ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. XXXV.

An Act for enlarging the Church Yard of the Parish of *Christ Church* in the County of *Surrey*; and for other Purposes relating thereto.

[16th *June* 1817.]

WHEREAS the Population of the Parish of *Christ Church* in the County of *Surrey* hath lately much increased, and the present Church Yard is insufficient for the decent Interment of Persons dying within the said Parish; and it is therefore expedient and necessary that the same should be enlarged, and that additional Burying Ground should be provided for the Use of the said Parish: And whereas the said Church Yard adjoins and is near or contiguous unto Ground and Premises upon which certain Messuages, Erections, and Buildings are now standing, and also to other open and void Ground; and it is desirable that such Ground, Messuages, Erections, Buildings, and Premises should be purchased for the Purpose of enlarging the said Church Yard, and improving the Avenues to the same: And whereas there is a public Footway over and through the said Church Yard, leading from *Great Surrey Street* aforesaid to the South End of *Bennet Street*, and over the Graves in the said Church Yard, whereby the said Church Yard is exposed to Inroads and Depredations, and the Graves therein routed up, trampled upon, and injured by idle and disorderly Persons, and by Dogs and Swine, in Disregard of public Decency, which might be prevented if the said Footway were stopped up, and the said Church Yard inclosed with proper Walls and Fences, and if another Footway were set out and made in lieu thereof: And whereas the several Purposes aforesaid cannot be accomplished 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 Reverend *James Henry Mapleton* Bachelor of Laws, Rector of the said Parish, and *James Ward* and *Joseph Harris* Churchwardens of the said Parish, and the Rector and future Churchwardens of the said Parish for the Time being, during the Time of their being in Office as such, together with *John Barlow*, *James Burslem*, *William Browne*, *Charles Cosield*, *Peter Davies*, *James Green*, *Benjamin Hawes*, *Thomas Kempson*, *Thomas M'Kiernan*, *Richard Killick*, *Thomas Lund*, *Robert Ostell*, *William Rayley*, *Samuel Rust*, *George Renorden*, *Charles Smith* the younger, *John Selby*, *Henry Taylor*, *George Vaughan*, *William Atkinson*, *Samuel Brandram*, *John Bunnell Davis* M. D., *William Devey*, *Henry Ball*, *Samuel Bilke*, and *Isaac Vaughan*, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Trustees for carrying this Act into Execution, during such Time only as they (except the said Rector and the Rector of the said Parish for the Time being) shall continue to act and be Householders within the said Parish; and that when any of the said Trustees (except the Rector and Churchwardens for the Time being) shall die, refuse, or discontinue to act for the Space of One Year, or cease to be a Resident Householder within the said Parish, and qualified as herein-after directed, then the Inhabitants of the said Parish (having a Right to assemble and vote at and in the Vestry of the said Parish) shall and they are hereby empowered and required, at their next or any subsequent public Vestry Meeting of the said Parish to be holden after each and every such Death, Refusal, or discontinuing to act, or ceasing to be a Resident Householder within the said Parish, to nominate and appoint One or more Person or Persons, being a Resident Householder or Resident Householders within the said Parish, and qualified as herein-after mentioned, to be a Trustee or Trustees in the Place and Stead of such Trustee or Trustees so dying, refusing, or discontinuing to act, or ceasing to be a Resident Householder, and qualified as aforesaid.

Trustees.

New Trustees to be appointed by Inhabitants assembled in Vestry.

II. Provided always, and be it further enacted, That in case the Inhabitants of the said Parish shall at any Time neglect or refuse to nominate and appoint such new Trustee or Trustees at the Time and in Manner herein-before mentioned, then and in every such Case of Omission, Neglect, or Refusal, it shall and may be lawful to and for the surviving or continuing Trustees under this Act, at any Meeting to be by them duly held under and by virtue of this Act as herein-after directed, to nominate and appoint One or more Person or Persons, being a Resident Householder or Resident Householders within the said Parish, and qualified as herein-after directed, to be a Trustee or Trustees in the Place or Stead of such Trustee or Trustees so dying, refusing, or discontinuing to act, or ceasing to be Resident Householder as aforesaid, or ceasing to be qualified as herein-after mentioned.

If Vestry do not appoint, new Trustees to be chosen by the continuing Trustees.

III. Provided always, and be it further enacted, That no Person, except the Rector and Churchwardens of the said Parish for the Time being, shall be capable of acting as a Trustee in the Execution of this Act, unless at the Time of his acting therein he shall be a Householder and Resident in the said Parish, and assessed to the Poor's Rates of the said Parish at the Rate of Thirty-five Pounds *per Annum* at the least, and be seised or possessed

Qualification of Trustees.

poſſeſſed in his own Right, or in the Right of His Wife, and be in the actual Poſſeſſion, Enjoyment, or Receipt of the Rents and Profits of a Real Eſtate in Law or Equity of the clear yearly Value of Fifty Pounds, or poſſeſſed of a Perſonal Eſtate of the Rent or Value of One thouſand Pounds, over and above what will be ſufficient to pay and ſatisfy all his juſt Debts; and in caſe any Perſon not being ſo qualified ſhall preſume to act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered, together with full Coſts of Suit, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Plaint, or Information, wherein no Eſſoign, Protection, or Wager at Law, or more than One Imparlance, ſhall be allowed; and every Perſon ſo ſued or proſecuted ſhall prove that he was at the Time of ſo acting qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor than that ſuch Perſon ſo ſued or proſecuted had acted as a Truſtee in the Execution of this Act; and the Money ſo to be recovered as aforeſaid ſhall (after Payment of all extra Coſts and Expences attending the Recovery thereof) be applied as follows; (that is to ſay), One Moiety to the Plaintiff or Proſecutor, and the other Moiety thereof to the ſaid Truſtees for the Purpoſes of this Act: Provided nevertheleſs, that all Acts and Proceedings of all and every Perſon and Perſons ſo acting as a Truſtee or Truſtees in the Execution of this Act (although not duly qualified previouſly to his or their being convicted of ſuch Offence) ſhall, notwithſtanding ſuch Conviction, be as valid and effectual as if ſuch Perſon or Perſons had been duly qualified according to the Directions of this Act.

First Meeting of Truſtees.

IV. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required to meet at the Veſtry Room of or any other more convenient Place in the ſaid Pariſh of *Chriſt Church*, within Twenty-one Days next after paſſing of this Act, and to proceed to put this Act into Execution, and ſhall and may then and from Time to Time adjourn their Meetings, as they or any Seven or more of them ſhall think proper; and may alſo meet at any Time or Times without Adjournment, upon Notice given to them in Writing by their Clerk, by the Direction of the Rector or Churchwardens of the Pariſh for the Time being, or any Seven or more of the ſaid Truſtees, Three Days before every ſuch Meeting; and that all Acts and Proceedings of the Majority of any Seven or more of the ſaid Truſtees aſſembled at any of their Meetings ſhall be as valid and binding to all Intents and Purpoſes as if all the ſaid Truſtees had been preſent and concurred therein.

Truſtees empowered to contract for the Purchaſe of Lands, &c.

V. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees or any Seven or more of them to contract and agree with any Perſon or Perſons, or Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, Spiritual, Eleemoſinary or Lay, or with any Feoffees in Truſt, or other Truſtees, Executors, Adminiſtrators, Huſbands, Guardians, or Committees of or for Lunatics or Idiots, who ſhall be or be deemed to be the Owner or Owners, Proprietor or Proprietors, or otherwiſe intereſted in the ſaid ſeveral Lands, Meſſuages, Tenements, Buildings, and Hereditaments in and by this Act mentioned to be neceſſary for the Purpoſes thereof, and which are more particularly

particularly described in the Schedule to this Act annexed, for the absolute Purchase thereof, or of any Quantity, Number, or Part of such Land or Ground, Messuages, Tenements, Buildings, or Hereditaments, as may from Time to Time be deemed necessary; and that the Monies to be paid for the Purchase thereof shall be certified for Payment by the said Trustees or any Seven or more of them to their Treasurer, to be chosen as hereinafter is mentioned, and shall be by him paid out of the Monies which shall be in his Hands by virtue of this Act to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate entitled thereto, or shall be laid out and disposed of in the Bank of *England* in the Manner by this Act directed, as the Case may be.

Corporations, &c. empowered to sell and convey.

VI. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and for all Corporations, whether Aggregate or Sole, Spiritual, Eleemosinary or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics, 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 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 are or shall be seised, possessed of, or interested in any of the said Lands, Grounds, Messuages, Tenements, Buildings, or Hereditaments mentioned and comprized in the said Schedule hereunto annexed, or of any other Lands, Buildings, and Hereditaments necessary for all or any of the Purposes of this Act, to treat and agree with the said Trustees for carrying this Act into Execution, or any Seven or more of them, for the absolute Sale thereof, or of any Part or Parts thereof, and to convey the same to the said Trustees or any Seven or more of them, and their Successors for the Purposes of this Act; and that all Contracts, Agreements, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying or intending to convey the same, but also to convey all Right, Title, Estate, and Interest, Use, Property Claim, and Demand whatsoever, of the several and respective Cestuique Trusts, and all other Persons claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual, Eleemosinary, or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue of or in pursuance of this Act.

Trustees empowered to resell or let Lands not wanted.

VII. And whereas in pursuance of the Provisions of this Act, and to avoid Disputes with the Owners of Lands, Grounds, and Hereditaments which are or may be affected by carrying into Execution the several Purposes of this Act, the said Trustees may purchase or become possessed of more Premises

Premiſes than may be neceſſary to be made uſe of for the Purpoſes of this Act; be it therefore enacted, That it ſhall and may be lawful for the ſaid Truſtees or any Seven or more of them, by Indenture under their Hands and Seals, to grant and convey, by way of abſolute Sale for a Conſideration in Money, ſuch Part or Parts of the Lands, Buildings, and Hereditaments which ſhall be ſo purchaſed by and conveyed to them, or which they ſhall have the Poſſeſſion of as aforeſaid, as ſhall not be wanted for the Purpoſes of this Act; and all ſuch Conveyances or Leaſes by the ſaid Truſtees or any Seven or more of them ſhall be valid and effectual, any Thing in this Act contained, or any other Law, Statute, or Cuſtom to the contrary thereof in anywiſe notwithſtanding: Provided always, that the ſaid Truſtees or any Seven or more of them, before they ſhall ſell or diſpoſe of ſuch Lands, Buildings, or Hereditaments, ſhall firſt offer to reſell the ſame to the Perſon or Perſons from whom the ſame ſhall have been purchaſed, the Price at which the ſame ſhall be reſold being adjuſted and ſettled by a Jury, in like Manner as the Price of any Lands, Buildings, or Hereditaments to be taken in purſuance of this Act, is hereinafter directed to be ſettled in caſe of Difference or Diſpute as to the Value thereof; and all and every the Clauſes, Proviſoes, and Enactments herein contained in reſpect of the ſummoning of Juries to aſſeſs the Value of any Lands, Grounds, Buildings, or Premiſes to be purchaſed by the ſaid Truſtees by virtue of this Act, and the Payment of the Coſts and Expences thereof, ſhall be in force and be applied in reſpect of Juries to be ſummoned to aſſeſs the Value of any Lands, Buildings, and Hereditaments to be reſold by the ſaid Truſtees by virtue hereof; and if ſuch Perſon or Perſons from whom the ſame ſhall have been ſo purchaſed ſhall not agree or ſhall neglect or refuſe to repurchaſe the ſame, it ſhall and may be lawful to and for any Perſon or Perſons, not intereſted in the Premiſes, to make an Affidavit, to be ſworn before a Maſter of the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for the ſaid County of *Surrey*, ſtating that ſuch Offer was made by or on behalf of the ſaid Truſtees, and that ſuch Perſon or Perſons did not agree, or neglected or refuſed to repurchaſe ſuch Lands, Buildings, or Hereditaments, as the Caſe may be; and ſuch Affidavits ſhall in all Courts be ſufficient Evidence and Proof that ſuch Offer was made and not agreed to, or neglected or refuſed.

VIII. And be it further enacted, That all Conveyances and Aſſurances which ſhall be made of any Lands or Hereditaments to the ſaid Truſtees, may be made in the following Form, or as near thereto as the Circumſtances of the Caſe will admit; (that is to ſay),

Form of Conveyance.

'I of in conſideration
'of the Sum of to be paid by the Truſtees for
'carrying into Execution the Proviſions of a certain Act of Parliament
'made and paſſed in the Fifty-ſeventh Year of the Reign of His Majeſty
'King *George* the Third, intituled [*here ſet forth the Title of this Act*],
'the Receipt of which ſaid Sum of
'I do hereby admit and acknowledge, do hereby grant and convey all
'[*deſcribing the Premiſes to be conveyed*], and all my Eſtate, Right, Title,
'and Intereſt to and in the ſame, and every Part thereof, to hold to the
'ſaid Truſtees, and their Succeſſors for ever [*or*, for ſuch Eſtate, Term,
'and Intereſt as I now have therein, *as the Caſe may be*], by virtue and
'according

'according to the true Intent and Meaning of the ſaid Act. In Witneſs 'whereof I have hereunto ſet my Hand and Seal this Day of 'in the Year of our Lord One thouſand eight hundred 'and .'

And all ſuch Conveyances and Aſſurances ſhall be valid and effectual in the Law to all Intents and Purpoſes, and ſhall be a complete Bar to all Eſtates Tail, and all other Eſtates, Rights, Titles, Truſts, and Intereſts whatſoever.

In caſe the Owners cannot agree with the Truſtees, a Jury to be ſummoned.

IX. And be it further enacted, That in caſe any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Spiritual, Eleemoſynary, or Lay, Executor, Adminiſtrator, Truſtees, Feoffee in Truſt, Huſband, Guardian, Committee of any Lunatic or Idiot, Tenant or Tenants for Life, Tenant or Tenants in Fee Tail General or Special, or for Years determinable on any Life or Lives, whether in Poſſeſſion, Reverſion, Remainder, Expectancy, or otherwiſe, or other Perſon or Perſons whoſoever, ſeiſed or poſſeſſed of or otherwiſe entitled or intereſted in or to the Land, Grounds, Tenements, or Hereditaments by this Act authorized to be purchaſed for the Purpoſes herein-before mentioned, or any of them, ſhall neglect or refuſe to treat, or ſhall not agree with the ſaid Truſtees for carrying this Act into Execution, for the Sale of or for the taking and uſing any of the Lands, Tenements, or Hereditaments mentioned or ſpecified in the ſaid Schedule hereunto annexed, or any Part or Parts thereof, or for their Intereſt therein, or by reaſon of Abſence or other Inability ſhall be prevented from treating with the ſaid Truſtees, or ſhall not or cannot produce and make out a clear Title to the Hereditaments and Premiſes required to be purchaſed, taken, or uſed as aforeſaid, and of which he, ſhe, or they are or may be in Poſſeſſion, or to the Intereſt he, ſhe, or they do or may claim therein, to the Satisfaction of the ſaid Truſtees, at a Meeting to be by them the ſaid Truſtees appointed for that Purpoſe, of which Meeting Eight Days Notice at leaſt, ſigned by the Clerk to the ſaid Truſtees, ſhall be given or left at the Dwelling Houſe or Place of Abode of the Owner, Truſtee, or other Perſon intereſted in ſuch Lands, Tenements, or Hereditaments, or at the Houſe of the Tenant or Occupier thereof, or where the ſame ſhall be unoccupied, ſuch Notice ſhall be affixed on the Door or ſome other conſpicuous Part of the ſaid Premiſes; then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees to cauſe a Notice in Writing, ſigned by their Clerk, to be given, left, or fixed as aforeſaid, of the Sum of Money in Groſs they are willing to pay for the Purchaſe of ſuch Lands, Tenements, or Hereditaments, or for the joint or ſeparate Intereſts of the ſaid Bodies Politic, Corporate, or Collegiate, Corporation, Tenant or Tenants for Life, Tenant or Tenants in Fee Tail General or Special, or for Years determinable on any Life or Lives, whether in Poſſeſſion, Reverſion, Remainder, Expectancy, or otherwiſe, Executor, Adminiſtrator, Truſtee or Truſtees, Feoffees, Huſbands, Guardians, Committees, Owners, Occupiers, or other Perſon or Perſons intereſted in the ſame, or for any Part or Parts thereof, concerning the Sale and Purchaſe whereof there ſhall be any Diſpute or Difficulty; in which Notice a Time and Place ſhall be appointed for a Meeting with the Parties intereſted in the ſame, which Time ſhall be at the Diſtance of Fourteen Days at the leaſt from the Delivery of ſuch Notice; and in caſe ſuch Owner, Occupier, Truſtee, or other

other Perſon ſo intereſted as aforeſaid, or ſome Perſon duly authorized in their or his or her Behalf, ſhall refuſe or neglect to attend at the Time and Place in ſuch Notice mentioned, or ſhall refuſe to accept the Sum or Sums of Money ſo offered, or ſhall not then produce and make out to the Satisfaction of the ſaid Truſtees a clear Title to the Hereditaments and Premiſes, or to the particular Intereſt claimed therein, or ſhall, upon being required by the ſaid Truſtees, refuſe to enter into a written Contract or Agreement to convey the ſame to the ſaid Truſtees, or to ſuch Perſon or Perſons and in ſuch Way or Ways as they ſhall direct, then the ſaid Truſtees or any Seven or more of them ſhall cauſe to be inquired into, aſcertained, and aſſeſſed, by and upon the Oath of Twelve indifferent Men of the ſaid County of *Surrey*, qualified to ſerve as Jurymen upon the Trial of Iſſues at the Aſſizes for the ſaid County, what Recompence or Satisfaction ſhall be made to the Owners, Proprietors, Occupiers, or other Perſons intereſted as aforeſaid, for or upon account of the purchaſing, taking, and uſing ſuch Lands, Tenements, or Hereditaments, or of the reſpective Intereſts of the ſaid ſeveral Parties therein; which Jury ſhall and may, according as the ſaid Truſtees ſhall deem it adviſable, inquire into and aſcertain either the total Recompence to be made to the Owner or Owners, and all other Perſons intereſted in the Premiſes collectively, or only ſo much and ſuch Part or Parts thereof, or for ſuch Intereſt or Intereſts therein, as the ſaid Truſtees ſhall deem it neceſſary at ſuch Time to have inquired into and aſcertained; and in order thereto the ſaid Truſtees ſhall and they are hereby required to give a Notice in Writing, Ten Days at the leaſt previous to the Day on which the Jury ſhall be ſummoned to meet, in Manner herein-after mentioned, to the Perſon or Perſons intereſted in the ſaid Lands, Tenements, or Hereditaments, or ſo many of them as are at that Time known to the ſaid Truſtees, which Notice ſhall ſpecify the Time and Place in which the Truſtees and Jury are to meet, for the Purpoſes of aſſeſſing and aſcertaining the Amount of the ſaid Recompence and Satisfaction for the Premiſes, or, where they deem it adviſable, of the particular Intereſt or Intereſts the Value of which is to be then aſſeſſed and aſcertained, which Notice ſhall be ſigned and ſerved in the ſame Manner as the Notice laſt herein-before by this Act required is directed to be ſigned, given, ſerved, or affixed; and the ſaid Truſtees or any Seven or more of them are hereby empowered and required from Time to Time, as Occaſion ſhall require, to iſſue their Warrant to the Sheriff of the ſaid County of *Surrey*, thereby commanding him to impannel, ſummon, and return Twenty-four diſintereſted reputable Perſons of the ſaid County qualified to ſerve on Juries, and not being Landholders, Tenants or Occupiers of Lands or Tenements within, or Inhabitants of the ſaid Pariſh of *Chriſt Church*, to appear before the ſaid Truſtees or any Seven or more of them at ſuch Time and Place as in ſuch Warrant ſhall be appointed, and the ſaid Sheriff or his Deputy is hereby required to impannel, ſummon, and return ſuch Number accordingly; and the Perſons ſo impannelled, ſummoned, and returned, are hereby required to appear before the ſaid Truſtees or any Seven or more of them at ſuch Time and Place as in and by ſuch Warrant and Summons ſhall be directed and appointed, and to attend there, or at any other Place or Places within the ſaid Pariſh to which the ſaid Inquiry ſhall by the ſaid Truſtees or any Seven or more of them be adjourned from Day to Day, until they ſhall be diſcharged by the ſaid Truſtees or any Seven or more of them; and out of the Perſons ſo impannelled, ſummoned, and returned, or out of

ſuch

such of them as shall appear upon such Summons, the Clerk to the said Trustees shall draw or cause to be drawn by Ballot Twelve out of the said Twenty-four, who shall take the Oath herein-after set forth, and against whom Cause of Challenge shall be allowed in Manner herein-after mentioned, which Oath the said Trustees or any Seven or more of them are hereby authorized to administer; and in default of the Attendance of a sufficient Number of Persons so summoned and impannelled, or if their Number shall be reduced to less than Twelve by the setting aside of some for Cause of Challenge allowed in Manner as is herein-after provided, then and in every such Case the Sheriff or his Deputy, if the Majority of the Trustees then present shall direct him so to do, shall impannel other honest and indifferent Men of the By-standers, or that can be speedily procured to attend thereon, who shall be sworn in like Manner until the Number Twelve shall be completed, which Twelve Persons so sworn shall be the Jury for the Purposes aforesaid; and the said Trustees, and all other Persons interested or concerned, shall have their lawful Challenges against any of the said Jurymen when they come to be sworn: Provided always, that all Persons interested and concerned in the Matter of the said Inquiry, other than the said Trustees, shall join in their Challenges of the said Jurymen, or otherwise the same shall not be allowed, and shall not be permitted to challenge the Array, or more than Ten of the said Persons so impannelled or called; and the said Trustees or any Seven or more of them are hereby also empowered and required, at any Time after they shall have issued their Warrant to the Sheriff aforesaid directing him to impannel a Jury, and as often from Time to Time thereafter as Occasion shall be or require, to issue their Precept or Summons, thereby commanding any Person or Persons whomsoever to appear and be examined before the said Jury upon Oath touching the Matters in question (which Oath the said Trustees or any Seven or more of them are hereby authorized to administer); and the said Trustees or any Seven or more of them shall and may order and cause the Jury so impannelled and sworn to view the Premises in question if there be Occasion, and shall use all other Ways and Means, for the Information of the said Jury in the Premises, which shall to them the said Trustees seem fit and expedient; and the said Trustees shall have full Power to adjourn every such Meeting or Hearing from Day to Day, and to such Hour and Place or Places within the said Parish, as Occasion shall require; and all Persons summoned on such Jury, and the said Jury when sworn, and all Witnesses and Parties, shall and are hereby required to attend thereupon until they shall be discharged by the said Trustees; and the said Trustees or any Seven or more of them shall have full Power from Time to Time and at all Times to impose any reasonable Fine or Fines on such Sheriff, his Under Sheriff or Deputy, or their Bailiff or Bailiff's Officer or Officers, Agent or Agents, making Default in the Premises; and on any Person or Persons who being summoned and returned on such Jury shall not appear and attend at each and every Meeting and Meetings and Adjournments thereof until they shall be discharged in Manner aforesaid; and on any Person or Persons who shall refuse to be sworn on such Jury, or who being so sworn shall refuse or shall not give their Verdict therein, or who shall in any other Manner wilfully neglect his or their Duty for which he or they shall have been so summoned or returned or impannelled; or upon any Person or Persons who being summoned to give Evidence before the said Jury shall neglect or refuse to appear, having been paid or tendered a reasonable Sum for

his, her or their Coſts, Charges, and Expences, or appearing ſhall refuſe to be ſworn and give Evidence therein; and from Time to Time to recover, levy, and apply all ſuch Fine or Fines hereby authorized to be by them the ſaid Truſtees or any Seven or more of them impoſed, in the ſame Manner as is and are herein-after mentioned and provided, ſo as that no ſuch Fine ſhall exceed the Sum of Twenty Pounds upon the Sheriff, his Under Sheriff or Deputy, or of Ten Pounds upon any other Perſon, for each ſuch Offence; and the Jury ſo ſworn ſhall inquire into and aſſeſs the Value of and the Recompence and Satisfaction to be paid or made to the Owners, Proprietors, or Occupiers of or Perſons otherwiſe intereſted in the Premiſes, all or any of them (as the Caſe may be), and ſhall give in their Verdict accordingly to the ſaid Truſtees.

Verdict of Jury to be final.

X. And be it further enacted, That after the ſaid Jury ſhall have inquired of, aſcertained, and aſſeſſed ſuch Recompence and Satisfaction as aforeſaid, the ſaid Truſtees ſhall thereupon adjudge and determine the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid or granted to the Corporation, Owner, Proprietor, Occupier, Truſtee or Truſtees, or other Perſon or Perſons aforeſaid, according to ſuch Verdict or Inquiſition; and the Judgment and Order or Determination ſo had and made ſhall be final, binding, and concluſive to all Intents and Purpoſes againſt all Parties and Perſons whomſoever claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs and Succeſſors (as well abſent as preſent), Infants, Femes Covert, Idiots, Lunatics, Ceſtuique Truſts, and Perſons under any other Diſability whatſoever; and all and every ſuch Owners, Proprietors, and Occupiers, and other Perſons intereſted in ſuch Lands, Tenements, Grounds, and Hereditaments, ſhall, upon Payment or Tender of the Money ſo aſſeſſed as aforeſaid, or upon Payment of the ſame into the Bank of *England* in Manner herein directed, be from thenceforth to all Intents and Purpoſes diveſted of all Right, Title, Claim, Intereſt, and Property of, in, and to the ſame; and thereupon the ſaid Lands, Tenements, or Hereditaments, or the Rights or Intereſts ſo purchaſed, ſhall veſt in the ſaid Truſtees, and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof to all Intents and Purpoſes whatſoever for the Purpoſes of this Act.

Jury to be ſworn.

XI. And be it further enacted, That each and every of the ſaid Jury ſhall be ſworn to aſcertain and aſſeſs ſuch Recompence and Satisfaction as aforeſaid in the Form following, except ſo far as it may be neceſſary to change the ſame for the Purpoſe of deſcribing the Matter or Thing, Matters or Things, for which the ſaid Recompence or Satisfaction is to be aſcertained or given:

Form of Oath.

'I *A. B.* do ſwear, That I will well and truly aſſeſs and inquire, without Favour, Partiality, or Affection whatſoever, the Sum which ought to be paid or granted [*as the Caſe may be*] for and in Recompence of [*deſcribing the Premiſes only, if the Total Value thereof is to be the Matter of Inquiry, or if any ſeparate Intereſt or Intereſts, then ſay*] the Eſtate and Intereſt of *A. B.* or the ſeveral and reſpective Eſtates and Intereſts of *A. B. C. D.* and *E. F.* and each and every of them in the [*deſcribe the Premiſes to be purchaſed*] under and by virtue of an Act paſſed in the Fifty-ſeventh Year of the Reign of King *George* the Third, intituled [*here recite the Title of this Act*]; and that I will a true Verdict give according to the Evidence.] So help me GOD.'

Verdicts to be recorded, and Copies to be Evidence.

XII. And be it further enacted, That each and every Verdict so given, together with the Adjudication of the said Trustees thereon, shall be transmitted to and kept by the Clerk of the Peace, or other Person or Persons having the Custody of the Records of the Quarter Sessions of the said County of *Surrey*, and shall be deposited with and deemed to be the Records of such Quarter Sessions to all Intents and Purposes; and the same or true Copies thereof shall be good Evidence, and be received in all Courts whatever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of Two Shillings, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, every Figure in such Copy or Copies being calculated as a Word, and so in proportion for any greater or less Number.

By whom the Expences of the Jury are to be paid.

XIII. And be it further enacted, That in case the Sum or Sums of Money, or other Recompence so assessed and awarded by any Jury, in consequence of any Refusal to treat and agree for any such Purchase or Purchases as herein-before mentioned, shall not exceed in the whole the Sum or Sums of Money or other Satisfaction which the said Trustees shall have previously offered to allow as and for such Purchase and Satisfaction, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, and of assessing and awarding the same, and in consequence thereof to be ascertained as hereinafter is mentioned, shall be borne and paid by the Body Politic, Corporate, or Collegiate, or other Person or Persons so claiming and refusing to treat and agree as before mentioned respectively; and the said Trustees are hereby authorized and empowered to receive and retain, or cause to be received and retained, the Amount of the said Costs, Charges, and Expences out of the Sum or Sums of Money so to be assessed or awarded, or out of any Part Payment or Payments thereof, and to cause the same to be applied in discharge of such Costs, Charges, Damages, and Expences: Provided always, that before any such Costs, Charges, and Expences shall be so retained or deducted by the said Trustees, the same shall be ascertained and allowed by the Clerk of the Peace for the said County of *Surrey*, or by his Deputy, in all Cases in which such Clerk of the Peace or Deputy shall not be interested; but in case such Clerk of the Peace or Deputy shall be interested in the Matters in question, then and in every such Case such Costs and Expences shall be ascertained by the Under Sheriff for the Time being of the said County of *Surrey*; which said Clerk of the Peace, Deputy or Under Sheriff, to whom the same may be referred, are hereby respectively authorized and required to ascertain the same for the Purposes aforesaid: Provided also, that in all Cases wherein any Person or Persons shall by reason of Absence from or being out of *Great Britain* be prevented from treating with the said Trustees, then the Costs and Expences of summoning the said Jury, and all other the Expences of the said Trustees in obtaining such Assessments, shall be paid and discharged by the said Trustees or their Treasurer out of the Monies to be raised by virtue of this Act.

No Costs to be deducted, if Claimants prevented by Inability to treat.

Allowance to Sheriff or Bailiff and Jury.

XIV. Provided always, and be it enacted, That each and every Juryman who shall be sworn for the Purposes of this Act, shall for his Trouble and Expences in the Premises be allowed the Sum of Ten Shillings and Sixpence for each Day's Attendance, and no more, notwithstanding such Juryman shall be sworn on several Inquiries and Assessments on the same

Day; and that the Sheriff of *Surrey*, for impannelling, ſummoning, and returning of each Jury, ſhall be allowed the Sum of One Pound One Shilling, and no more; and the ſaid Clerk of the Peace or his Deputy, or Under Sheriff, for aſcertaining the ſaid Coſts and Expences when required ſo to do, the Sum of One Pound One Shilling, and no more.

Unleſs the Recompence awarded be paid or ſecured within Six Months, Verdict not binding.

XV. And be it further enacted, That in caſe the Sum or Sums of Money ſo aſſeſſed or awarded by any ſuch Jury, and ordered and adjudged by the ſaid Truſtees to be paid or granted to the Owners or Occupiers and others for their reſpective Rights and Intereſts in the Premiſes, the Subject of ſuch Inquiry, ſhall not be paid, tendered, or depoſited as herein-before directed, within Six Calendar Months after the ſame ſhall have been ſo aſſeſſed, ordered, and adjudged, then and in ſuch Caſe the Verdict of the ſaid Jury and the Order of Adjudication thereon ſhall not be binding upon the ſaid Parties, but the ſame ſhall be null and void to all Intents and Purpoſes whatſoever, any Thing herein contained to the contrary notwithſtanding; and thereupon the ſaid Parties ſhall be entitled to the Coſts and Expences by them ſuſtained by reaſon of ſuch Inquiry; which Coſts and Expences, to be aſcertained in ſuch Manner as Coſts and Expences are by this Act directed to be aſcertained, ſhall be paid by the ſaid Truſtees within Fourteen Days next after the ſame ſhall be demanded of their Clerk for the Time being.

Direction for applying Purchaſe Money, if 200l. and upwards.

XVI. And be it further enacted, That all Money which ſhall be paid for the Purchaſe of any Land, Ground, Meſſuages, Tenements, or Hereditaments purchaſed by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Truſt, Executors, Adminiſtrators, Huſband, Guardian, Committees, or other Truſtees for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſhall, in caſe the ſame ſhall amount to or exceed 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 carrying this Act into Execution, 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, and Hereditaments, in the Purchaſe or Redemption of the Land Tax, or diſcharging any Debt or Debts, or ſuch other Incumbrance or Part thereof as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting 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, 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 Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making

making ſuch 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, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated Bank Annuities, 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 the 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 ſaid Lands, Tenements, or Hereditaments ſo directed to be purchaſed by virtue of this Act, in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and exceeding 20l.

XVII. Provided always, and be it further enacted, That if any Money ſo 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 or be equal to 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, Lunacy, or Idiocy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the ſaid High Court of Chancery, and to 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 by Seven or more of the ſaid Truſtees for carrying this Act into Execution; 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 ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where leſs than 20l.

XVIII. Provided alſo, and be it further enacted, That where ſuch Money ſo to be paid as next herein-before mentioned ſhall be leſs than 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 or Hereditaments ſo purchaſed for the Purpoſes of this Act, in ſuch Manner as the Truſtees for the carrying this Act into Execution, or any Seven or more of them, ſhall think fit; or in caſe of Infancy, Idiocy, or Lunacy, then ſuch Monies ſhall be paid 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.

In caſe of Refuſal to accept Money.

XIX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any

any Lands, Tenements, or Hereditaments purchaſed or taken by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees; or in caſe the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every or in any ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees or any Seven or more of them to order the ſaid Sum of Money awarded as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid High Court of Chancery, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them], ſubject to the Order, Control, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making claim to ſuch Sum or Sums of Money or any Part thereof by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding or otherwiſe, as to the ſame Court ſhall ſeem meet, to order and direct the ſame to be laid out and inveſted in the Public Funds, and to order the ſaid Sum or Sums to be diſtributed, or the Dividends thereof to be paid, to the Perſon or Perſons making claim thereto, according to their reſpective Eſtate or Eſtates, Titles or Intereſts therein; and to make ſuch further or other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable.

awarded, or not making out ſufficient Title, &c. Purchaſe Money to be paid into the Bank.

XX. And be it further enacted, That the Certificate and Certificates to be given by the ſaid Accountant General, together with the Receipt and Receipts of One of the Caſhiers of the Bank of *England* to be thereunto annexed, and therewith filed in the Regiſter Office of the ſaid Court of Chancery, of the Payment into the Bank of *England* by the Truſtees for carrying this Act into Execution of their Purchaſe Money, or an Office Copy or Office Copies of the ſame Certificates and Receipts, ſhall from Time to Time and at all Times be and be deemed and taken to be a good and ſufficient Diſcharge to ſuch Truſtees, their Succeſſors, Heirs, Executors, Adminiſtrators, and Aſſigns, for ſo much of the ſaid Purchaſe Monies for which ſuch Certificate or Certificates, Receipt or Receipts as aforeſaid, ſhall reſpectively be given; and that after the filing of ſuch Certificate or Certificates, Receipt or Receipts as aforeſaid, the ſaid Truſtees, their Succeſſors, Heirs, Executors, and Adminiſtrators, ſhall be and is and are hereby abſolutely acquitted and diſcharged of and from the ſame Monies, and ſhall not be anſwerable or accountable for any Loſs, Miſapplication, or Non-application thereof, or of any Part thereof.

Truſtees indemnified in paying Purchaſe Money into Court.

XXI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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 the Dividends or Intereſt of any ſuch Bank Annuities, the Perſons or Perſon 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,

Proviſion where Queſtions ſhall ariſe touching the Title to Money paid into the Bank.

ments, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhown to the Satisfaction of the ſaid Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and all the Capital of ſuch Bank Annuities, ſhall be 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 entitled to ſuch Lands, Tenements, and Hereditaments, or ſome Eſtate or Intereſt therein.

Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XXII. Provided alſo, and be it further enacted, That where by 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 Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery 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 ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees or their Treaſurer out of the Monies to be received by virtue or in purſuance of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct accordingly.

Upon Payment of Purchaſe Money, and Execution of Conveyances, Lands, &c. to veſt in Truſtees and their Succeſſors.

XXIII. And be it further enacted, That upon the Payment of the Money ſo contracted or agreed to be paid for the Purchaſe of ſuch Lands, Tenements, or Hereditaments by the ſaid Truſtees for the carrying this Act into Execution, or any Seven or more of them, to the Perſon or Perſons reſpectively entitled to ſuch Monies or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpoſe of being diſpoſed of in Manner herein-before directed, and upon a Conveyance or Conveyances of ſuch Lands, Tenements, or Hereditaments being duly executed by the Perſon or Perſons entitled thereto or intereſted therein, or by his or their Guardian or Guardians, Truſtee or Truſtees, or Committee or Committees in caſe of Infancy, Coverture, Lunacy, or Idiotcy, or upon a like Payment into the Bank of *England*, in caſe the Perſon or Perſons, Party or Parties intereſted in any ſuch Lands, Tenements, or Hereditaments ſhall refuſe to execute ſuch Conveyance or Conveyances of the ſame, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, both at Law and in Equity, of the Perſon or Perſons who ſhall have executed ſuch Conveyance or Conveyances, and their Ceſtuique Truſt reſpectively, or of the Perſon or Perſons, Party or Parties ſo refuſing to execute ſuch Conveyance or Conveyances, into or out of ſuch Lands, Tenements, or Hereditaments, ſhall veſt in the ſaid Truſtees for carrying this Act into Execution, and their Succeſſors for ever, for the Uſes and Purpoſes of this Act.

Tenants to deliver Poſſeſſion at Three Months Notice.

XXIV. And be it further enacted, That the Occupiers of the ſeveral Dwelling Houſes, Hereditaments, Grounds, and Premiſes ſo authorized to be purchaſed as aforeſaid, and every Tenant at Will or Leſſee for a Year, or from Year to Year, or for any leſs Term than a Year, ſhall deliver up the Poſſeſſion of the Premiſes which ſhall be ſo purchaſed to the

ſaid Truſtees or any Seven of them, or to ſuch Perſon or Perſons as they ſhall authorize and appoint to take Poſſeſſion of the ſame, upon having Three Calendar Months Notice to quit ſuch Poſſeſſion from the Treaſurer or Clerk to the ſaid Truſtees, or from the Perſon or Perſons ſo authorized by them to take ſuch Poſſeſſion, and left at or put up on ſuch Premiſes; and that One Notice only ſhall be ſufficient for One Houſe, notwithſtanding there may be Inmates or Lodgers therein; and each and every Perſon and Perſons in Poſſeſſion ſhall at the End of Three Calendar Months, whether ſuch Notice be given with reference to the Time or Times of ſuch Tenants holding or not, peaceably and quietly deliver up the Poſſeſſion of the ſaid Hereditaments and Premiſes to the ſaid Truſtees, or ſome or one of them, or to ſuch Perſon or Perſons authorized by them to take Poſſeſſion thereof, ſuch Authority being ſignified under the Hands of the ſaid Truſtees or any Seven of them immediately on the ſame being demanded: Provided always, that where any ſuch laſt-mentioned Tenant ſhall be required to quit or deliver up the Poſſeſſion of the Premiſes held by him or her before the Expiration of the then current Year of his or her holding the ſame, then and in every ſuch Caſe the ſaid Truſtees ſhall pay to ſuch Tenant ſo much Money as ſhall be ſufficient to make full Satisfaction to him or her for the Loſs or Damage which he or ſhe ſhall ſuſtain by reaſon of ſuch quitting as laſt aforeſaid; and the Amount of ſuch Satisfaction (in caſe of any Difference reſpecting the ſame) ſhall be aſſeſſed by a Jury in Manner herein-before provided in Caſes of Lands, Grounds, Tenements, and Hereditaments to be purchaſed by the ſaid Truſtees.

Refuſal to deliver up Poſſeſſion of Premiſes to Truſtees, Sheriff to deliver Poſſeſſion.

XXV. And be it further enacted, That in all Caſes where the ſaid Truſtees by virtue or in purſuance of the Proviſions of this Act ſhall be entitled to the Poſſeſſion of any Premiſes required for the Purpoſes of this Act, and the Perſon or Perſons in Poſſeſſion of ſuch Premiſes ſhall not or ſhall refuſe to give up ſuch Poſſeſſion upon Demand in Writing under the Hands of the ſaid Truſtees or any Seven or more of them, it ſhall be lawful for the ſaid Truſtees or any Seven or more of them to iſſue their Precept or Precepts to the Sheriff of the ſaid County of *Surrey* to deliver Poſſeſſion of the ſaid Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriff is hereby required to deliver Poſſeſſion of the ſaid Premiſes accordingly, and to levy ſuch Coſts as ſhall accrue from the iſſuing and Execution of ſuch Precept or Precepts, or in relation thereto, on any Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods and Chattels.

Miſnomers or wrong Deſcriptions in the Schedule not to prevent the Execution of the Act.

XXVI. Provided always, and be it further enacted, That if any of the Lands, Tenements, or Hereditaments mentioned and deſcribed in the Schedule hereunto annexed, or any of the Perſons in whoſe Poſſeſſion or Occupation the ſame or any Part thereof are or is ſtated or deſcribed to be, or the Owner or Owners, Leaſeholder or Leaſeholders thereof, or other Perſon or Perſons intereſted therein or any Part thereof, ſhall happen to be miſnamed or inaccurately deſcribed, then and in ſuch Caſe, on the ſame being certified by any Two of His Majeſty's Juſtices of the Peace for the ſaid County of *Surrey*, ſuch Miſnomer or inaccurate Deſcription ſhall not prevent or retard the Execution of this Act; but the ſame Premiſes and every Part thereof ſhall and may be purchaſed, ſold, aſſeſſed, and

and valued in Manner as in this Act mentioned, and afterwards conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same was or were properly named or described in this Act, or in the said Schedule hereto annexed.

Trustees to inclose Ground, and to erect an Engine House.

XXVII. And be it further enacted, That the Trustees for carrying this Act into Execution shall when and as soon as any such Purchase or Purchases shall be made and completed under or by virtue of this Act of the said Lands, Grounds, Tenements, or Hereditaments, or any Part or Parts thereof, cause the same, or such Part or Parts thereof as they or any Seven or more of them shall adjudge necessary, to be cleared of all Buildings and Erections for the Purposes of this Act, and to be inclosed, railed, and fenced in with a good and substantial Brick Wall or Walls, or with a Brick Wall and Iron Railing and Gates, and do all other Things necessary, and proper for making such Ground fit, convenient, safe, and proper for the Burial of the Dead; and also that the said Trustees do and shall erect and build, in such Manner as they shall think proper and expedient, on any Part of the Ground so to be purchased as aforesaid, a Building for the Reception and keeping of One or more Fire Engine or Engines of or belonging to the said Parish; and that the said Trustees shall erect and set up in Front of such Part of the said Ground as lies next *Great Surrey Street*, at or near the Centre of such Part, a suitable, proper, and sufficient Iron-rail Gate or Gates, and shall continue or provide, make and pave, and from Time to Time maintain and keep in good Repair and Condition, a proper Footpath or Way of the Width of Six Feet at the least from *Great Surrey Street* aforesaid, over and along such Ground, so as to connect the same with the Footpaths or Ways leading or to lead to the said Parish Church; and over, by, and along which said first-mentioned Footpath or Way so to be provided, made, and paved, all Persons whosoever at all Times shall have free Liberty of Ingress, Egress, and Regress, Way and Passage to and from the said Church and present Church Yard, for the Service of God, Burials, and other Offices of the Church, or for any other reasonable Purpose; and that all Person and Persons whosoever shall have free Liberty of Ingress, Egress, and Regress, Way and Passage to and from the said Church through the present Church Yard into the said additional Burial Ground, for the Performance of the Offices of Burial, or any other reasonable Purpose connected therewith.

Plan to be made of Church Yard, and deposited with the Clerk of the Peace.

XXVIII. And in order at all Times hereafter to distinguish and make known the present Church Yard or Burial Ground from the said intended additional Church Yard or Burial Ground, and to prevent all Litigation and Dispute respecting the Boundaries and Extents thereof respectively, be it further enacted, That the said Trustees for putting this Act in Execution shall, within One Calendar Month next after the said additional Church Yard or Burial Ground shall have been laid out and formed, put down and place proper Boundary Stones or Land Marks, and keep and continue the same so put down and placed, and shall cause a Map, Plan, or Ground Plot of the said additional Church Yard or Burial Ground to be made, describing the Boundary Walls, Rails, and Gates, and specifying the Admeasurements and Dimensions thereof; and which said Map, Plan, or Ground Plot shall be signed by any Three of the Trustees for putting this Act in Execution; and when so signed, the same shall be deposited with the Clerk of the Peace of the said County of *Surrey*, to be

be preſerved and kept among the Records of the ſaid County, and to which all Perſons whoſoever ſhall and may have Acceſs, and may inſpect the ſame upon Payment to the Clerk of the Peace of the Sum of Two Shillings, and who ſhall and is hereby required, on reaſonable Notice and Requeſt, to make or permit or ſuffer Copies to be made thereof on Payment of the Sum of One Pound One Shilling for each Copy.

Projections into Great Surrey Street may be laid into the ſame.

XXIX. And be it further enacted, That the ſaid Truſtees ſhall have full Power and Authority to lay any Part of any Ground, or the Scite or Scites of any Building or Buildings to be purchaſed by virtue of this Act, and lying and being on the Weſt Side of the ſaid Road or Street called *Great Surrey Street*, and mentioned in the Schedule to this Act annexed, into the ſaid Road or Street, ſo as to remove any Projection in the ſaid Road or Street: Provided always, that no greater Part of any ſuch Land or Scite of any Building ſhall be laid into the ſaid Road or Street than will be neceſſary and ſufficient to preſerve the Uniformity of the Line of the ſaid Road or Street.

Footpath acroſs the old Church Yard to be ſtopped up, and a new one made in lieu thereof.

XXX. And be it further enacted, That the ſaid Truſtees under this Act ſhall and they are hereby required, as ſoon as conveniently may be after the paſſing of this Act, to apply to any Two or more Juſtices of the Peace acting in and for the ſaid County of *Surrey*, and in caſe ſuch Juſtices ſhall upon view of the Premiſes be of Opinion that it will not be in any reſpect injurious or detrimental to the Public, the ſaid Juſtices ſhall have full Power and Authoriry to lay out and appropriate ſo much of the North End of the preſent Church Yard (not exceeding Six Feet in Width) as the ſaid Juſtices ſhall think neceſſary and proper for an open public Footpath or Way, and for erecting a Brick Wall and Iron Railing as herein-after mentioned (in lieu or ſtead of the Footpath or Way acroſs the preſent Church Yard leading from and out of *Great Surrey Street* aforeſaid, commencing Eaſtward at or near the preſent Watch Houſe and Engine Houſe of the ſaid Pariſh, and thence continuing in a ſtraight Line, or as near thereto as may be, along the Northern Extremity of the ſaid preſent Church Yard, abutting towards the North upon Premiſes now or late in the Occupation of *John Fawley*, *John Smith*, and others), and leading Weſtward into *Bennett Street* aforeſaid, through or near Part of the Livery Stables and Premiſes now in the Occupation of *John Smith*, ſituate on the Eaſt Side of *Bennett Street* aforeſaid; and thereupon the ſaid Truſtees under this Act ſhall and they are hereby empowered and required to incloſe ſuch new intended Footpath or Way with a Brick Wall and Iron Railing and Gates, and ſhall alſo pave and from Time to Time keep paved, lighted, repaired, and in good Condition, ſuch new intended Footpath or Way; and from and immediately after ſuch new intended Footpath or Way acroſs the North End of the ſaid preſent Church Yard ſhall have been made, laid out, and completed fit for the Uſe of the Public, it ſhall and may be lawful to and for any Two or more of ſuch Juſtices as aforeſaid, and they are hereby empowered by Writing under their Hands and Seals, to be depoſited with the Clerk of the Peace for the ſaid County of *Surrey*, within Fourteen Days after the ſame ſhall have been made and ſigned, and which ſhall be deemed one of the Records of the Seſſions of the ſaid County, to order the ſaid public Footpath or Way now leading from *Great Surrey Street* aforeſaid over and through the preſent Church Yard to the South End of *Bennett Street* aforeſaid to be ſhut up and diſcontinued, to the

Intent that the ſame ſhall no longer be uſed as a public Footpath or Way by any Perſon or Perſons whomſoever: Provided always nevertheleſs, that nothing herein contained ſhall permit, authorize, or empower the ſaid Juſtices to ſhut up ſuch Entrances to the preſent Church Yard as may be deemed neceſſary at, in, and from *Bennett Street* aforeſaid, or to obſtruct, impede, prevent, or hinder any Perſon or Perſons whomſoever at all Times from uſing any ſuch Entrances, or ſuch Footpath or Way as may be neceſſary as and for a Way or Paſſage to and from the ſaid Church and preſent Church Yard, for Burials or other Offices of the Church, or any other reaſonable Purpoſe.

Truſtees may take down Part of preſent Watch Houſe or Engine Houſe.

XXXI. And be it further enacted, That for the Purpoſe of making the ſaid Footpath or Way into *Great Surrey Street* aforeſaid, the ſaid Truſtees ſhall and may take down ſuch Part of the preſent Watch Houſe or Engine Houſe belonging to the ſaid Pariſh as may be neceſſary for effectuating the Purpoſes aforeſaid.

Veſting Materials in Truſtees.

XXXII. And be it further enacted, That all old Materials and all Bricks, Stone, Timber, Iron, Lead, and all other Materials bought and procured by order of the ſaid Truſtees, or under the Proviſions of this Act, for incloſing the ſaid Church Yard, or for any other of the Purpoſes of this Act, ſhall belong to, and be the Property of, and the ſame is and are hereby veſted in the ſaid Truſtees; and it ſhall be lawful for the ſaid Truſtees to bring or cauſe to be brought any Action or Actions, in the Name of their Clerk as herein directed, or to direct the preferring of any Bill or Bills of Indictment (as the Caſe may require) againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, ſpoil, injure, or deſtroy the Wall or Walls, Fence or Fences, or Rails of ſuch new Church Yard, or of any Building or other Works erected, made, or built by virtue of this Act, or the Stones, Timber, Iron, and other Materials thereof, hereby veſted in them the ſaid Truſtees as aforeſaid, or any of them, or any Part or Parts thereof; and in all ſuch Actions and Bills of Indictment it ſhall be and be deemed and taken to be ſufficient to ſtate generally that the ſaid Wall, Fence, Building, Article or Articles, Thing or Things, for or on account of which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the ſaid Truſtees, without particularly ſtating or ſpecifying the Name or Names of all or any of the ſaid Truſtees.

Old Materials to be ſold.

XXXIII. And be it further enacted, That all old Materials which ſhall belong to the Truſtees under this Act, upon taking down any Meſſuages, Tenements, Buildings, Walls, and Erections for the Purpoſes of this Act, ſhall be ſold and diſpoſed of to the beſt Advantage; and the Money ariſing thereby ſhall be applied towards the Expences of putting this Act into Execution, or be employed in making the new Fences or Improvements hereby directed to be made, as the Truſtees or any Seven or more of them ſhall think adviſable.

Truſtees empowered to contract for erecting Fences, &c.

XXXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees for carrying this Act into Execution, or any Seven or more of them, if they ſhall think fit, to receive Propoſals from and contract with any Perſon or Perſons for building or erecting the ſaid Fences, Walls, or Incloſures, and for the finding and providing proper Materials

Materials for the Purpoſe or Purpoſes aforeſaid, or for any of them, or for pulling down the ſaid Houſes, Tenements, or Buildings ſo purchaſed, or for the doing any other Act or Acts, Matter or Thing, for carrying this Act into Execution; and that the Contract or Contracts to be made on the Occaſions aforeſaid ſhall be ſigned by the ſaid Truſtees or any Seven or more of them, and alſo by the Perſon or Perſons with whom the ſame ſhall reſpectively be made or entered into, and ſhall ſpecify or contain the ſeveral Works and Things to be done in purſuance or in conſequence thereof, and the Price or Prices to be paid for the ſame, and the Time or Times when ſuch Work ſhall be completed, and the Penalty to be ſuffered in caſe of Non-performance of ſuch Contract or Contracts; and that Notice ſhall be given by the ſaid Truſtees on the Church Door or otherwiſe, as they ſhall deem requiſite, of their Intention to meet, at a certain Time and Place, in ſuch Notice to be mentioned, for the Purpoſe of receiving ſuch Propoſals and contracting as aforeſaid; and that it ſhall be lawful to and for the ſaid Truſtees or any Seven or more of them to take ſuch Security from any Perſon or Perſons entering into ſuch Contract or Contracts, for enforcing the due Performance thereof, as to the ſaid Truſtees ſhall ſeem neceſſary.

To enforce Contracts.

XXXV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees or any Seven or more of them to cauſe all and every the Works to be done in purſuance of this Act to be viewed by ſuch Surveyor or Surveyors as they ſhall from Time to Time appoint; and in caſe the ſame ſhall not be well, ſufficiently, or duly performed according to the true Intent and Meaning of ſuch Contract or Contracts, or ſhall not be finiſhed or completed within the Time or Times as the ſame ſhall be agreed to be completed, ſuch Surveyor or Surveyors ſhall report the ſame to the ſaid Truſtees, who are hereby empowered, in the Name of the Treaſurer or Clerk to the ſaid Truſtees for the Time being, to bring an Action of Debt or upon the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*, againſt any Perſon or Perſons making default in the Premiſes, for the Recovery of any Penalty or Penalties which ſhall be contained in any ſuch Contract, or for the Breach of any of the Covenants or Agreements therein contained; and the Money to be received in any ſuch Action (after deducting thereout, in the firſt Place, the Expences or Charges neceſſarily attending the ſame, and not allowed therein) ſhall be applied by the ſaid Truſtees for the Purpoſes of this Act.

To compound Actions.

XXXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees or any Seven or more of them from Time to Time to compound or agree with the Defendant or Defendants, in any Action or Actions to be commenced for the Recovery of any ſuch Penalty or Penalties as aforeſaid, for ſuch Sum or Sums of Money as they ſhall think reaſonable.

Ground to be conſecrated.

XXXVII. And be it further enacted, That ſo much of the ſaid Ground to be purchaſed as aforeſaid, as ſhall be uſed for the Enlargement of the Church Yard, ſhall, when incloſed, be conſecrated according to the Uſage of the Church of *England*, and ſhall for ever thereafter be uſed as and for an additional Burial Ground for the ſaid Pariſh of *Chriſt Church*.

XXXVIII. Pro-

Act not to abridge the Juriſdiction of the Biſhop of Winchester.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend in any reſpect to abridge, oppoſe, or control the ordinary Juriſdiction of the Lord Biſhop of *Wincheſter* for the Time being in and over the aforeſaid Pariſh of *Chriſt Church*, or over the Rector or Churchwardens, or in, over, or relative to any Matter or Thing reſpecting the ſaid Pariſh, Rector, or Churchwardens.

Truſtees to ſettle Table of Fees.

XXXIX. And be it further enacted, That from and after the paſſing of this Act it ſhall and may be lawful to and for the ſaid Truſtees under this Act from Time to Time to aſcertain and ſettle a Table of Rates, Dues, and Fees to be taken and paid to the Rector, Truſtees under this Act, Officers and Perſons, in reſpect of any Burials, Vaults, Monuments, Tombs, or other Stones in the ſaid intended new or additional Church Yard or Burial Ground; which ſaid Rates, Dues, and Fees ſhall and may be recovered by the ſaid Truſtees under this Act in like Manner as any other Sum of Money, Fine, Penalty, or Forfeiture is in this Act herein-after directed to be recovered; and a Table of ſuch Rates, Dues, and Fees ſhall be at all Times publicly placed and kept in the Veſtry and Robing Room of the Church of the ſaid Pariſh.

Application of Fees.

XL. And be it further enacted, That all Fees and Dues payable to the Rector of the ſaid Pariſh for the Time being ſhall be and the ſame are to him hereby reſerved; and that all Fees and Dues payable to the Truſtees under this Act in reſpect of the ſaid new or additional Burial Ground, and Bells uſed on the Death or Burial of the Dead who ſhall be buried therein, or for the erecting or placing any Vault, Tomb, or Monument within the ſaid intended new or additional Church Yard or Burial Ground, ſhall be paid to the Truſtees under this Act, or their Treaſurer, by their Order, for the Purpoſes of this Act.

Truſtees may raiſe any Sum by way of Annuity not exceeding 8,000l.

XLI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees or any Seven or more of them, and they are hereby authorized and empowered, to have, receive, and take up any Sum or Sums of Money not exceeding in the whole the Sum of Eight thouſand Pounds, and by Writing under their Hands and Seals to grant an Annuity or Annuities to any Perſon or Perſons who ſhall contribute, advance, and pay into the Hands of the ſaid Truſtees or any Seven or more of them, or their Treaſurer for the Time being, to be appointed as herein-after is mentioned, any ſuch Sum or Sums of Money for the abſolute Purchaſe of any ſuch Annuity or Annuities, to be paid and payable during the natural Life of ſuch One Perſon as ſhall be nominated by or on the Behalf of ſuch Contributor or Contributors reſpectively, at the Time of the Payment of his, her, or their Purchaſe Money or Monies; and ſuch Annuity and Annuities is and are hereby charged on the Fees which ſhall be received by the Churchwardens or Truſtees for the Time being on account of the ſaid Burials, Monuments, Tombs, and other Stones, to be made or placed in the ſaid new or additional Church Yard or Burial Ground, and alſo upon ſuch Rates and Aſſeſſments as ſhall be made from Time to Time upon the Inhabitants of the ſaid Pariſh of *Chriſt Church* by virtue of or under this Act; and the Grant of every ſuch Annuity may be in the Form or to the Effect following; (that is to ſay),

Form of Grant.

‘ WE of the Truſtees appointed by or in purſuance of an Act of Parliament made and paſſed in the Fifty-ſeventh Year of the Reign of His Majeſty King *George* the Third, intituled [*here ſet forth the Title of this Act*] in conſideration of the Sum of paid by of to us upon the Credit and for the Purpoſes of the ſaid Act, do hereby grant unto the ſaid Executors, Adminiſtrators, and Aſſigns, one Annuity or clear yearly Sum of out of the Fees, Rates, and Aſſeſſments authorized to be received, made, and applied for the Purpoſes of the ſaid Act; which ſaid Annuity or yearly Sum of ſhall be paid to the ſaid Executors, Adminiſtrators, or Aſſigns, by Half-yearly Payments, upon the Day of and the Day of or within Days after each of the ſaid Days in every Year during the Life of and the Sum of being a Fractional Part of the Firſt Payment thereof, ſhall be paid on the Day of next enſuing the Date of theſe Preſents; and the ſaid Executors, Adminiſtrators, or Aſſigns, ſhall be entitled to receive a proportionable Part of the ſaid Annuity from the laſt of the ſaid Days appointed for Payment thereof, up to the Day of the Death of the ſaid In Witneſs whereof we have hereunto ſet our Hands and Seals the Day of in the Year of our Lord .’

And every ſuch Grant ſhall be good and valid in the Law, and ſhall not be ſubject to the Proviſion of any Act or Acts of Parliament now in force, relative to the Inrolment or Regiſtering of Annuities; and the ſeveral Annuities ſo granted ſhall be and they are hereby charged upon and made payable out of the ſaid Fees, Rates, and Aſſeſſments herein-before mentioned.

Preventing improvident Grants of Annuities.

XLII. And for preventing any improvident Grant of Annuities under this Act, be it further enacted, That no Annuities ſhall be granted by virtue of this Act for any ſingle Life at any higher Rate than the following; (that is to ſay), where the Age of the Annuitant or Perſon for whoſe Life the Annuity ſhall be granted ſhall not exceed Thirty-five Years, the Annuity to be granted ſhall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Conſideration Money paid for the Purchaſe thereof; where the Age of ſuch Perſon ſhall not exceed Forty Years, the Annuity ſhall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of ſuch Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Forty-five Years, the Annuity ſhall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Fifty Years, the Annuity ſhall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Fifty-five Years, the Annuity ſhall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Sixty Years, the Annuity ſhall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch

Perſon ſhall not exceed Sixty-five Years, the Annuity ſhall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Conſideration Money; where the Age of ſuch Perſon ſhall not exceed Seventy Years, the Annuity ſhall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Conſideration Money; and where the Age of ſuch Perſon ſhall exceed Seventy-five Years, the Annuity ſhall not exceed the Rate of Eighteen Pounds Ten Shillings for each One hundred Pounds of the Conſideration Money.

Truſtees may borrow the Whole or Part of the ſaid Sum.

XLIII. Provided always, and be it further enacted, That in caſe the ſaid Truſtees or any Seven or more of them ſhall think it more expedient and advantageous to borrow and take up at Intereſt the ſaid Sum of Eight thouſand Pounds, or any Part thereof, for the Purpoſes of this Act, it ſhall and may be lawful to and for the ſaid Truſtees or any Seven or more of them, and they are hereby authorized and empowered, to borrow and take up at Intereſt the ſame or any Part thereof at as low a Rate of Intereſt as the ſame can be procured, ſo as ſuch Intereſt do not exceed the Rate of Five Pounds *per Centum per Annum;* the Payment of which Money ſo to be borrowed, and the Intereſt thereof, is and are hereby charged on the ſaid Fees, Rates, and Aſſeſſments herein-before mentioned, or made applicable to the Purpoſes of this Act; and for ſecuring the Repayment of the Money ſo to be borrowed, and the Intereſt thereof, the ſaid Truſtees or any Seven or more of them ſhall or may by Writing under their Hands and Seals aſſign over the ſaid Fees ſo to be received, Rates and Aſſeſſments, to any Perſon or Perſons who ſhall advance and lend the ſame, their reſpective Executors, Adminiſtrators, and Aſſigns, which Writing or Aſſignment may be in the Words or to the following Effect; (that is to ſay),

Form of Aſſignment.

‘ WE of the Truſtees appointed
‘ for putting into Execution an Act of Parliament paſſed in the
‘ Fifty-ſeventh 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
‘ of upon the Credit and for the Purpoſes of the
‘ ſaid Act, do hereby aſſign unto the ſaid Executors,
‘ Adminiſtrators, and Aſſigns, the Fees ariſing and payable to the Truſtees
‘ under the ſaid Act on account of Burials, Monuments, Tombs, and
‘ other Stones in the additional Burial Ground authorized to be made by
‘ virtue and in purſuance of the ſaid Act; and alſo all Rates and Aſſeſſ-
‘ ments to be from Time to Time aſſeſſed on the Inhabitants of the ſaid
‘ Pariſh by virtue of the ſaid Act for the Purpoſes thereof, to hold the
‘ ſame unto the ſaid Executors, Adminiſtrators,
‘ and Aſſigns, until the ſaid Sum of together with
‘ Intereſt for the ſame after the Rate of *per Centum per Annum,*
‘ to be paid ſhall be fully paid and ſatisfied. In Witneſs
‘ whereof we have hereunto ſet our Hands and Seals the
‘ Day of in the Year of our Lord

And the ſaid Annuitants, and all Perſons to whom ſuch Annuities or Aſſignments ſhall be made, or who ſhall be entitled to the Annuities or Money ſecured by ſuch Aſſignments, ſhall be, in proportion to the Sums therein reſpectively mentioned, Creditors on the Fees, Rates, and Aſſeſſments ſo to be aſſeſſed as aforeſaid, equally one with another, without any

Preference in respect of the Priority of advancing any such Monies, or the Dates of such Grants or Assignments.

Assignments and Grants may be transferred.

XLIV. And be it further enacted, That it shall and may be lawful to and for the Person or Persons who may be entitled to any Annuity or Annuities to be granted as aforesaid, or any Monies so borrowed, by Writing under his, her, or their Hand and Seal or Hands and Seals, to transfer the same to any Person or Persons by Indorsement thereon or otherwise, which Transfer may be in the Form or to the Effect following; (that is to say),

Form of Transfer.

'I [*Name and Description of Seller*], in consideration of [*state Consideration*], do hereby assign and transfer the within Annuity [*or* Assignment], and all my Right, Title, and Interest in and to the same, and the Money thereby secured, unto *A. B.* [*state Description of Purchaser*], his Executors, Administrators, and Assigns. Witness my Hand and Seal this Day of in the Year of our Lord

Copies of Grants and Assignments, &c. to be entered in a Book.

And Copies of all Grants and Assignments which shall be made in pursuance of this Act, and all Transfers thereof as aforesaid, or such Extracts from the said Grants, Assignments, and Transfers, as the said Trustees shall deem sufficient and necessary, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same; and for the Entry of every such Transfer there shall be paid to the said Clerk Three Shillings and Sixpence, and no more; and after such Entry shall be made of any such Grant, Assignment, or Transfer, but not before, every such Grant, Assignment, or Transfer so entered shall entitle any Person to whom the same shall be made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Annuity or Securities so granted or transferred; and that whenever the said Trustees shall be enabled to pay off any of the Money which shall be borrowed as aforesaid, they shall ascertain the Securities so to be paid off from Time to Time by Ballot, in such Manner as they shall think proper; and after such Ballot the said Trustees shall cause Notice, signed by their Clerk, to be given to or left at the usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot; and such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid, at a Place to be mentioned in such Notice, at the Expiration of Three Calendar Months from the Day of giving or leaving such Notice as aforesaid; and the Interest of the said Principal Money so to be paid off shall from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless such Money shall have been demanded pursuant to such Notice, and shall not have been paid.

Trustees, with the Consent of Vestry, empowered to raise Monies by Rate instead of borrowing the same.

XLV. And be it further enacted, That in case it shall at any Time or Times hereafter be deemed advisable to raise any Part of the Monies required for the Purposes of this Act by a Rate or Rates upon the Inhabitants of the said Parish, instead of borrowing the same by way of Annuity or otherwise as herein-before authorized, it shall and may be lawful to and for the Trustees under this Act, at any Time or Times and from Time to Time (at the Request of the Majority of the Inhabitants of the said Parish assembled at a Vestry Meeting of the said Parish to be specially convened for such Purpose, such Inhabitants having a Right to vote

vote at ſuch Veſtry Meeting, of which Meeting Four clear Days Notice at the leaſt ſhall be given by printed Hand Bills circulated in the ſaid Pariſh, and alſo by the like Notice read in the Pariſh Church during Divine Service on the *Sunday* immediately preceding the Day of ſuch intended Veſtry Meeting), to make a Pound Rate or Rates, Aſſeſſment or Aſſeſſments, upon all and every the Inhabitants of the ſaid Pariſh, for the Purpoſe of raiſing ſuch Sum or Sums of Money as ſhould be ſo required as laſt aforeſaid, in ſuch Manner as is herein-after provided for the making of any Rate or Aſſeſſment for the Purpoſe of paying off the Annuities or Monies which may be borrowed under or otherwiſe required for the Purpoſes of this Act, ſo as that no ſuch Rate or Aſſeſſment ſhall in any one Year exceed the Sum of One Shilling in the Pound on the full yearly Rent or Value of the Lands, Houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, Vaults, Buildings, and other Tenements, Hereditaments, and Premiſes to be rated or aſſeſſed, or on ſuch Sum as they reſpectively ſhall from Time to Time be aſſeſſed at in the Rates for the Relief of the Poor within the ſaid Pariſh.

Monies borrowed, raiſed, or received by Truſtees, to be paid to Treaſurer.

XLVI. And be it further enacted, That all and every ſuch Sum and Sums of Money which ſhall be raiſed by way of Annuity as aforeſaid, or borrowed or otherwiſe received by any of the ſaid Truſtees for the Time being by virtue of or in purſuance of this Act, ſhall, when ſo received by them, be paid into the Hands of their Treaſurer, to be applied by him in carrying the Purpoſes of this Act into Execution.

Payments to be made by the Treaſurer under a Certificate.

XLVII. And be it further enacted, That all and every the Payments of Annuities to be granted, and Intereſt of Money to be borrowed by virtue of this Act, together with all other Payments, Salaries, Allowances, Charges, and Expences whatſoever incurred or to be incurred by the ſaid Truſtees for any Matter or Thing purchaſed or to be purchaſed, done, executed, contracted, or paid for in purſuance of this Act, and for the Purpoſe of carrying the ſame into Execution, ſhall be firſt certified to the Treaſurer by Writing under the Hands of Seven or more of the ſaid Truſtees; and the ſaid Treaſurer ſhall and he is hereby directed and required, within Fourteen Days after the Receipt of ſuch Certificate, in caſe he ſhall then have ſo much Money in his Hands as Treaſurer to the ſaid Truſtees, to pay the Sum or Sums of Money to be ſpecified therein to the Perſon or Perſons entitled to receive the ſame.

Truſtees to appoint a Treaſurer, and alſo a Clerk.

XLVIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees for the Time being and from Time to Time to appoint a Treaſurer without a Salary, and alſo a Collector or Collectors of the Rates or Aſſeſſments to be made by virtue of this Act, and a Clerk, and to make ſuch Clerk and Officers, except the Treaſurer, ſuch Remuneration for their Trouble, either by way of Salary, Allowance, or Gratuity, as the ſaid Truſtees ſhall think neceſſary or expedient for effecting the Purpoſes of this Act, and ſhall take Security from the Treaſurer, and alſo from the ſaid Collector or Collectors, for the due Execution of their reſpective Offices, and for duly accounting for the Monies to be received by them reſpectively; and that it ſhall and may be lawful to and for the ſaid Truſtees from Time to Time to diſcharge any ſuch Treaſurer, Collector or Collectors, and Clerk as aforeſaid, when and as often as they ſhall think proper.

XLIX. Pro-

Clerk and Treaſurer not to be the ſame Perſon.

XLIX. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Truſtees to continue or appoint the Perſon who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of this Act, or to continue or appoint the Perſon who has been or may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Truſtees for executing this Act; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer for the Purpoſes of this Act, or if any Perſon being the Partner of any ſuch Clerk ſhall act as Treaſurer, or being the Partner of ſuch Treaſurer ſhall act as Clerk in the Execution of this Act, every Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter* by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance, ſhall be allowed.

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

L. And be it further enacted, That the ſaid Truſtees ſhall from Time to Time ſue and be ſued in the Name of their Treaſurer or Clerk for the Time being, and that no Action or Suit to be brought or commenced ſhall abate or be diſcontinued by the Death or Removal of the ſaid Treaſurer or Clerk, or by any Act of the ſaid Treaſurer or Clerk, without the Conſent of the ſaid Truſtees, but that ſuch Treaſurer or Clerk for the Time being ſhall be always deemed Plaintiff or Defendant in any ſuch Action or Suit, as the Caſe ſhall happen: Provided always, that every ſuch Treaſurer or Clerk in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall always be reimburſed and paid, out of the Monies to ariſe by virtue of this Act, all ſuch Coſts and Charges as by the Event of any ſuch Proceedings he ſhall be put to or become chargeable with by reaſon of his being ſo made Plaintiff or Defendant therein.

Truſtees may make Rates.

LI. And be it further enacted, That in caſe the Monies to be received by the ſaid Truſtees under this Act, by virtue and in purſuance of the Proviſions hereof, ſhall not be ſufficient to pay the Annuities which may be granted by the ſaid Truſtees, and the Money borrowed under this Act, and the Intereſt thereof, then and in ſuch Caſe, and as often as the ſame ſhall happen, it ſhall be lawful for the ſaid Truſtees hereby conſtituted, and they are hereby required, forthwith to meet, and for them or any Seven or more of them by Writing under their Hands to make a Rate or Aſſeſſment upon all and every Perſon or Perſons who do or ſhall then inhabit, hold or occupy, poſſeſs and enjoy any Land, Houſe, Shop, Warehouſe, Coach-houſe, Stable, Cellar, Vault, Building, or other Tenement or Hereditament whatſoever within the ſaid Pariſh, in ſuch Manner as the ſaid Truſtees ſhall adjudge competent and neceſſary to and for the Purpoſes of this Act, ſo as that no ſuch Rate or Aſſeſſment ſhall exceed the Sum of One Shilling in the Pound in any one Year on the full yearly Rent or Value of the ſame Lands, Houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, Vaults, Buildings, and other Tenements, Hereditaments, and Premiſes, or on ſuch Sum as they reſpectively ſhall from Time to Time be aſſeſſed at in the Rates for the Relief of the Poor within the ſaid Pariſh; and for the Purpoſe of preparing ſuch Rates or Aſſeſſments, the Clerk to the ſaid Truſtees ſhall have free Acceſs to the ſaid Rates for the Relief of the Poor of the ſaid Pariſh.

Application of Fees and Rates.

LII. And be it further enacted, That all Rates, Dues, and Fees received by the ſaid Truſtees under this Act in reſpect of any Burials, Vaults, Monuments, Tombs, or other Stones, and all Rates made upon the Inhabitants of the ſaid Pariſh, and all Fines, Penalties, or other Forfeitures, and all other Monies which ſhall come to the Hands of the ſaid Truſtees by virtue of this Act, ſhall be laid out and applied by the ſaid Truſtees in defraying the neceſſary Expences which ſhall be incurred from Time to Time in carrying into Execution the Powers and Proviſions of this Act, and in paying any Annuities which may be granted by the ſaid Truſtees, and the Intereſt of any Money borrowed by virtue and for the Purpoſes of this Act, and in paying off the Principal of ſuch Money borrowed, or redeeming any ſuch Annuities, and otherwiſe in carrying into Effect the general Purpoſes of this Act, and to and for no other Uſe or Purpoſe whatſoever, until the whole of ſuch Money borrowed ſhall be fully paid off, and ſuch Annuities ſhall have ceaſed by Redemption or Efflux of Time; and when and ſo ſoon as all ſuch Money borrowed ſhall have been fully paid, and all ſuch Annuities ſhall have ceaſed or expired, the ſaid Truſtees under this Act ſhall and they are hereby empowered and required, after Payment of all the neceſſary Charges and Expences of carrying into Execution from Time to Time the ſeveral Powers and Proviſions of this Act, and all Charges which may from Time to Time ariſe in purſuance hereof, to apply and diſpoſe of the Surplus of all ſuch Rates, Dues, and Fees, and alſo of all Fines, Penalties, and Forfeitures, and all other Monies received by them by virtue of this Act, to and for ſuch Uſes and Purpoſes as the Majority of the Inhabitants of the ſaid Pariſh, aſſembled at a Veſtry Meeting to be holden on *Eaſter Tueſday* in each Year (ſuch Inhabitants having a Right to vote at ſuch Veſtry Meeting), ſhall from Time to Time direct and appoint.

Clerk to keep Books of Account, &c.

LIII. And be it further enacted, That the Clerk to the ſaid Truſtees under this Act ſhall and he is hereby required to make in a Book or Books, to be kept for that Purpoſe at the Expence of ſuch Truſtees, regular and fair Entries of all Receipts of and Payments to be made by the Treaſurer to or to the Order of ſuch Truſtees as aforeſaid, and in the ſame or ſome other Book or Books to enter and keep an Account of all the Proceedings of ſuch Truſtees, and to produce ſuch ſeveral Books and Accounts at all and every of the Meetings of ſuch Truſtees, and at ſuch other Times and Places when, where, and as often as he ſhall be thereunto required by them or any Seven or more of them, and that all ſuch Books and the Entries therein ſhall be admitted as Evidence in all Courts whatſoever where Occaſion ſhall require; and ſuch Clerk ſhall alſo, in a proper Book or Books to be kept for that Purpoſe at the Expence of ſuch Truſtees, enter a Memorial of all Grants of Annuity, and all Transfers or Mortgages of the Rates, Dues, Fees, and other Money ariſing by virtue of this Act, executed as Security for Money borrowed by virtue of the Powers hereby granted by ſuch Truſtees, and alſo a Memorial of all Transfers or Aſſignments of ſuch Annuities, Transfers, or Mortgages; for the Entry of each of which laſt-mentioned Memorials the ſaid Clerk ſhall be entitled to receive the Sum of Three Shillings and Sixpence, and no more.

Yearly Accounts to be made out by Truſtees.

LIV. And be it further enacted, That in the Week immediately preceding the *Eaſter Tueſday* next after the paſſing of this Act, and in the Week immediately preceding *Eaſter Tueſday* in every ſubſequent Year, a true

true Account ſhall be made out and ſtated by the Truſtees appointed by and in purſuance of this Act of all Monies received and paid by them under and by virtue of this Act, and ſtating to and from whom and on what Account the ſame has been paid or received, and for what Purpoſe; which ſaid firſt Account ſhall ſpecify all Monies received and paid as aforeſaid from the Time of paſſing this Act up to and until the Week immediately preceding the *Eaſter Tueſday* next after paſſing of this Act, and every ſubſequent Account ſhall ſpecify all Monies received and paid as aforeſaid during the Year immediately preceding ſuch Account ending the Week immediately preceding *Eaſter Tueſday* in each Year; which ſaid Account and Accounts ſhall from Time to Time be ſigned by the Treaſurer to the ſaid Truſtees, and alſo entered in a Book to be kept by the Clerk to the ſaid Truſtees as aforeſaid, and a Copy or Duplicate of ſuch Account ſhall be by him annually laid before the Inhabitants of the ſaid Pariſh, to be aſſembled on *Eaſter Tueſday* in each and every Year as aforeſaid, for their Peruſal and Inſpection; and the ſaid Clerk to the ſaid Truſtees ſhall alſo permit any Inhabitant of the ſaid Pariſh who ſhall be rated to and ſhall have paid the Rate or Rates, Aſſeſſment or Aſſeſſments to be made upon him, her, or them by the Truſtees under or by virtue of this Act, to inſpect the ſaid Account and Accounts at all reaſonable Times, upon the Payment of the Sum of Two Shillings for every ſuch Inſpection; and ſuch yearly Account of the ſaid Truſtees ſhall be annually printed for the Uſe and Information of the Inhabitants of the ſaid Pariſh, and delivered to them free of Expence.

Landlords of Houſes let in ſeparate Apartments or ready-furniſhed deemed the Occupiers, &c.

LV. And be it further enacted, That the ſeveral Leſſors, Landlords, Owners, or Proprietors of all ſuch Houſes, Buildings, Tenements, or Hereditaments within the ſaid Pariſh as are of the yearly Value of Twenty Pounds or under, or which now are let or which hereafter ſhall be let out in Parts or in ſeparate Apartments, or ready-furniſhed, ſhall reſpectively be deemed and taken to be Occupiers thereof, and ſhall be liable and ſubject to the Payment of the Rates or Aſſeſſments directed by this Act to be made, raiſed, levied, and received; and that each and every Perſon renting or occupying any ſuch Part or ſeparate Apartment ſhall be liable to the Payment of the ſaid Rates or Aſſeſſments, and all Arrears thereof, to be recovered in Manner herein-after directed; and the reſpective Perſons renting and occupying any ſuch Part or ſeparate Apartment, or ready-furniſhed Houſe, or other Building or Tenement, who ſhall pay ſuch Rates or Aſſeſſments or any Arrears thereof, or from whom the ſame ſhall be recovered in purſuance of this Act, ſhall and may deduct the ſame from and out of the next Rent, or any other Rent due and payable by him, her, or them to ſuch reſpective Leſſor or Landlord, Owner or Proprietor; and the Receipt for ſuch Payment ſhall be a ſufficient Diſcharge for all and every ſuch Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord, for ſuch Money as he, ſhe, or they ſhall pay, or which ſhall be levied and recovered on the Goods and Chattels of him, her, or them reſpectively by virtue of this Act: Provided always, that no ſuch Perſon ſo renting or occupying any ſuch Part or ſeparate Apartment as aforeſaid ſhall be ſubject or liable or required to pay for or in reſpect of any ſuch Rates or Aſſeſſments, or for or in reſpect of any Coſts, Charges, and Expences, any Sum or Sums of Money beyond the Amount of the Rent which ſhall be then actually due or accruing due to ſuch Leſſor, Landlord, Owner, or Proprietor, in reſpect of the ſaid Premiſes, from him, her, or them reſpectively.

LVI. Pro-

Compounding for Rates.

LVI. Provided always, and be it further enacted, That every Leſſor, Landlord, Owner, or Proprietor who ſhall or may compound for the Poor Rates in the ſaid Pariſh, ſhall and may be rated at and ſhall be deemed to compound for, and ſhall pay on each and every Rate or Aſſeſſment to be made in purſuance of this Act, on the ſame Sum or Sums as he, ſhe, or they ſhall from Time to Time be rated at, compound for and be liable to pay on in the laſt preceding Rate or Aſſeſſment made for the Relief and Maintenance of the Poor of the ſaid Pariſh.

Act not to affect Agreements between Landlords and Tenants.

LVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to affect or make void any Contract, Covenant, or Agreement made between any Landlord or Tenant touching or concerning the Payment of the Rates or Aſſeſſments to be made, raiſed, and collected by virtue of this Act, as between ſuch Landlord and Tenant.

Perſons on account of Poverty may be relieved from the Rates.

LVIII. And whereas it may be reaſonable to excuſe ſome Perſons from the Payment of the ſaid Rates on account of their real Poverty, be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, and they are hereby authorized and empowered, to grant to ſuch Perſon or Perſons ſuch Relief in the Payment of any Rate or Aſſeſſment as they the ſaid Truſtees ſhall think reaſonable and proper.

Rates to be paid to the Collectors at ſuch Times as the Truſtees ſhall appoint.

LIX. And be it further enacted, That all and every the Rate and Rates, Aſſeſſment and Aſſeſſments, to be made by virtue of this Act, ſhall be paid by the Perſons Inhabitants occupying or enjoying, or who by this Act ſhall be deemed to inhabit, occupy, or enjoy the ſaid Lands, Houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, Vaults, Buildings, and other Tenements, Hereditaments, and Premiſes reſpectively, at ſuch Time or Times and in ſuch Manner and Proportions as the ſaid Truſtees at the Time of making ſuch Rates or Aſſeſſments reſpectively ſhall direct or appoint to the Collector or Collectors to be appointed by the ſaid Truſtees as aforeſaid to gather and collect the ſame.

Perſons liable to the Payment of Rates in proportion to the Time they occupy.

LX. Provided always, and be it further enacted, That whenever any Perſon or Perſons who ſhall come into or occupy any Houſe, Land, Tenement, or Hereditament out of or from which any other Perſon or Perſons ſhall be removed, or which at the Time of making any Rate or Aſſeſſment was empty or unoccupied, that then every Perſon ſo removing from, and every Perſon ſo coming into or occupying, ſhall be liable to ſuch Rate or Aſſeſſment in proportion to the Time that ſuch Perſon or Perſons occupied the ſame reſpectively; and the ſaid Proportion of Rate or Aſſeſſment ſhall be levied and recovered in the ſame Manner as if ſuch Perſon ſo removing had not removed, or ſuch Perſon ſo coming in or occupying had been originally rated or aſſeſſed in ſuch Rate or Aſſeſſment; which ſaid Proportion, in caſe of Diſpute, ſhall be aſcertained by any One or more of His Majeſty's Juſtices of the Peace for the ſaid County.

Recovery of Rates.

LXI. And be it further enacted, That if any Perſon or Perſons liable to the Payment of any ſuch Rates or Aſſeſſments ſhall refuſe or neglect to pay the ſame, then and in every ſuch Caſe it ſhall and may be lawful to and for the Collector or Collectors, and he and they is and are hereby authorized and required, by Warrant under the Hand and Seal of any One of His Majeſty's Juſtices of the Peace acting in and for the ſaid

County of *Surrey*, which Warrant ſuch Juſtice is hereby authorized and required to grant, upon Proof being made upon Oath of the Demand and Non-payment thereof (which Oath and Oaths the ſaid Juſtice is hereby authorized and required to adminiſter), to levy all and every ſuch Rates and Aſſeſſments, Sum and Sums of Money, by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing or neglecting to pay the ſame, which ſhall be found either in the ſaid Pariſh or in any other Pariſh, Liberty, or Place in the ſaid County of *Surrey*; but if ſufficient Diſtreſs cannot be found within the ſaid County, then in any other County, City, Liberty, or Place, upon ſuch Warrant being counterſigned by ſome One Juſtice of the Peace of ſuch other County, City, Liberty, or Place; which Warrant ſuch Juſtice is hereby authorized and required to counterſign; and if within Five clear Days after ſuch Diſtreſs or Diſtreſſes ſhall be made, the ſaid reſpective Rates or Aſſeſſments, and all Arrears thereof, ſhall not be paid, together with the Coſts and Charges of taking and keeping the ſame, the ſaid Collector or Collectors ſhall on the next Day, unleſs the ſame ſhall happen to be on a *Sunday*, and then on the Day next following, cauſe the ſaid Goods and Chattels, or a ſufficient Part thereof, to be appraiſed and ſold, rendering to the ſaid Perſon or Perſons the Overplus (if any there be) after deducting the ſaid Rates or Aſſeſſments, and all Arrears thereof, and the reaſonable Coſts and Charges attending ſuch Diſtreſs and Sale; which Coſts and Charges, in caſe of Diſpute, ſhall be ſettled and aſcertained by any One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Surrey*.

LXII. And be it further enacted, That every Warrant of Diſtreſs for Non-payment of any Rate or Aſſeſſment to be made by virtue of this Act may be in the Words or to the Effect following; (that is to ſay),

Form of Warrant of Diſtreſs.

'} TO the Truſtees acting under and by virtue of an Act of
'to wit. } Parliament [*here inſert the Title of this Act*]. Whereas
'*A. B.*, now or late of within the ſaid Pariſh of
'*Chriſt Church*, was duly rated and aſſeſſed in the Sum of
'in reſpect of for the Purpoſe and in purſuance of
'the ſaid Act; and that the ſaid *A. B.* has refuſed or neglected to pay
'the ſaid Sum of Money, and the ſame having been duly demanded of
'and from the ſaid *A. B.*, but ſtill remaining due and unpaid, as ap-
'peareth upon Oath to me one of His Majeſty's Juſtices of the Peace
'for the ſaid County: Theſe are therefore in His Majeſty's Name to will
'and require you, or either of you, forthwith to levy the ſaid Sum of
' ſo due from the ſaid *A. B.* by Diſtreſs and Sale of
'his Goods and Chattels (ſuch Goods and Chattels being kept for the
'Space of clear Days before the ſame are ſold), rendering to
'him the Overplus (if any be), the reaſonable Charges of this Warrant,
'and of ſuch Diſtreſs and Sale and keeping, being firſt deducted; and if
'no ſufficient Diſtreſs can be had or taken, that then you certify the ſame
'to me forthwith. And I do hereby ſtrictly charge and command all
'and ſingular the Conſtables, and others His Majeſty's Peace Officers for
'the ſaid County, to be aiding and aſſiſting in all Things relating to the
'Premiſes. Given under my Hand and Seal, this Day of
'in the Year of our Lord .'

LXIII. And be it further enacted, That it ſhall and may be lawful to and for any of His Majeſty's Juſtices of the Peace for the ſaid County of *Surrey* Juſtices may act in the Execution

of this Act, although they may be Truſtees, or chargeable with the Rates.

Surrey to make, do, and execute all and every Act or Acts, Matter or Things, appertaining to their Office as a Juſtice or Juſtices of the Peace, ſo far as the ſame relates to the Execution of this Act, or the enforcing the Payment of or levying the Rates or Aſſeſſments to be made in purſuance thereof, notwithſtanding any ſuch Juſtice or Juſtices of the Peace ſhall or may be a Truſtee for carrying this Act into Execution, or rated to or chargeable with the ſaid Rates or Aſſeſſments.

Collectors to pay to the Treaſurer.

LXIV. And be it further enacted, That the Collector or Collectors of the Rates or Aſſeſſments to be made by virtue of this Act ſhall and he and they is and are hereby required from Time to Time, when and as they ſhall reſpectively collect, recover, and levy the Monies to ariſe thereby, to pay the ſame into the Hands of the Treaſurer of the ſaid Truſtees for the Time being, to be applied and paid by the ſaid Treaſurer for the Purpoſes of this Act, purſuant to and under the Authority hereinbefore mentioned; and upon Payment of every ſuch Sum of Money to ſuch Treaſurer, every ſuch Collector ſhall take a Receipt for the ſame, and produce ſuch Receipt within Seven Days next after every ſuch Payment ſhall be made unto the Clerk to the ſaid Truſtees, to be by him entered in a Book to be kept for that Purpoſe.

Officers to account.

LXV. And be it further enacted, That the Treaſurer, Collector or Collectors, Clerk, or other Officer or Servant of the ſaid Truſtees acting under or by virtue of this Act, ſhall, under his or their Hand or Hands, at ſuch Time or Times and in ſuch Manner as the ſaid Truſtees or any Seven or more of them ſhall direct, deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Treaſurer, Collector, Clerk, Officer, or Servant received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſe, together with the proper and legal Receipts or Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in his or their reſpective Hand or Hands to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint; and if any ſuch Treaſurer, Collector, Clerk, Officer, or Servant ſhall refuſe to produce or deliver up ſuch Receipts or Vouchers, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, within Twenty-one Days after being thereunto required by the ſaid Truſtees or any Seven or more of them, all Books, Papers, and Writings in his or their Cuſtody or Power relating to the Execution of this Act, or ſhall refuſe or neglect to pay ſuch Monies as upon the Balance of any Account or Accounts ſhall appear to be in his or their reſpective Hands to the ſaid Truſtees, or as they ſhall direct and appoint, then and in either of the Caſes aforeſaid the ſaid Truſtees may and they are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions againſt the ſaid Treaſurer, Collector, Clerk, Officer, or Servant ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Treaſurer, Collector, Clerk, Officer, or Servant reſpectively; or if Complaint ſhall be made by the ſaid Truſtees, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid to any Two or more Juſtices of the Peace for the County, City, or Place wherein the ſaid

Treaſurer, Collector, Clerk, Officer, or Servant ſo neglecting or refuſing ſhall be and reſide, ſuch Juſtices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Treaſurer, Collector, Clerk, Officer, or Servant ſo neglecting or refuſing, to be brought before them, and upon his, her, or their appearing or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtices are hereby authorized to adminiſter), it ſhall appear to ſuch Juſtices that any of the Monies that ſhall have been collected, raiſed, or received by virtue of this Act, ſhall be in the Hands of ſuch Treaſurer, Collector, Clerk, Officer, or Servant, ſuch Juſtices may and they are hereby authorized and required, upon Non-payment thereof, by Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Treaſurer, Collector, Clerk, Officer, and Servant reſpectively; and if no Goods and Chattels of ſuch Treaſurer, Collector, Clerk, Officer, or Servant can be found ſufficient to anſwer and ſatisfy the ſaid Money and the Charges of making and levying the ſame, or if ſuch Treaſurer, Collector, Clerk, Officer, or Servant ſhall ſtill perſiſt in neglecting or refuſing to deliver up all ſuch Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforeſaid, to the ſaid Truſtees, or as they ſhall appoint, then and in any or either of the Caſes aforeſaid ſuch Juſtices ſhall commit every ſuch Offender to the Common Gaol for ſuch County, City, or Place, there to remain without Bail or Mainprize until he ſhall make and give a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, and until he ſhall deliver up ſuch Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Truſtees; but no Treaſurer, Collector, Clerk, Officer, or Servant ſo committed for want of ſufficient Diſtreſs, ſhall be confined or detained in Priſon by virtue of this Act for any longer Space of Time than Twelve Calendar Months.

Saving the Rights of the Heirs of William Angell.

LXVI. And be it further enacted, That nothing herein contained ſhall extend, or be deemed, taken, or conſtrued to extend, to take away, prejudice, derogate from, or otherwiſe affect the Rights, Powers, and Authorities of the Heirs or Aſſigns of *William Angell* within the ſaid Pariſh, heretofore Lord of the Manor or Liberty of *Paris Garden*, in the ſaid County of *Surrey*.

Enabling the Truſtees to purchaſe the Right of appointing the Sexton.

LXVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees under this Act, and they are hereby fully authorized and empowered, with the Conſent of a Majority of the Inhabitants of the ſaid Pariſh, aſſembled at a Veſtry Meeting of the ſaid Pariſh to be ſpecially convened for that Purpoſe, ſuch Inhabitants having a Right to vote at ſuch Veſtry Meeting, of which Meeting Four clear Days Notice at the leaſt ſhall be given by printed Hand-bills circulated in the ſaid Pariſh, and alſo by the like Notice read in the Pariſh Church during Divine Service on the *Sunday* immediately preceding the Day of ſuch intended Veſtry Meeting, to contract and agree with any Perſon or Perſons, in whom the Right of appointing the Sexton of the ſaid Pariſh of *Chriſt Church*

Church is now or at any Time hereafter ſhall or may be veſted, for the abſolute Purchaſe of the Right of appointing the Succeſſors of the preſent Sexton of the ſaid Pariſh, at and for ſuch Price or Sum as to the Truſtees under this Act ſhall ſeem fit and proper; and upon the Payment of ſuch Price or Sum as ſhall be agreed upon between the ſaid Parties, and the Conveyance of ſuch Right of Appointment to the ſaid Truſtees under this Act, under the Hand and Seal or under the Hands and Seals of the Perſon or Perſons, in whom ſuch Appointment is or ſhall be veſted, the Right of Appointment of all future Sextons of the ſaid Pariſh ſhall become veſted in the ſaid Truſtees under this Act on behalf of the ſaid Pariſh; upon Truſt nevertheleſs from Time to Time to appoint ſuch Perſon or Perſons as ſhall, upon any Vacancy by Death, Reſignation, Removal, or otherwiſe, be nominated for that Purpoſe by the Rector and Churchwardens of the ſaid Pariſh for the Time being, or the Majority of them; ſuch Perſon or Perſons ſo to be from Time to Time appointed by the ſaid Truſtees under this Act in purſuance of ſuch Nomination as aforeſaid, to be ſubject nevertheleſs to ſuch Control and Direction, Rules and Regulations, as the ſaid Truſtees ſhall think right and proper, and ſhall be ſubject and liable to be removed by the ſaid Rector and Churchwardens for the Time being, or the Majority of them, in caſe of any Negligence, Incapacity, or Miſconduct in the Execution of the ſaid Office.

As to Bonds given to the Truſtees.

LXVIII. And be it further enacted, That from and after the paſſing of this Act, all Bonds to be given to the Truſtees under this Act may be given to the ſaid Truſtees generally without naming them; and the ſaid Truſtees may and they are hereby reſpectively empowered to ſue as ſuch Truſtees upon any of ſuch Bond or Bonds, although ſuch Bond or Bonds may have actually been given to their or any of their Predeceſſors in Office; any Thing herein-before contained to the contrary thereof in anywiſe notwithſtanding.

Expence of the Act how to be paid.

LXIX. And be it further enacted, That all Charges and Expences attendant on the obtaining and paſſing this Act, or in anywiſe relating or incidental thereto, ſhall be paid by the Truſtees under this Act out of the firſt Monies which may come to their Hands or to the Hands of their Treaſurer by virtue of this Act, and ſuch Truſtees are hereby fully empowered and required to pay the ſame accordingly.

Penalty on Perſons damaging Monuments or Tomb Stones.

LXX. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, or otherwiſe damage any Tomb or Monument erected, placed, or ſet up, or to be erected, placed, or ſet up in the ſaid new intended Church Yard or Burial Ground, or any Rails thereto affixed, or to the Rails, Doors, Gates, Walls, or Fences of or belonging to the ſaid Church Yard or Burial Ground, it ſhall be lawful for any One or more Juſtice or Juſtices of the Peace for the ſaid County of *Surrey*, or for any One or more Magiſtrate or Magiſtrates of the County, City, or Place wherein ſuch Perſon or Perſons ſo offending ſhall reſide or be, and ſuch Juſtice or Juſtices, Magiſtrate or Magiſtrates, is and are hereby required, upon Oath being made by One or more credible Witneſs or Witneſſes before him or them of the Commiſſion of any ſuch Offence, to iſſue a Warrant or Warrants for apprehending the Perſon or Perſons accuſed thereof; or it ſhall be lawful for any Perſon or Perſons who ſhall ſee any ſuch Offence committed to apprehend, and alſo for any other Perſon

Perſon or Perſons to aſſiſt in apprehending any ſuch Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before any Juſtice of the Peace for the ſaid County of *Surrey*, or to deliver him, her, or them into the Cuſtody of any Conſtable or other Peace Officer, in order to be ſecured and conveyed before ſuch Juſtice of the Peace, to be dealt with as herein-after is directed; and the Perſon or Perſons ſo accuſed being brought before any ſuch Juſtice or Juſtices, Magiſtrate or Magiſtrates, or who being duly ſummoned to appear ſhall neglect ſo to do, the ſaid Juſtice or Juſtices, Magiſtrate or Magiſtrates, ſhall and may, either on the Confeſſion of the Perſon or Perſons ſo offending, or on Proof of ſuch Offence by the Oath of One or more credible Witneſs or Witneſſes, convict ſuch Offender or Offenders of the ſaid Offence or Offences, and order and adjudge him, her, or them to forfeit and pay any Sum of Money not exceeding Five Pounds for each and every ſuch Offence, together with the Expences and Charges of repairing and making good the Damage by him, her, or them occaſioned or committed, which Expences and Charges ſhall be aſcertained by the ſaid Juſtice or Magiſtrate, Juſtices or Magiſtrates, in and by the ſaid Conviction; one Moiety of the ſaid Forfeitures to be paid to the Informer or Informers, and the other Moiety, together with the ſaid Expences and Charges, to be paid to the ſaid Truſtees under this Act, or their Treaſurer, which laſt Moiety is to be by them applied for the Purpoſes of this Act; and the ſaid Expences and Charges to go to the repairing and making good ſuch Damages as ſhall by ſuch Offender or Offenders have been occaſioned or committed; and in caſe ſuch Offender or Offenders ſhall not upon ſuch Conviction pay ſuch Forfeitures, together with the Expences and Charges ſo adjudged, ſuch Juſtice or Juſtices, Magiſtrate or Magiſtrates, is and are hereby required to commit ſuch Offender or Offenders to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unleſs ſuch Forfeiture, Expences, and Charges ſhall be ſooner paid.

Puniſhment of Perſons ſtealing Iron Rails out of the Church Yard.

LXXI. And be it further enacted, That if any Perſon or Perſons ſhall ſteal, take, carry away, or remove with Intent to ſteal, any Iron Rail or Rails, Balluſtrades, or any Lead, Iron, or other Metal faſtened to, or any Stone Work, Wood Work, or other Thing in anywiſe belonging to or appertaining to the ſaid Church Yard, or Burial Grounds, or any Monument or Tomb therein reſpectively, every Perſon or Perſons ſo offending, and being thereof lawfully convicted, ſhall be deemed and taken to be a Felon, and ſubject and liable to the like Pains and Penalties as if convicted of Felony; and the Court by or before whom ſuch Perſon or Perſons ſhall be tried and convicted, ſhall have Power and Authority to cauſe ſuch Perſon or Perſons to be tranſported for any Time not exceeding Seven Years, in like Manner as Perſons convicted of Felony are directed to be tranſported by the Laws and Statutes of this Realm, or in Mitigation of ſuch Puniſhment may award ſuch Sentence as the Law directs in Caſes of Petty Larceny; and that in all Indictments or Proſecutions for any of the Offences in this Act mentioned, it ſhall be ſufficient to lay the Thing or Things therein alleged to have been feloniouſly taken to be the Property of the ſaid Truſtees under this Act, or ſome Perſon or Perſons unknown.

LXXII. And be it further enacted, That in all Cases where any Person or Persons shall be convicted of any Offence committed against this Act, it shall be sufficient if the Conviction is in the Form or to the Effect following:

Form of Conviction.

'to wit. } BE it remembered, That on the Day of in the Year of the Reign of our Sovereign, 'Esc. *A. B.* is convicted before [me *or* us, One or Two, &c.] of His 'Majesty's Justices of the Peace for the County of 'by virtue of an Act passed in the Fifty-seventh Year of the Reign of King 'George the Third, intituled *An Act* [*here set forth the Title of this Act*], 'for that the said *A. B.* did on the Day of 'in the Year of our Lord [*here state the Offence*] 'by reason whereof [I *or* we] do hereby adjudge the said *A. B.* to have 'forfeited [*if the Offender is to be fined*] the Sum of [*insert 'the Penalty*] together with the Sum of for Costs and 'Charges of [*if any given*] [*or, if to be imprisoned, then*] to adjudge the 'said *A. B.* to be committed to the [*naming the Gaol*] for the Space of '[*insert the Time; and if the Commitment be for Non-payment of a Penalty, 'then add*, unless the said Sum of shall be sooner paid. 'Given under my *or* our Hand and Seal, *or* Hands and Seals, the Day and 'Year above written.'

Persons guilty of Perjury may be punished as in other Cases.

LXXIII. And be it further enacted, That if any Person or Persons shall wilfully and corruptly give false Evidence in any Examination, Trial, or Inquiry, or other Matter or Thing to be heard or determined by virtue of this Act, or where in pursuance of this Act any Oath or Affirmation is required to be taken, each and every such Person or Persons so offending, and being thereof duly convicted, shall be, and he, she, and they is and are hereby declared to be subject and liable to such Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by Law subject or liable to.

Penalties and Forfeitures how to be recovered and applied.

LXXIV. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise directed), shall, upon Proof of the Offence respectively before any One of His Majesty's Justices of the Peace for the County aforesaid, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses (which Oath such Justice is hereby empowered to administer), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant for such Purpose; and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures, and Fines, when paid or levied (if not otherwise directed to be applied by this Act), shall be from Time to Time paid to the said Trustees under this Act for their Treasurer, and applied to the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall and may be lawful for any such Justice of the Peace as aforesaid,

aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be commited to the Common Gaol of the said County, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid or satisfied.

Trustees and Inhabitants may be Witnesses.

LXXV. And be it further enacted, That neither the said Trustees under this Act, or any of them, or any Inhabitants of the said Parish, shall in any Action, Proceeding, Information, Cause, Hearing, Examination, or other Proceeding whatsoever, relating or concerning the Execution of this Act, or concerning the said Parish, or in which it is interested, be deemed an incompetent Witness by reason of his or their being such Trustee or Inhabitant as aforesaid, or his or her being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected by virtue of this Act or otherwise.

Persons dissatisfied may appeal to the Quarter Sessions.

LXXVI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any such Rate or Rates, Assessment or Assessments, or by reason of any Order, Judgment, or Determination of any Justice of the Peace acting in the Execution of this Act, or any Penalty or Fine in pursuance thereof, then and in every such Case he, she, or they may appeal to the next General or Quarter Session of the Peace to be holden for the County of *Surrey*, which shall happen next after the Expiration of Thirty Days after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days Notice at least of such Appeal and of the Matter thereof to the Party or Parties appealed against, and within Two Days next after such Notice entering into a Recognizance in the Sum of Thirty Pounds before some Justice of the Peace for the said County conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Session; and the said Justices assembled at such General or Quarter Session, upon due Proof of such Notice being given, and of entering into such Recognizance, shall hear and determine the Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they the said Justices shall think proper, and also to order and award such Satisfaction to be made to the Party injured as they shall think reasonable.

Justices empowered to amend the Rate.

LXXVII. And be it further enacted, That on any Appeal from any Rate or Rates, Assessment or Assessments, to be made for the Purposes of this Act, the Justices at such General or Quarter Sessions shall and may amend the same, if they shall so think proper, in such Manner as may be necessary for giving Relief to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate aggrieved, without quashing or altering such Rate or Rates, Assessment or Assessments, with respect to any other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate mentioned in the same; but if upon Appeal from the whole Rate or Rates, Assessment or Assessments, it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Rates, Assessment or Assessments, to be made in Manner herein directed.

LXXVIII. Pro-

Saving the Rights of Marſhall's Truſtees.

LXXVIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be deemed, conſtrued, or taken to extend, to take away, prejudice, derogate from, or in any Manner to affect or interfere with the Rights, Intereſts, Fees, Privileges, Powers, and Authorities of the Truſtees for the Time being for executing the Will of *John Marſhall* Gentleman deceaſed; but that the ſame and every of them ſhall remain, be, and continue in full Force and Effect in ſuch and the ſame Manner to all Intents, Ends, Conſtructions, and Purpoſes whatſoever, as if this Act had never been paſſed.

Not to veſt in Marſhall's Truſtees any Right in the new Burial Ground.

LXXIX. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be deemed, conſtrued, or taken to extend, to give to or veſt in the ſaid Truſtees under the ſaid Will of the ſaid *John Marſhall* deceaſed any Juriſdiction, Right, Power, or Authority over any Part of the new or additional Burial Ground to be made by virtue of this Act, either in reſpect to the Receipt of the Fees for the ſame or otherwiſe.

Proceedings not to be quaſhed for want of Form.

LXXX. And be it further enacted, That no Order or Judgment, or any other Proceeding had, made, or done under or by virtue of this Act, or touching any of the Matters aforeſaid, ſhall be quaſhed or vacated for want of Form only, or be removed or removable by Writ of *Certiorari*, or any other Writ or Proceſs, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law, Statute, or Uſage to the contrary thereof in anywiſe notwithſtanding; and that where any Diſtreſs ſhall be made for any Sum or Sums of Money, Rates or Aſſeſſments, to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of Want of Form in any Proceeding relating thereto; nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover Satisfaction for the Special Damages in an Action on the Caſe: Provided always, that no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants Twenty-eight Days before ſuch Action ſhall be commenced, and ſigned by the Attorney for the Plaintiff or Plaintiffs, ſpecifying the Cauſe of ſuch Action; nor ſhall the Plaintiff or Plaintiffs recover in any ſuch Action if Tender of ſufficient Amends ſhall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful to and for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall be brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall ſee fit, whereupon ſuch Proceeding, Order, and Judgment ſhall be had, made, and given in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LXXXI. And be it further enacted, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done

done in purſuance of this Act, ſuch Action or Suit ſhall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid in the County where the Cauſe of Action ſhall have ariſen, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if the Jury ſhall find for the Defendant or Defendants in any ſuch Action or Suit, 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, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in any other Caſes to recover Coſts by Law. General Iſſue. Treble Coſts.

LXXXII. 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. Public Act

The SCHEDULE to which this Act refers.

Description of Premises.	Owners.	Lessees.	Occupiers.
Great Surrey Street.			
House, No. 31 - -	Edward Bilke -	Executors of Oakley, John Duce	John Duce.
Piece of vacant Ground in Front of Church Yard - -	Devisees of Jasper Baron, or Lord of the Manor of Old Paris Garden.		
Houses, No. 29 and 28 - -	Joseph Cox and others	John Selby - -	Barker and Martin.
House, No. 27, and small Piece of Ground adjoining -	Ditto.	A. Carter.	
A small Piece of Ground, containing 66 Feet or thereabouts, adjoining the Watch House, Part of present Church Yard, and the Wall inclosing the same - -	Trustees of John Marshall deceased.		
House, No. 14, Bennett Street, and Yard adjoining -	Thomas Platt and others - -	J. Ward and others.	
Part of Livery Stables ditto -	Ditto -	John Hodgkinson - / John Smith -	John Smith.
A Piece of vacant Ground and small Gardens - -	Devisees of Jasper Baron.		
Also Stables and Cottage -	Ditto		Ireland and Carter / William Heddington.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1817.