ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. xxxviii.

An Act for building a Chapel of Eaſe in the Pariſh of *Boſton* in the County of *Lincoln*.

[19th *May* 1819.]

WHEREAS the Population of the Pariſh of *Boſton* in the County of *Lincoln* is very great, and has of late Years much increaſed; and the Pariſh Church cannot conveniently be made to accommodate the Inhabitants of the ſaid Pariſh, and it would be of public Utility if a Chapel of Eaſe, for the Performance and Celebration of Divine Worſhip according to the Rites and Uſage of the United Church of *England* and *Ireland*, were erected on the Weſt Side of the River *Witham* within the ſaid Pariſh; but inaſmuch as ſuch Chapel of Eaſe cannot be erected and ſupported 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 *Henry Butler Pacey* Doctor in Divinity, *John Caparn* Clerk, *John Wayett* Clerk, *Samuel Richard Fydell*, *Henry Gee*, *Auguſtus Duggan*, *William Rodgerſon*, *Henry Rogers*, *James Ingram*, *Edward Hunnings*, *John Waite*, *Thomas Gee*, *John Palmer Hollway*, *John Hardwick Hollway*, *William Ingelow*, *Joſhua Coupland*, *John Dickinſon*, *Edward Sandars*, *Jeptha Pacey*, *James Dawes Stainbank*, *Shadworth Hodgson*, *Joſeph Simmonds*, and the Mayor of *Boſton* for the Time being, together with all and every Perſon or Perſons who hath or have engaged before the paſſing of this Act to lend, advance, or contribute the Sum of Fifty Pounds, or who ſhall within the Space of Twelve Calendar Months next after the paſſing of this

Appointment of Truſtees.

this Act by Writing under his or her Hand engage to advance or contribute the Sum of One hundred Pounds Sterling or upwards for the Purpoſes of this Act, and ſhall be deſirous of acting as a Truſtee or Truſtees, and their Succeſſors to be elected and appointed as herein-after mentioned, ſhall be and they are hereby appointed Truſtees for putting this Act in Execution.

Power to appoint new Truſtees when the original Number is reduced to leſs than Ten Perſons excluſive of the Mayor of Boſton.

II. And be it further enacted, That when and as often as the ſaid Truſtees ſhall by Death, Reſignation, or Refuſal to act, be reduced to a leſs Number than Ten, excluſive of the Mayor of *Boſton* for the Time being, it ſhall or may be lawful for the major Part in Value of the Subſcribers for the Purpoſes of this Act, whoſe Subſcriptions ſhall not have been repaid to them, in purſuance of Notice, (which Notice the ſurviving or remaining Truſtees or the major Part of them are hereby required to give, in Manner herein-after directed within the Space of One Calendar Month next after the Death, Reſignation, or Refuſal to act of the Perſon ſo reducing the Number of Truſtees below Ten as aforeſaid, ſhall be made known to them), from Time to Time as ſuch Vacancies ſhall occur, to elect by Vote in the Manner and under the Reſtrictions herein-after mentioned with reſpect to the Plan for building the ſaid Chapel ſome other fit Perſon in the Room of the Perſon ſo dying, reſigning, or refuſing to act, and every Perſon ſo elected ſhall immediately thereupon become veſted with the ſame Powers and Authorities as if he had been appointed a Truſtee in and by this Act: Provided always, that in caſe all the Subſcribers ſhall have been paid their Subſcriptions, then it ſhall be lawful for the major Part in Value of the Proprietors of Pews and Seats for the Time being, to elect any ſuch Truſtees or Truſtee by Vote, each Proprietor of a Pew or Seat to be entitled to One Vote and no more; and in caſe the ſaid Subſcribers or Proprietors of Pews and Seats reſpectively ſhall at any Time, upon a Vacancy happening as aforeſaid, neglect to appoint ſome fit Perſon as aforeſaid to act as a Truſtee in the Room of the Perſon ſo dying, reſigning, or refuſing to act, within the Space of Three Calendar Months after ſuch Death, Reſignation, or Refuſal to act ſhall be made known to them as aforeſaid, then and in that Caſe it ſhall be lawful for the Mayor of *Boſton* for the Time being to appoint ſuch Truſtee, who ſhall immediately upon ſuch Appointment being ſigned by the ſaid Mayor of *Boſton*, and entered in a Book to be provided by the Truſtees for that Purpoſe, become veſted with the ſame Powers and Authorities as if he had been appointed a Truſtee in and by this Act.

Meeting of the Truſtees.

III. And be it further enacted, That the Firſt Meeting of the ſaid Truſtees for putting this Act in Execution, ſhall be holden as ſoon as conveniently may be after the paſſing of this Act at *Boſton* aforeſaid, and all ſubſequent Meetings ſhall be held at ſuch Times and Places within the ſaid Pariſh as the ſaid Truſtees ſhall from Time to Time appoint (except in Caſes otherwiſe expreſsly provided for by this Act): Provided always, that a Notice of the Intention to hold ſuch Meetings reſpectively, as well as all other Meetings under this Act, unleſs otherwiſe particularly directed, ſhall in all Caſes be inſerted in the *Boſton Gazette*, or in ſome other public Newſpaper uſually circulated within the ſaid Pariſh, until the ſaid intended Chapel ſhall be erected, and afterwards ſhall be affixed upon the Door thereof at leaſt Seven Days before any of the Days on which ſuch Meetings are reſpectively intended to be held.

No act valid unleſs at a Meeting of Five Truſtees at leaſt.

IV. And be it further enacted, That no Act of the ſaid Truſtees in the Execution of this Act ſhall be deemed to be good, valid, or effectual, unleſs the ſame ſhall be done at ſome Meeting to be holden in purſuance of this Act (except as may be herein-after excepted), and all the Powers and Authorities by this Act granted to the ſaid Truſtees ſhall and may be exerciſed from Time to Time by the major Part of them who ſhall be preſent at any ſuch Meeting, the Number of Truſtees then preſent not being leſs than Five; and all the Orders and Proceedings of ſuch major Part ſhall have the ſame Force and Effect as if the ſame were made or done by all the Truſtees preſent (ſave and except as may be herein-after excepted), and at every Meeting of the ſaid Truſtees a Chairman ſhall be appointed; and when and as often as it ſhall happen that there ſhall upon any Queſtion be an Equality of Votes at any ſuch Meeting, including the Vote of the Chairman, then it ſhall and may be lawful to and for ſuch Chairman to give the deciſive or caſting Vote.

All Proceedings to be entered.

V. And be it further enacted, That the ſaid Truſtees ſhall cauſe fair and regular Entries of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all ſuch Truſtees as ſhall be preſent at their ſeveral Meetings, to be made in a Book or Books to be provided for that Purpoſe, and ſuch Entries ſhall be ſubſcribed with the Name of the Chairman, and all ſuch Entries being ſo ſigned ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Courts whatſoever in all Cauſes, Suits, and Actions touching any Thing done in purſuance of this Act.

Truſtees may appoint Officers, and allow them and the Officers to be appointed by the Miniſter, Salaries.

VI. And be it further enacted, That the ſaid Truſtees may and they are hereby empowered by Writing under their Hands, to appoint a Treaſurer or Treaſurers, Collector or Collectors, and all ſuch other Officers and Perſons for the Execution of this Act (except ſuch Officers as the Miniſter for the Time being of the ſaid intended Chapel is herein-after empowered to appoint), as they the ſaid Truſtees ſhall think proper, and from Time to Time to remove ſuch Officers or Perſons reſpectively as they the ſaid Truſtees ſhall ſee Occaſion; and out of the Monies to be received by virtue of this Act to allow and pay ſuch Salaries, Wages, and Allowances to the ſaid Officers to be appointed by them, and alſo by the ſaid Miniſter as herein-after mentioned, as they the ſaid Truſtees ſhall think reaſonable; and the ſaid Truſtees are hereby required to take ſufficient Security from every ſuch Treaſurer and other Officers for the due Execution of his and their reſpective Offices as they ſhall think proper.

Truſtees to ſue and be ſued in the Name of their Treaſurer or Treaſurers.

VII. And be it further enacted, That the ſaid Truſtees ſhall and may ſue and be ſued in the Name or Names of their Treaſurer or Treaſurers for the Time being to be appointed under this Act; and no Action or Suit ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Treaſurers, or by the Act of ſuch Treaſurer or Treaſurers, without the Conſent of the ſaid Truſtees; but the Treaſurer or Treaſurers for the Time being ſhall always be deemed Plaintiff or Plaintiffs or Defendant or Defendants in every ſuch Action or Suit, as the Caſe may be: Provided always, that every ſuch Treaſurer or Treaſurers ſhall be reimburſed out of the Monies to be raiſed by virtue of this Act all ſuch Coſts, Damages, and reaſonable Expences as he or they ſhall be put unto or become charged or chargeable with by reaſon of his or their

being

being ſo made Plaintiff or Plaintiffs or Defendant or Defendants as aforeſaid.

Truſtees may contract for the Purchaſe of Land not exceeding Three Acres.

VIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered, as ſoon as conveniently may be after the paſſing of this Act, to contract or agree for the abſolute Purchaſe in Fee Simple in Poſſeſſion of any Freehold Lands, Tenements, or Hereditaments on the Weſt Side of the River *Witham*, in the Pariſh of *Boſton* aforeſaid, not exceeding Three Acres in the Whole, with any Perſon or Perſons whomſoever who ſhall be willing to ſell the ſame for the Purpoſes of this Act.

Incapacitated Perſons may ſell.

IX. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, and Collegiate, and for all Corporations whether Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees of or for Lunatics and Idiots, and all other Truſtees whomſoever, not only for and on Behalf of themſelves, but alſo for and on Behalf of their Ceſtuique Truſts reſpectively, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſon or Perſons under any Diſability of acting for himſelf, herſelf, or themſelves, and alſo to and for all Femes Covert who are or ſhall be ſeiſed in their own Right, and to and for all Perſons whether Tenants for Life, or in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Perſon and Perſons whomſoever who is or are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Grounds, or Hereditaments which it may be deſirable to purchaſe for the Purpoſes of this Act, to treat and agree with the ſaid Truſtees or any Five or more of them for carrying this Act into Execution, for the abſolute Sale of any Pieces or Parcels of Land with or without any Buildings thereon, not exceeding the Quantity herein-before mentioned, on the Weſt Side of the River *Witham*, in the Pariſh of *Boſton* aforeſaid, and to convey the ſame to the ſaid Truſtees and their Succeſſors for the Purpoſes of this Act; and all Contracts, Sales, and Conveyances which ſhall be ſo made ſhall be valid and effectual to all Intents and Purpoſes, any Law, Statute, Uſage, or other Matter or Thing to the contrary thereof in anywiſe notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees of Idiots and Lunatics and Huſbands, and all other Perſons, ſhall be and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act; and it ſhall and may be lawful to and for the ſaid Truſtees and their Succeſſors to hold ſuch Lands and Premiſes ſo purchaſed without incurring or being ſubject to any of the Penalties and Forfeitures of the Statutes of Mortmain.

On Payment of Money Premiſes to be conveyed.

X. And be it further enacted, That upon Payment of the Money ſo contracted or agreed to be paid for the Purchaſe of ſuch Lands, Tenements, or Hereditaments by the ſaid Truſtees, or for the Purchaſe of any Eſtate or Intereſt therein to the Party or Perſons reſpectively entitled to ſuch Money or Monies, ſuch Perſon or Perſons ſhall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Surrenders, Aſſignments, and Aſſurances in the Law to the ſaid Truſtees and their Succeſſors, in Truſt for the Purpoſes of this Act; and upon the

Conveyance

Conveyance of ſuch Lands, Tenements, and Hereditaments, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand in Law and Equity of the Perſon or Perſons reſpectively for whoſe Uſe the ſame ſhall be paid, in, to, or out of ſuch Lands, Tenements, and Hereditaments, ſhall veſt in the ſaid Truſtees and their Succeſſors for ever for the Uſes and Purpoſes aforeſaid; which Conveyances, Surrenders, Aſſignments, and Aſſurances may be in the following Form; (that is to ſay),

'I *A. B.* of in conſideration of the Sum of
'paid by the Truſtees acting by virtue of an Act of Parliament paſſed
'in the Fifty-ninth Year of the Reign of King *George* the Third, intituled
'[*here ſet forth the Title of this Act*], do hereby grant and releaſe to the
'ſaid Truſtees and their Succeſſors all [*here deſcribe the Premiſes*], and
'alſo all my Right, Title, and Intereſt to and in the ſame and every Part
'thereof, to hold to the ſaid Truſtees and their Succeſſors for ever. In
'witneſs whereof, I have hereunto ſet my Hand and Seal, the
'Day of in the Year of our Lord .'

Premiſes to veſt in Truſtees.

XI. And be it further enacted, That immediately after the Execution of ſuch Conveyance, the Truſtees acting under and by virtue of this Act ſhall be deemed in Law to be in the actual Seiſin or Poſſeſſion thereof to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having an Eſtate in the Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale enrolled, Feoffment with Livery of Seiſin, Fine, common Recovery, Surrender, or any other Conveyance or Aſſurance in the Law whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand of the Perſon or Perſons to whoſe Credit ſuch Payment ſhall have been made, but alſo ſhall extend to and be deemed and conſtrued to extend to bar the Dower and Dowers of the Wife or Wives of ſuch Perſon and Perſons, and all Eſtates Tail and other Eſtates in Poſſeſſion, Reverſion, Remainder, or Expectancy; and the Iſſue and Iſſues of ſuch Perſon and Perſons and every Perſon claiming under them, as effectually as Fines or common Recoveries would do if levied or ſuffered by the proper Parties in due Form of Law.

Application of Compenſation Money if amounting to 200l.

XII. And be it further enacted, That if any Money ſhall be agreed to be paid for any Lands, Tenements, or Hereditaments purchaſed by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Body Corporate, Eccleſiaſtical or Civil, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or to any Femes or Feme Covert or other incapacitated Perſon or Perſons, or to any Perſon or Perſons ſeiſed for Life or Lives of any other Eſtate in ſtrict or other Settlement, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing this Act, purſuant to the Method preſcribed by the Act of the Twelfth Year of the Reign of King *George* the Firſt, Chapter Thirty-two, and the General Orders of the ſaid Court, without Fee or Reward, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to

the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting any other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Truſts, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court in the Purchaſe of other Lands, Tenements, or Hereditaments which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed as aforeſaid ſtood ſettled or limited, or ſuch of them as at the Time of making the Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect; and in the meantime and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and exceeding 20l.

XIII. Provided always, and be it further enacted, That if any Money ſo agreed to be paid for any Lands, Tenements, or Hereditaments purchaſed for the Purpoſes aforeſaid, and belonging to any Corporation or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank with the Privity and in the Name of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by any Three or more of the Truſtees for executing this Act; ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties, in order that ſuch principal Money and the Dividends ariſing thereon may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Application where not more than 20l.

XIV. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed to be paid, as laſt before-mentioned, ſhall not exceed Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of

the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto according to ſuch Poſſeſſion.

XV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the ſaid Court of Chancery in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments according to ſuch Poſſeſſion until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery, and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court may order reaſonable Expences of Repurchaſes to be paid.

XVI. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands or Hereditaments to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Plan of Chapel to be determined upon at Meeting of Subſcribers.

XVII. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required, as ſoon as conveniently may be after the paſſing of this Act, to procure One or more Plan or Plans or Deſign or Deſigns from ſome experienced Architect or Architects, for the ſaid intended Chapel, and ſhall (by Notice to be given in Manner hereinbefore directed reſpecting Meetings of Truſtees) aſſemble a Meeting or Meetings as often as the Caſe may require, of the Subſcribers to the ſaid Chapel, to determine by Vote upon a Plan for building the ſaid Chapel; and every Subſcriber of Fifty Pounds and leſs than Two hundred Pounds ſhall be entitled to give by himſelf or his Agent One Vote, and every Subſcriber of Two hundred Pounds and leſs than Three hundred Pounds

Two

Two Votes, and of Three hundred Pounds and leſs than Four hundred Pounds Three Votes, and of Four hundred Pounds and leſs than Five hundred Pounds Four Votes, and of Five hundred Pounds and upwards Five Votes, upon every Queſtion which it may be neceſſary to determine at any ſuch Meeting (no Subſcriber being allowed in any Caſe to give more than Five Votes on his own Account, and more than Five Votes as the Agent or Proxy of any other Perſon or Perſons); and all Queſtions ſhall be decided by the Majority of ſuch Votes given at all ſuch Meetings: Provided always, that no Subſcriber ſhall be prevented from voting at any ſuch Meeting on Account of his being a Truſtee acting in the Execution of this Act.

Truſtees may build a Chapel, &c.

XVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to cauſe a Chapel of Eaſe to be erected or built upon ſome Part of the ſaid Lands or Hereditaments to be purchaſed or provided for the Purpoſes of this Act, after ſuch Model and of ſuch Dimenſions and with ſuch Materials as ſhall be determined upon by the Majority in Value of the Perſons ſubſcribing Money for building ſuch Chapel, in Manner herein-before directed, and in ſuch Manner as they the ſaid Truſtees, with the Approbation of the Biſhop of the Dioceſe for the Time being, ſhall order or direct, and to make or cauſe to be made a Cemetery or Burial Ground thereto if they ſhall think fit, and alſo to cauſe Pews, Seats, and Galleries, and a Veſtry, together with ſuch Ornaments and Conveniences to be made, erected, and ſet up in the ſaid Chapel, and as the Ordinary ſhall approve, and to cauſe any Bell or Bells to be hung up in the ſaid Chapel as the ſaid Truſtees ſhall deem neceſſary or proper, in order that the ſaid Chapel may be completely fitted up and furniſhed for the Performance of Divine Service therein, according to the Rites and Ceremonies of the United Church of *England* and *Ireland* as by Law eſtabliſhed, and alſo to lay out a ſufficient Part of the Lands and Hereditaments ſo to be purchaſed or provided for the Purpoſes of this Act, for Approaches to the ſaid Chapel, Cemetery, or Burial Ground, as the ſaid Truſtees ſhall deem neceſſary and expedient: Provided always, that the ſaid Truſtees may cauſe Vaults to be made under the Floor of the ſaid Chapel, if they ſhall think proper ſo to do, for the Interment of the Dead: Provided alſo, that no Corpſe or dead Body ſhall be depoſited or buried in any Part of the ſaid Chapel or in any Vault to be made under the ſaid Chapel, without a Coffin made of Lead or otherwiſe incloſed in Pitch of Half an Inch in thickneſs between an interior and exterior Coffin of Wood.

Truſtees may make Vaults.

Chapel to be a perpetual Cure.

XIX. And be it further enacted, That the ſaid Chapel, when built and completed, ſhall be ſet apart and dedicated to the Service of Almighty God, as a Place of Divine Worſhip, according to the Rites of the United Church of *England* and *Ireland* as by Law eſtabliſhed; and ſuch Chapel from and immediately after the Conſecration thereof ſhall and is hereby declared to be a perpetual Cure and Benefice, and ſhall be called by the Name of 'The Chapel of Eaſe in *Boſton*:' Provided always, that nothing in this Act contained ſhall extend or be conſtrued to extend to the making of any new Pariſh, or to the altering of any Tithes or any other Eccleſiaſtical Dues or Payments, or any Rates, Taxes, Aſſeſſments, or other Payments whatſoever: Provided alſo, that neither the ſaid intended Chapel nor the Rents and Profits to be made by letting the Pews, nor any Perſon or Perſons in reſpect of the Premiſes or any Part thereof, or of any yearly Profits,

This Act not to make a new Pariſh, or to alter any Tithes, &c.

Not ſubject to parochial Rates or Aſſeſſments.

Profits, Salary, or other Sum payable to ſuch Perſon or Perſons under the Authority of this Act, ſhall be ſubject or liable to be aſſeſſed to the Relief of the Poor, or to any other Parochial or Church Rate or Aſſeſſment whatever.

Pews, Vaults, &c. veſted in the Truſtees.

XX. And be it further enacted, That all the Pews, Seats, and Galleries in the ſaid intended Chapel, and all the Vaults (if any) under the ſaid Chapel, with their Appurtenances, ſhall be and the ſame are hereby veſted in the ſaid Truſtees and their Succeſſors for the Purpoſes of this Act.

Seats to be appropriated for the Accommodation of Poor.

XXI. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required to ſet apart and appropriate not leſs than One-fourth of the Whole of the Sittings in the ſaid intended Chapel for the gratuitous Accommodation of the Poor of the Pariſh of *Boſton* aforeſaid, who ſhall be deſirous of attending Divine Worſhip therein.

Pews, &c. to be numbered.

XXII. And be it further enacted, That all the Pews and Seats to be erected and ſet up in the ſaid intended Chapel and in the Galleries thereof (except ſuch as ſhall be ſet apart for the Accommodation of the Poor), and alſo the Vaults (if any) which ſhall be made under the ſaid Chapel, ſhall be marked with and diſtinguiſhed by different Numbers or Figures, to be carved or painted on the Door of each Pew, Seat, and Vault as aforeſaid.

Chapel to be built by Subſcription.

XXIII. And whereas the Method propoſed for raiſing a ſufficient Sum of Money to enable the ſaid Truſtees to erect the ſaid Chapel and for carrying this Act into Execution, is by Subſcription entered and to be entered into by the Inhabitants of the ſaid Borough of *Boſton*, and others willing to promote the ſaid Undertaking; be it therefore enacted, That the ſeveral Perſons who have already ſubſcribed or ſhall hereafter ſubſcribe for or towards the building or finiſhing of the ſaid Chapel, ſhall and are hereby required to pay the ſeveral Sums of Money by them reſpectively ſubſcribed and to be ſubſcribed at ſuch Times and in ſuch Manner and to ſuch Perſon or Perſons as the ſaid Truſtees or any Five or more of them ſhall at any Meeting to be holden in purſuance of this Act order and direct; and if ſuch Subſcriber or Subſcribers ſhall neglect or refuſe to pay the Money ſo by him, her, or them reſpectively ſubſcribed as aforeſaid according to the Order or Direction of the ſaid Truſtees, the ſame ſhall and may be recovered by the ſaid Truſtees by Action of Debt to be brought in any of His Majeſty's Courts of Record at *Weſtminſter*: Provided always, that the Amount of ſuch Subſcriptions and Monies to be raiſed by virtue of and for the Purpoſes of this Act, ſhall not exceed in the Whole the Sum of Ten thouſand Pounds.

Subſcribers to pay Subſcriptions.

On Neglect of Payment to be ſued.

Reimburſing Subſcribers, by Sale of Pews, Seats, and Vaults.

XXIV. And whereas the Method propoſed for reimburſing the ſaid Subſcribers the Money to be advanced by them reſpectively with Intereſt, is by the Sale and Diſpoſition of the Pews or Seats to be ſet up in the ſaid Chapel, after having allotted and appropriated Pews for the Miniſter of the ſaid Chapel and for the Chapel Wardens, and alſo a Space for the Accommodation of ſuch poor Perſons of the ſaid Pariſh of *Boſton* as may be willing to reſort to the ſaid Chapel for the Purpoſe of Divine Worſhip; be it therefore further enacted, That the ſaid Truſtees ſhall, and they are hereby required, with all convenient Speed, after the ſaid Chapel ſhall be in a ſufficient State of Forwardneſs, to ſell the Fee Simple and Inheritance of the ſaid Pews, Seats, and Vaults in ſuch Manner by private Contract as

to the ſaid Truſtees ſhall ſeem meet (except the ſaid Pews or Seats to be reſerved for the Miniſter of the ſaid Chapel and the Chapel Wardens for the Time being), to any Perſon or Perſons willing to become the Purchaſer or Purchaſers thereof at ſuch Price or Prices in Money as can or may be reaſonably had or gotten for the ſame, and until ſuch Sale or Sales to let ſuch Pews and Seats to any Perſon or Perſons at ſuch Rent and for ſuch Time and upon ſuch Terms and Conditions as the ſaid Truſtees may think proper; and that a Memorandum of each ſuch Sale being entered in a Book or Books kept for that Purpoſe and ſigned by Five or more of the ſaid Truſtees and by the Purchaſer or Purchaſers of ſuch Pews, Seats, and Vaults reſpectively, ſhall be good, valid, and effectual to veſt the Fee Simple and Inheritance thereof in ſuch Purchaſer or Purchaſers, without any Faculty or other Inſtrument whatſoever, and ſuch Pews or Seats may afterwards be from Time to Time aſſigned or diſpoſed by ſuch Purchaſer or Purchaſers, his, her, and their Heirs and Aſſigns, by Deed or Will, as he or they may think proper.

Truſtees to give Preference to Subſcribers or Donors in the Purchaſe of Seats.

XXV. Provided nevertheleſs, and it is hereby enacted and declared, That before any Sale ſhall be made of any ſuch Pews or Seats as aforeſaid, the ſaid Truſtees ſhall and are hereby required to allow the ſeveral Perſons who have agreed or ſhall agree to lend or ſubſcribe the Sum of Fifty Pounds or upwards towards erecting and building the ſaid Chapel, and for the other Purpoſes of this Act, or to give by way of free Donation any Sum or Sums for the Purpoſes aforeſaid, a Priority or Preference of becoming the Purchaſer or Purchaſers of any of the Pews or Seats hereby authorized to be ſold, in the Order following; that is to ſay, the Subſcribers or Donors of the greateſt Sums of Money to have the firſt Choice of the Pews or Seats, and afterwards the Subſcribers or Donors of leſs Sums, in Order and Courſe according to the Amount of the ſeveral Sums by them reſpectively ſubſcribed or given, a free Donation of Fifty Pounds being conſidered as equivalent to a Loan of Two hundred Pounds, and ſo in the like Proportion for other Sums, ſuch Priority or Preference to be determined by Lot in Cards where Two or more Subſcribers or Donors of equal Value are deſirous of purchaſing any Pews or Seats; and after ſuch of the ſaid Subſcribers or Donors as ſhall be ſo deſirous of purchaſing Pews or Seats as aforeſaid ſhall have been provided with the ſame, the ſaid Truſtees ſhall and may from Time to Time ſell the reſt of the Pews or Seats then remaining in Manner aforeſaid: Provided always, that in caſe the reſt of the Pews cannot be ſold, then it ſhall be lawful for the Truſtees to let the ſame upon ſuch Terms and to ſuch Perſons as the ſaid Truſtees ſhall think proper, and to apply the Monies ariſing therefrom for the Purpoſes of this Act.

For recovering of Pew Rents.

XXVI. Provided always, and be it enacted, That the Rents for ſuch of the ſaid Pews or Seats as ſhall be demiſed or let, ſhall be reſerved and made payable by equal quarterly Payments on the Firſt Day of *March*, the Firſt Day of *June*, the Firſt Day of *September*, and the Firſt Day of *December* in each and every Year, the Firſt of ſuch quarterly Payments for every ſuch Pew or Seat to commence and become due and payable on ſuch of the ſaid Quarter Days as ſhall firſt happen after the Time of taking Poſſeſſion thereof; and in caſe the Rent ſo reſerved or agreed for ſhall be behind or unpaid after the ſame ſhall become due and be lawfully demanded, it ſhall be lawful for any Collector or Collectors of the Rents of the ſaid

Pews and Seats for the Time being, and he and they is and are hereby authorized and required to enter upon and take Poſſeſſion of ſuch Pew or Seat for or on Behalf of the ſaid Truſtees, and the ſaid Truſtees may let the ſame to any other Perſon, and the Rent or Rents ſo in Arrear ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons liable to the Payment thereof, by virtue of a Warrant under the Hand and Seal of any Juſtice of the Peace for the Parts of *Holland* in the County of *Lincoln*, and which Warrant any ſuch Juſtice is hereby empowered and required to grant, returning the Overplus (if any) upon Demand to the Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale.

Rent recovered by Diſtreſs and Sale of the Goods and Chattels of Perſons refuſing to pay the ſame.

XXVII. And whereas the Mayor and Burgeſſes of the Borough of *Boſton* aforeſaid, Patrons of the Vicarage of *Boſton* aforeſaid, have ſecured the annual Payment of One hundred Pounds to the officiating Miniſter of the ſaid Chapel, to be iſſuing and payable to him and his Succeſſors Half-yearly for ever out of Lands and Hereditaments belonging to the ſaid Mayor and Burgeſſes, in Conſideration whereof it hath been agreed that the Patronage and Right of Preſentation after the Period herein-after mentioned ſhall be veſted in the ſaid Mayor and Burgeſſes and their Succeſſors; be it therefore further enacted, That when and ſo ſoon as the ſaid intended Chapel ſhall be built and conſecrated, the perpetual Advowſon, Right of Patronage, free Diſpoſition, Nomination, and Preſentation of, in, and to the ſaid intended Chapel, ſhall for and during the Term of Fifteen Years, to commence and be computed from the Day of the firſt Nomination and Preſentation thereto, be veſted in and ſettled upon the ſaid Subſcribers, their Executors or Adminiſtrators, unleſs ſuch Subſcribers ſhall be ſooner paid their Subſcription Monies, and ſhall from and after the Expiration of ſuch Term or Payment of ſuch Subſcription Monies for ever thereafter appertain to, and the ſame is hereby veſted in and ſettled upon the ſaid Mayor and Burgeſſes of the Borough of *Boſton* aforeſaid and their Succeſſors for ever, freed and abſolutely diſcharged of all Eſtates, Rights, and Intereſts of the preſent and all future Vicars of the ſaid Pariſh Church of *Boſton*, and all Perſon and Perſons whomſoever claiming under him, them, or any of them.

Settling Patronage of the Chapel.

XXVIII. And be it further enacted, That the ſaid Truſtees ſhall, within Two Months after the ſaid Chapel ſhall have been built and made fit for the Celebration of Divine Worſhip, aſſemble a Meeting of the Subſcribers to the ſaid Chapel (of which Meeting Three Weeks Notice ſhall be given in the *Boſton Gazette*) for the Purpoſe of electing and chooſing a fit and proper Spiritual Perſon to be nominated to the Biſhop of *Lincoln* for the Purpoſe of being approved and licenſed to ſerve the ſaid Chapel as the Miniſter thereof, and ſo from Time to Time during the Period of Fifteen Years as herein-before mentioned, as often as any ſuch Miniſter ſhall die, reſign, or vacate his Office; and the Election of every ſuch Miniſter ſhall from Time to Time be decided by the Votes of the then Subſcribers, to be given in the ſame Manner as any Queſtion is herein-before directed to be decided by the Majority of Votes at Meetings of the Subſcribers to the ſaid Chapel: Provided always, that if before the Expiration of the ſaid Fifteen Years all the Subſcribers ſhall have been paid their Subſcription Monies, then and in that Caſe the Election and Nomination of the Miniſter ſhall be by the ſaid Mayor and Burgeſſes of *Boſton* as herein-before mentioned: Provided always, that upon Failure of any ſuch Nomination as aforeſaid within

First Election of Miniſter.

within the Space of Six Calendar Months next after every such Vacancy, the Right of Nomination for that Turn shall lapse to the Lord Bishop of the Diocese of *Lincoln*, and to the Metropolitan, and to the Crown successively, according to the Course of Law in Cases of presentative Benefices.

The Chapel to be a separate Cure.

XXIX. And for keeping the said Chapel at all Times hereafter an entire and distinct Cure and Benefice from the Parish Church of *Boston* aforesaid, be it further enacted, That it shall not be lawful for the Vicar of the said Parish Church, or any other Person holding any Curacy or Lectureship within the said Parish, or under the Vicar thereof, to be Minister of the said intended Chapel.

Marriages and Christenings not to be performed in Chapel.

XXX. Provided always, and it is hereby enacted and declared, That nothing in this Act shall authorize or empower the Minister of the said Chapel or any other Person whomsoever to perform the Ceremony of Marriage or Christening in the said Chapel.

All Burials to be registered.

XXXI. And be it further enacted, That all Burials within the said intended Chapel, or in any Vaults or Cemetery belonging thereto, shall be registered in public Register Books to be provided by the Chapel Wardens, and kept for that Purpose by the Minister, according to the Laws in force for keeping Registers in that Part of the United Kingdom called *England*, and such Register Books shall be received in all Courts of Law and Equity as Evidence of such Burials.

Double Fees to be paid, Half to the Vicar.

XXXII. And be it further enacted, That there shall be paid to the Minister of the said intended Chapel, for every Burial at the said Chapel, Double the Fees which are actually and of right ought to be paid at the Parish Church of *Boston* aforesaid; and that the Minister of the said intended Chapel shall from Time to Time collect and receive all such double Fees, of which an Account shall be kept by him, open to the Inspection of the Vicar of the said Parish; and the said Minister shall account for and pay, by Half-yearly Payments in every Year, *videlicet*, on the First *Monday* after every *Christmas* Day and *Midsummer* Day, one Moiety or Half Part thereof to the Vicar of the said Parish for the Time being, the First of the said Payments to be made on such of the said Days as shall happen next after the Consecration of the said Chapel; and in case of Non-payment within Fourteen Days next after any of the said Half-yearly Days of Payment, such Moiety or Half Part of all such Fees shall and may be sued for and recovered from the said Minister of the said Chapel, with full Costs of Suit, by the Vicar of the said Parish for the Time being, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

Minister's Duty.

XXXIII. And be it further enacted, That the Minister of the said intended Chapel shall every *Sunday* Morning and Evening read therein the Prayers prescribed in the Book of Common Prayer, or public Liturgy of the Church of *England*, and shall also every *Sunday* Morning and Evening, and in the Morning of every *Christmas* Day and *Good Friday*, and of all occasional public Fasts and Festivals, after Divine Service is performed, preach or cause to be preached a Sermon in the said intended Chapel, and shall at least Four Times in the Year administer the Holy Sacrament of the Lord's Supper, namely, on *Easter Sunday*, *Whit Sunday*, the First *Sunday* in *October*, and *Christmas* Day, and on such other *Sundays* as the Ordinary shall appoint.

XXXIV. And

Lecturer may be appointed by the Proprietors of Pews.

XXXIV. And be it further enacted, That if the Proprietors of Pews and Seats in the ſaid Chapel, or the major Part of them, ſhall be deſirous to have a Lecturer appointed to read Prayers and preach a Serm on in the ſaid intended Chapel every *Sunday*, in addition to the Duty herein-before provided to be done by the officiating Miniſter, it ſhall be lawful for the ſaid Proprietors of Pews and Seats, or the major Part of them, from Time to Time to employ and engage the Miniſter of the ſaid intended Chapel, or any other Miniſter duly qualified by Law to be ſuch Lecturer; and that every ſuch Lecturer, other than the Miniſter of the ſaid intended Chapel, being firſt approved of and duly licenſed thereto by the Biſhop of *Lincoln*, ſhall have the Uſe of the ſaid intended Chapel and the Pulpit therein for the Purpoſes aforeſaid; and every ſuch Lecturer ſhall be paid for his Care and Pains therein, by a voluntary Subſcription of the ſaid Proprietors of Pews and Seats, as they or the major Part of them ſhall direct and appoint.

Lecturer's Salary.

Truſtees empowered to accept Lands, Money, &c. to the Amount of 10,000l.

XXXV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby authorized and empowered at any Time or Times hereafter, without Licence in Mortmain, to accept and take any immediate Gift, Grant, Conveyance, or Deviſe, Gifts, Grants, Conveyances, or Deviſes of any Lands, Tenements, or Hereditaments, and any Bequeſts of Money, Goods, Chattels, or Effects, not being of greater Amount or Value in the whole than Ten thouſand Pounds to them and their Succeſſors for ever, by the Name and Style of 'The Truſtees of the Chapel of Eaſe in *Boſton*,' for the Augmentation of the Miniſter's Salary, or Endowment of the ſaid intended Chapel, or for the Diſcharge of any Debt or Debts incurred in the building of the ſaid Chapel or any other of the Purpoſes of this Act; any Law, Statute, or Uſage to the contrary thereof in anywiſe notwithſtanding.

Fund for Repairs.

XXXVI. And be it further enacted, That as ſoon as conveniently may be after the Conſecration of the ſaid intended Chapel, the ſaid Truſtees ſhall, and they are hereby required to place at Intereſt, upon good and ſufficient Security, in the Name of the Miniſter and Chapel Wardens of the ſaid intended Chapel for the Time being, the Sum of One hundred Pounds Sterling; and the Intereſt or Dividends thereof ſhall from Time to Time accumulate and be added to the Principal, till the whole ſhall amount to Four hundred Pounds Sterling, for providing a Fund for and to be laid out by the ſaid Miniſter and Chapel Wardens for the Time being, in the neceſſary Expences of ſupporting and keeping in Repair the Roof, main Walls, and Timbers of the ſaid intended Chapel, and the Chapel Yard and Fences, ſo that the ſame may at all Times be preſerved in good Repair and Condition: Provided always, that in the Application of the ſaid Sum of Money the ſame ſhall never be reduced below the Sum of Two hundred Pounds, which Sum ſhall be continued at Intereſt, or as ſoon as may be done conveniently, be laid out in the Purchaſe of Land, to be conveyed to the ſaid Truſtees and their Succeſſors; and the Intereſt of the ſaid Sum of Two hundred Pounds, or the Rents and Profits of the Lands to be purchaſed, as the Caſe may be, ſhall be and remain a continual Proviſion for ſuch Repairs of the ſaid intended Chapel, Chapel Yard and Fences, and for enlarging or improving the ſaid Chapel, as the Law in reſpect of Parochial Churches requires, and as the Ordinary may direct and approve.

Appointment of Chapel Wardens.

XXXVII. And be it further enacted, That as ſoon after the Conſecration of the ſaid intended Chapel as conveniently may be, Two of the Proprietors of

of Pews and Seats therein, shall be appointed Chapel Wardens of the said intended Chapel until the Twenty-fifth Day of *March* next after such Appointment; and in case of the Death of either of them before such Time, then the Survivor of them shall act as Chapel Warden until such Time; and thenceforth upon every Twenty-fifth Day of *March*, or within Fourteen Days next after that Day yearly for ever, Two fit Persons shall be appointed from among the said Proprietors of Pews and Seats in the said Chapel, to be and act as Chapel Wardens of the said Chapel, one of such Chapel Wardens to be appointed by the Minister for the Time being, and the other by the said Proprietors or the major Part of them to be assembled in the said Chapel for that Purpose; and in case of the Death of any Chapel Warden during the Year for which he shall have been elected, then and in every such Case a new Chapel Warden shall be appointed by and out of the Persons aforesaid, in such Manner as the deceased Chapel Warden shall have been appointed, and every such Chapel Warden to be so appointed as last aforesaid, shall respectively be and act as Chapel Warden of the said intended Chapel, until the Twenty-fifth Day of *March* next after his Appointment: Provided always, that all such Chapel Wardens shall be sworn in the same Manner as Parochial Churchwardens are sworn in at the Archdeacon's Visitation, and shall be subject in all other Respects to the Laws and Discipline of the United Church of *England* and *Ireland*.

Appointment of Clerk and Sexton, &c.

XXXVIII. And be it further enacted, That the Minister for the Time being of the said intended Chapel is hereby authorized and empowered to nominate and appoint proper Persons to the Offices of Clerk and Sexton, and the Proprietors of Pews or Seats are hereby authorized and empowered to nominate and appoint a proper Person to be Organist (if any Organ shall be set up in such intended Chapel), and for the said respective Parties from Time to Time to remove or displace any such Officer or Officers or Organist, and to appoint any other or others in his or their Stead, or in the Stead of such of them as shall die or decline, or become incapable to perform his or their Office or Offices respectively.

Minister and Chapel Wardens subject to the ordinary Jurisdiction of the Bishop of Lincoln.

XXXIX. And be it further enacted, That the said intended Chapel and Minister shall be under and subject to the Order and Jurisdiction of the Bishop of the Diocese of *Lincoln* for the Time being, and to the Order and Jurisdiction of the Archdeacon of the Archdeaconry of *Lincoln* for the Time being, and shall be visited as Ministers, Churchwardens, Churches, and Chapels in the Diocese and Archdeaconry of *Lincoln* are visited.

Rate upon the Pews for occasional Repairs and incidental Expences.

XL. And be it further enacted, That the Persons appointed to the said Office of Chapel Wardens of the said intended Chapel as aforesaid, shall and may and they are hereby empowered and required to make or cause to be made a Rate sufficient to answer and pay the Expences herein-after mentioned, upon the Proprietors of the Pews and Seats in the said intended Chapel, in Proportion to the Value of each Pew and Seat respectively at the Time of the Sale thereof, and to collect and receive every such Rate from the said Proprietors; and in case any Proprietor or Proprietors, his, her, or their Executors or Administrators shall at any Time or Times neglect or refuse to pay the Sum or Sums assessed on him, her, or them respectively by any such Rate, it shall be lawful for the said Chapel Wardens, or one of them, to use such Means for the Recovery of every such Rate as by the Laws are provided for compelling the Payment of Assessments for the Repairs of Parish Churches; and by and out of the

Monies arising by such Rates to find and provide all Things requisite for the due Administration of Divine Service, and also to pay all Expences to be from Time to Time incurred in preserving the said intended Chapel, and all Things belonging thereto, in good Repair, suitable for the Celebration of Divine Worship therein.

Application of Monies.

XLI. And be it further enacted, That the Monies to be received by Donation or by Way of Subscription by the said Trustees by virtue of this Act, shall be applied by them in Payment of the Costs, Charges, and Expences of obtaining and passing this Act, and then in erecting and completing the said intended Chapel, and for other the Purposes of this Act.

Monies arising by the Sale of Pews how to be applied.

XLII. And be it further enacted, That the several Sum and Sums of Money which shall or may be received by the said Trustees, and their Successors, from the Sale of Pews or Seats and Vaults, or from the Rents thereof until Sale, or which may otherwise come to their Hands by virtue of the Powers and Authorities vested in them by this Act, after Payment and Discharge of all reasonable Costs and Charges incident to the Trust, shall be paid over to the Treasurer for the Time being of the said Trustees, to be by him paid and divided to and amongst the several Subscribers and their respective Representatives, in Proportion and according to the Sums of Money by them respectively lent and advanced for the Purposes of this Act, until the whole of such Monies, with lawful Interest for the same from the Time of the Advancement thereof, shall be fully repaid and satisfied, and the Surplus (if any) shall be vested in the said Trustees as a perpetual Fund for preserving and supporting the said Chapel or enlarging the same, or for increasing the Minister's Salary, or for such other Purposes as the Patrons of the said Chapel shall think proper.

Indemnity to Trustees.

XLIII. Provided always, and be it enacted, That all and every the said Trustees shall from Time to Time and at all Times hereafter be amply and fully indemnified from and out of the Monies to arise by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them or their Treasurer or Treasurers as aforesaid shall and may sustain or be put unto for or by reason of any Action, Suit, or other Proceeding which may be had, sued, commenced, or prosecuted against them or any or either of them for any Act, Matter, or Thing which may be by them or any of them legally done in or about the Execution of this Act and the Trusts hereby in them reposed.

Limitation of Actions.

XLIV. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, after the Expiration of Six Calendar Months next after the Cause of Action or Suit shall arise, nor without Twenty-one Days Notice shall be given to him or them previous to the Commencement of such Action or Suit, and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen and not elsewhere; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after the Time limited for bringing the same as aforesaid, then and in every Case the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs,

tiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Action or Suit in other Cases of Law and Equity.

Vicar of Boston not to interfere with Chapel.

XLV. Provided always, and be it enacted, That the Vicar of *Boston* for the Time being, or any Curate or Minister officiating for him, shall have no Power or Authority to intermeddle or interfere with the said Chapel, or the Cemetery or Burial Ground to be attached thereto, nor shall he or they be subject or liable to any Duty, or have any Burthen imposed upon him or them by the Erection of such Chapel in the Parish of *Boston*: Provided also, that nothing in this Act contained shall prejudice, impeach, or defeat the Right, Title, Interest, Claim, or Demand of the Vicar of the said Parish of *Boston* for the Time being, of, in, or to any Tithes, Offerings, Oblations, Obventions, or other Ecclesiastical Dues, Benefits, or Advantages arising within the same Parish and belonging to the Vicar thereof or his Successors, but the same shall be paid and payable in the same Manner as they would have been in case this Act had not passed.

Certain Rights of the Vicar of Boston not to be affected.

General Saving of Rights.

XLVI. Saving always to the King's most Excellent Majesty, and to His Heirs and Successors, and to all and every other Person or Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than such as are meant and intended to be barred and destroyed by this Act), all such Estates, Rights, Titles, and Interests as they, every, or any of them had and enjoyed before the passing of this Act, or could or might have had or enjoyed in case this Act had not passed.

Public Act.

XLVII. 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, without being specially pleaded.

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