*; and it shall not be in the Power of any Person who shall have made such Assignment and Transfer, to make void or discharge the same, or any Monies due thereon; and the Entries so to be made as aforesaid, shall be signed by the said Actuary; and the said Books, and the respective Entries so signed, shall be admitted and allowed to be read in Evidence in all Courts whatsoever, and every such Transfer as aforesaid shall be in the Words or to the Effect contained in the Schedule (No. 3.) to this Act annexed: Provided always, that no Transfer or Assignment shall be deemed good and effectual, nor shall the said Dean and Chapter be obliged to take Notice thereof, until such Entry shall have been made in such Book or Books as aforesaid.

No Transfer to be effected without being first entered.

VIII. Provided always, and be it further enacted, That nothing herein contained shall be construed to make it necessary for any Person or Persons who shall advance Money under the Authority of this Act, to attend to the due Application of such Money; but every such Security aforesaid shall be good and valid in Law against the said Dean and Chapter and their Successors, notwithstanding any Misapplication or Non-application of such Money.

Persons lending Money not to be answerable for the Misapplication of Money borrowed.

IX. Provided always, and be it further enacted, That in case the said Dean and Chapter shall find any Difficulty in borrowing and raising sufficient Money to pay off and discharge the Debts now due and owing as aforesaid, and stated in the Schedule (No. 4.) to this Act annexed, then it shall and may be lawful to and for the said Dean and Chapter, and they are hereby empowered and directed to grant and assign such a Proportion of the Rents, Issues, and Profits of the said Rectory of *Llanrhaidr yn Mochnant*, in Manner and Form or to the Effect aforesaid, so as the Rents, Issues, and Profits to be assigned shall at no one Time exceed Five hundred Pounds, as a Security or Securities to any Person or Persons (his, her, or their Executors or Administrators, Trustee or Trustees respectively, as the Case may be) who at any Time previous to the passing of this Act shall have advanced or lent Money to the said Dean and Chapter, for carrying on the Repairs of the said Cathedral Church, or who shall have given his, her, or their personal Security or Securities as a Guarantee or Guarantees for the said Dean and Chapter, for all or any Part of such Monies as shall have been so lent and advanced by such Person or Persons respectively as aforesaid, and not previously paid off and discharged, any Thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

In case Money cannot be raised to pay off the Debt, the Dean and Chapter to assign the Rents, &c. as Securities.

X. And be it further enacted, That in order to provide for the Repayment of the said Principal Sum or Sums to be advanced under the Authority of this Act, otherwise than by the Purchase of an Annuity or Annuities, it shall and may be lawful to and for the said Dean and Chapter, and they are hereby empowered and directed to place out at Interest, upon Government or some other good and sufficient Security or Securities, so much of the Rents, Issues, and Profits of the said Rectory of *Llanrhaidr yn Mochnant*, as shall annually remain, after paying the Interest and Annuities on the said Principal Sum or Sums, and the Expences attending the raising

Surplus of Rents, &c. to be placed out at Interest until a sufficient Sum has accumulated to pay off the Principal Money borrowed.

the same, and the Augmentations annually paid to the Vicars Choral for the Time being, and the annual Stipends of the Choir of the said Cathedral Church, and the Stipends annually paid to the several Curates of *Llangadwaladr*, *Llangedwin* and *Llanwddun*, Chapels of Ease to the Parish Church of *Llanrhaidr yn Mochnant* aforesaid, and also the annual Taxes, Charges and other Payments, payable and chargeable in respect of the said Rectory of *Llanrhaidr yn Mochnant* and the said Cathedral Church; and to permit and suffer as well the Interest to arise from Time to Time on such Surplus of Rents, Issues, and Profits so placed out, as also such Surplus of Rents, Issues, and Profits, from Time to Time to be placed out as aforesaid, to remain and continue on such Security or Securities last aforesaid, to accumulate until there shall be a sufficient Sum or Sums of Money to discharge and pay off all or any of the said Principal Sum or Sums to be advanced or secured as aforesaid under the Authority of this Act, otherwise than by the Purchase of an Annuity or Annuities, and to pay and apply the same accordingly.

Power to borrow Money for future Repairs, &c.

XI. And be it further enacted, That in case the said Dean and Chapter of the said Cathedral Church of *Saint Asaph*, shall at any future Time find it necessary to borrow Money for the Purpose of repairing or altering the said Cathedral Church, or the Appurtenances thereto belonging, it shall be lawful for the said Dean and Chapter, with the Consent of the Lord Bishop of *Saint Asaph* for the Time being, to borrow, in the Manner aforesaid, such further Sum or Sums of Money as may be deemed necessary; provided that the Sum requisite for defraying the annual Interest to be paid for the Use of such Money so borrowed, shall at no one Time exceed Five hundred Pounds of the Rents, Issues, and Profits of the said Rectory of *Llanrhaidr yn Mochnant*, any Thing herein-before contained to the contrary thereof notwithstanding.

Application of Money.

XII. And be it further enacted, That all and every the Sum and Sums of Money which shall be borrowed or received by virtue of this Act, shall be applied and appropriated in Manner following; (that is to say) in the First Place, in Payment of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and all other Charges incident thereto; in the next Place, in Payment of the several Debts mentioned in the Schedule, No. 4. to this Act annexed; and lastly, in the completing the Repairs and Alterations of the said Cathedral Church.

Powers of former Act to remain in force.

XIII. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to repeal, annul, or alter any of the Enactments, Provisions, Powers, Authorities, Rights, Privileges, Matters, or Things, contained in the said recited Act (other or further than expressed in this Act); but that all and every the Enactments, Provisions, Powers, Authorities, Rights, Privileges, Matters, or Things, contained in the said recited Act, shall (except as aforesaid) be, remain, and continue in as full Force and Effect as if this Act had not been passed, and be deemed and taken to be Part of this Act, as if the same had been herein inserted and re-enacted.

General Saving.

XIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all other Person and Persons, Bodies Politic and Corporate, their Heirs, Executors, and Successors, all such Right, Title, Interest, Claim,

Claim, and Demand whatsoever which he, they, or any of them may or ought to have in or to the Premises or any of them, in case this Act had not been passed; any Thing herein contained to the contrary thereof in anywise notwithstanding.

XV. And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom; and a Copy thereof so printed by any of them, shall be admitted as Evidence thereof by all Judges, Justices, and others. Evidence Clause.

SCHEDULES to which this Act refers.

SCHEDULE, No. 1.

WE, the Dean and Chapter of the Cathedral Church of Saint Asaph, by or in pursuance of an Act of Parliament, passed in the Fifty-fourth Year of the Reign of King George the Third, intituled [*here set forth the Title of this Act*] in Consideration of the Sum of advanced and lent by A.B. of upon the Credit and for the Purposes of the said Act, and this Day paid by him into the Hands of C.D. the Actuary and Receiver of the said Dean and Chapter, do hereby grant and assign unto the said A.B., or to his, her, or their Trustee or Trustees, [*as the Case may be*] his, her, or their Executors, Administrators, and Assigns, such Proportion of the Rents, Issues, and Profits arising from the Rectory of Llanrhaidr yn Mochnant, in the Counties of Denbigh and Montgomery, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed, or become due and owing, or be charged upon the said Rectory of Llanrhaidr yn Mochnant; to be had and holden from the Day of until the said Sum of with Interest after the Rate of per Centum per Annum for the same, shall be repaid and satisfied: In Witness whereof, the Seal of the said Dean and Chapter is hereunto affixed; and the Dean has signed the same the Day of in the Year of our Lord

SCHEDULE,

SCHEDULE, No. 2.

WE, the Dean and Chapter of the Cathedral Church of Saint Asaph,
 by or in pursuance of an Act of Parliament, made in the Fifty-fourth
 Year of the Reign of King George the Third, intituled An Act [*here*
set forth the Title of this Act,] in Consideration of the Sum of
 paid by into the Hands of
 the Actuary and Receiver of the said Dean and Chapter, do hereby
 grant unto the said Executors, Administrators, or
 Assigns, out of the annual Rents, Issues, and Profits arising from the
 Rectory of Llanrhaidr yn Mochnant, in the Counties of Denbigh and
 Montgomery, an Annuity of which Annuity or
 yearly Sum of shall be paid to the said
 or his or her Assigns, during the Term of his or her natural Life [*or,*
as the Case may be] to the said his or her Executors,
 Administrators or Assigns, during the natural Life of
 [*or,* during the natural Lives of and
 and the Life of the Survivor] at upon the
 Day of and Day of
 in every Year during the natural Life or Lives of
 him, her, or them the said ; and the First
 Payment thereof shall be made upon the Day of
 next ensuing the Date of these Presents: In Witness whereof, the Seal
 of the said Dean and Chapter is hereunto affixed; and the Dean has
 signed the same, the Day of in the
 Year of our Lord

SCHEDULE, No. 3.

I, A. B. being entitled to the Sum of or an Annuity
 of secured to C. D. and his [*or,* her] Assigns [*or,* his or
 her] Executors, Administrators, and Assigns, [*as the Case may be*] by
 virtue of an Assignment or Grant of an Annuity bearing Date the
 Day of under the Hand of the Dean, and
 Seal of the Dean and Chapter of the Cathedral Church of Saint Asaph,
 acting in the Execution of an Act, passed in the Fifty-fourth Year of
 the Reign of King George the Third, intituled [*set forth the Title of*
this Act] secured upon the Rents, Issues, and Profits of the Rectory of
 Llanrhaidr yn Mochnant, in the Counties of Denbigh and Montgomery,
 by the said Act, do hereby transfer all my Right and Title in and to
 the same Sum [*or,* Annuity,] and all Interest and other Money now
 due and owing, or to grow or become due thereon, unto E. F. his
 Executors, Administrators, and Assigns. Dated the
 Day of in the Year of our Lord

SCHEDULE,

SCHEDULE, No. 4.

	£	s.	d.
Principal Money due to the Lord Bishop of Saint Asaph for the Time being, and Sir John Williams of Boddlewiddan in the County of Flint, Baronet, the same being a Benefaction from the late Dr. Marsden, formerly one of the Prebendaries of the Cathedral Church of Saint Asaph, the Interest whereof was to be applied in clothing poor Children of the Parish of Saint Asaph, and assigned over to the said Lord Bishop and the said Sir John Williams, in Trust for that Purpose; borrowed by the Dean and Chapter for carrying on the Repairs of the said Cathedral Church - - -	100	—	—
Two Years Interest on the said Principal Sum, due Seventh of May One thousand eight hundred and fourteen -	10	—	—
Principal Money due to the said Lord Bishop and the Dean and Chapter of the said Cathedral Church of Saint Asaph, as Trustees of a certain Charity for Relief of the poor Widows and Orphans of Clergymen who officiated in the Diocese of Saint Asaph, being certain Legacies and Benefactions to the said Charity, laid out by them in the Purchase of Bank Stock, and afterwards sold out and borrowed by the said Dean and Chapter for carrying on the Repairs aforesaid, amounting to - - -	641	19	2
Six Months Interest on the said Sum of Six hundred and forty-one Pounds, Nineteen Shillings, and Two-pence	16	1	4
Principal Money due to Messrs. Clough, Mason, and Company, Bankers, Denbigh, borrowed by the said Dean and Chapter for carrying on the Repairs aforesaid - - -	1,171	11	4
Six Months Interest on One thousand and fifty-one Pounds, Eleven Shillings, and Four-pence, Part of the said Sum of One thousand one hundred and seventy-one Pounds, Eleven Shillings, and Four-pence, to the Thirty-first of June One thousand eight hundred and fourteen; the Remainder of which last-mentioned Sum was borrowed the Twenty-sixth of March last -	26	6	—
Principal Money due to John Roberts of Coppy, in the County of Denbigh, Esquire, borrowed by the said Dean and Chapter for carrying on the said Repairs -	1,200	—	—
Six Months Interest thereon, due First of July One thousand eight hundred and fourteen -	30	—	—
Principal Money due to Barbara Yonge of Bodryddan, in the said County of Flint, borrowed by the said Dean and Chapter, towards carrying on the Repairs aforesaid - - -	300	—	—
Nine Months Interest thereon to the First of June One thousand eight hundred and fourteen - - -	11	5	—
Carried over - - -	3,507	2	10

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Brought over - - -	3,507	2	10
Principal Money due to the Lord Bishop of Saint Asaph, advanced by him to the said Dean and Chapter for carrying on the Repairs aforesaid - - -	200	—	—
To John Jones, Builder, Denbigh, for surveying the State of the old Roof of the said Cathedral Church, and inspecting the Plans for a new Roof thereof, and for making his Report thereon - - -	21	—	—
<i>Memorandum.</i> There are some other Debts due on account of the said Cathedral, of which no Bills have yet been rendered, but which, it is calculated, cannot exceed in the Whole - - -	150	—	—
	£ 3,878	2	10

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Printers to the King's most Excellent Majesty. 1814.