ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. vii.

An Act for taking down the Pariſh Church of *Clifton*, in the County of *Glouceſter*, and for building a new Church, and providing an additional Cemetery for the Uſe of the ſaid Pariſh. [29th *March* 1816.]

WHEREAS the Population of the Pariſh of *Clifton*, in the County of *Glouceſter*, has greatly increaſed, ſo that the Pariſh Church is not ſufficiently large for the Accommodation of the Inhabitants of the ſaid Pariſh; and the preſent Cemeteries or Grounds allotted for the Burial of Perſons dying in the ſaid Pariſh, are alſo likely to become inſufficient for the Purpoſe; and it is therefore expedient that the ſaid Pariſh Church ſhould be taken down, and that a new Pariſh Church of larger Dimenſions ſhould be erected in lieu thereof, in ſome convenient Situation in the ſaid Pariſh; and that the Tower of the ſaid Pariſh Church ſhould be taken down and rebuilt in ſome convenient Situation in the ſaid Pariſh, or that the preſent Tower ſhould be raiſed and altered; and that Land ſhould be procured for the Purpoſe of ſuch Erection, and for an additional Cemetery or Burial Ground within the ſaid Pariſh: And whereas the Reverend *James Vaughan* of *Wraxall* in the County of *Somerſet*, the Patron of the ſaid Pariſh Church of *Clifton*, hath agreed to bear and defray the whole Coſts and Expences of erecting a Vault beneath the ſaid Church, and of making and conſtructing Graves therein for the Uſe of the Public, in conſideration that a Proportion of the Fees for Interment in the ſaid Vault ſhall be allowed to the Patron or Patrons for the Time being of the

said Parish Church; but as the Purposes aforesaid cannot be effected 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 Patron for the Time being of the said Parish Church, and the officiating Minister and Churchwardens for the Time being, the Reverend *Stonhouse-Vigor*, *Gabriel Goldney*, *Richard Blake Deverell*, *Samuel Lloyd Harford*, *Francis Adams*, Vice Admiral *Thomas Sotheby*, *Charles John Anne Hereford*, *Thomas Whippie*, *James Russell*, *William Hurle*, *Philip Elliott*, *James Martin Hilhouse*, *Henry Dupont*, *Thomas Ormerod*, *Thomas Cole*, *John Coulson*, *William Gilby* Doctor of Medicine, *Ponsonby Tottenham*, *John Street*, *Matthew Mills Coates*, *John Warne*, *John Bridges*, *John Thomson*, the Reverend *Charles Gore*, and *John Leper Newton*, and their Successors, to be nominated and appointed by virtue of this Act, shall be and they are hereby declared to be Trustees for building a new Parish Church for the Parish of *Clifton* aforesaid, and for carrying the several Purposes of this Act into Execution.

Appointment of Trustees.

Trustees to take an Oath.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except in the Power of giving Notice of the First Meeting under this Act, and of administering the Oath herein-after mentioned, and which Oath any of the Trustees herein-before named are hereby empowered to administer) until he shall have taken an Oath in the following Words, or Words to the following Effect; and an Entry or Minute shall be made in the Book of Proceedings of the Trustees of the taking of such Oath, and of the Date of administering the same:

'I ..... do swear, that I will faithfully, impartially, and 'honestly, according to the best of my Skill, Knowledge, and Judgment, 'execute the several Trusts and Powers reposed in me as a Trustee, by 'virtue of an Act passed in the Fifty-sixth Year of the Reign of His 'Majesty King *George* the Third, intituled, *An Act*, [*here set forth the Title 'of this Act.*] So help me GOD.'

Power to appoint additional Trustees.

III. And be it further enacted, That it shall be lawful for the Trustees hereby nominated, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Ten in the whole, to be Trustees for the Purposes of this Act, in Addition to the Trustees hereby appointed; and such Trustees so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authorities for executing this Act, as if they had been herein named and appointed.

Power to appoint new Trustees.

IV. And be it further enacted, That if any one or more of the said Trustees hereby appointed (save and except such Persons as are hereby declared to be Trustees by virtue of their respective Estates and Offices) or their Successors, to be elected in Manner herein-after mentioned, shall die, or shall refuse, or become incapable to act in the Execution of this Act, then and in every such Case, it shall be lawful for the surviving or remaining Trustees from Time to Time to elect and appoint one other

Perſon (being an Inhabitant of the ſaid Pariſh of *Clifton*) to be a Truſtee in the Room of each ſuch Truſtee ſo dying, or refuſing, or becoming incapable of acting, and Notice of the Time and Place of the Meeting for every ſuch Election (ſigned by the Clerk or Clerks for the Time being, to the ſaid Truſtees) ſhall be affixed on the outer Door of the Veſtry Room of the Pariſh Church of *Clifton* for the Time being Fourteen Days at leaſt before ſuch Meeting, and every Perſon ſo elected a new Truſtee as aforeſaid, after taking the Oath herein-before mentioned, ſhall be and is hereby empowered to act in the Execution of this Act to all Intents and Purpoſes, in as full and ample a Manner as the Truſtee in whoſe Room or Stead he ſhall have been ſo elected, or as if he had been herein named and appointed.

Qualification of new and additional Truſtees.

V. Provided always, and be it further enacted, That no Perſon who ſhall be elected a new or additional Truſtee as aforeſaid, ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall in his own Right or in the Right of his Wife, be in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands and Tenements, or Hereditaments, within the ſaid Pariſh, of the clear Yearly Value of Fifty Pounds, above all Reprizes; or ſhall be poſſeſſed of or entitled to a Perſonal Eſtate of One thouſand Pounds, nor until he ſhall have taken and ſubſcribed before any One or more of the ſaid Truſtees an Oath in the Words or to the Effect following; and which Oath any Truſtee (previouſly ſworn) ſhall be and is hereby authorized and empowered to adminiſter; and an Entry or Minute ſhall be made in the Books of Proceedings of the ſaid Truſtees, of the taking of ſuch Oath, and the Date of adminiſtering the ſame:

'I do ſwear, that I am truly and *bonâ fide* in my 'own Right [*or*, in the Right of my Wife] in the actual Poſſeſſion and 'Enjoyment [*or* Receipt] of the Rents and Profits of Lands, Tenements, 'or Hereditaments within the Pariſh of *Cliſton*, in the County of *Glouceſter*, 'of the clear Yearly Value of Fifty Pounds above Reprizes [*or*, am poſ'ſeſſed of or entitled to a Perſonal Eſtate of the Value of One thouſand 'Pounds,] and that I will faithfully, impartially and honeſtly, according 'to the beſt of my Skill, Knowledge, and Judgment, execute the ſeveral 'Truſts and Powers repoſed in me as a Truſtee, by virtue of an Act paſſed 'in the Fifty-ſixth Year of the Reign of His Majeſty King *George* the Third, 'intituled, *An Act*, [*here ſet forth the Title of this Act.*]

'So help me GOD.'

Contractors, &c. under the Act, not to act as Truſtees.

VI. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act during the Time he ſhall be intereſted in any Contract, or ſhall hold any Employment or Place of Profit under this Act; and if any Perſon, not being qualified as aforeſaid, or being diſqualified by any of the Cauſes aforeſaid, ſhall preſume to act contrary to the true Intent and Meaning 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 inform or 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, Plaint, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is ſo qualified, or otherwiſe ſhall pay the ſaid Penalty, without any

other

other Proof or Evidence on the Part of the Profecution, than that fuch Perfon hath acted as a Truftee in the Execution of this Act: Provided nevertheleſs, that all fuch Acts and Proceedings as fhall have been done and performed by any fuch Perfon touching the Execution of this Act, previous to his being convicted of fuch Offence, fhall notwithſtanding fuch Conviction, be as valid and effectual as if fuch Perfon had been qualified according to the Directions of this Act: Provided alſo nevertheleſs, that fuch of the ſaid Truſtees as are or ſhall be Juſtices of the Peace, may act as fuch within their reſpective Juriſdictions in the Execution of this Act, notwithſtanding their being Truſtees, except in fuch Caſes where they ſhall be perſonally intereſted.

Truſtees may act who are Juſtices.

Proceedings of Truſtees to be at a Public Meeting, and no Act of Truſtees valid unleſs at a Meeting.

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

First Meeting of the Truſtees to be in the Veſtry Room.

VIII. And be it further enacted, That the ſaid Truſtees ſhall meet in the Veſtry Room of the ſaid Pariſh, within Two Calendar Months after the paſſing of this Act, or as ſoon as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Twelve of the Clock at Noon, and proceed to put this Act into Execution; and in caſe none of the ſaid Truſtees ſhall attend ſuch Meeting, then and in ſuch Caſe, ſuch Meeting ſhall be and be deemed to be adjourned to the next Day (*Sunday*, *Good Friday*, *Chriſtmas Day*, and all Days on which Divine Service is ordered by Authority to be celebrated, only excepted, and then to the following Day) and ſo, *toties quoties*, until a ſufficient Number of Truſtees ſhall attend at ſuch Meeting to act in the Execution of this Act, or until any Truſtees or Truſtee ſhall attend and adjourn ſuch Meeting (One Truſtee being hereby declared to be ſufficient for the Purpoſe of Adjournment only); and the ſaid Truſtees ſhall and may at ſuch Meeting, and at their ſeveral Meetings to be holden for the Purpoſe of carrying this Act into Execution, from Time to Time adjourn the ſame, and appoint their next Meeting to be holden there, or at any other Place in the ſaid Pariſh of *Clifton*, as to the ſaid Truſtees ſhall ſeem convenient; and at ſuch Time as to them ſhall ſeem proper; and if it ſhall ſo happen, that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act in the Execution of this Act, the Truſtees or Truſtee then preſent, or the Clerk or Clerks to the ſaid Truſtees, ſhall from

Time

Time to Time, as often as the Caſe may happen, adjourn ſuch Meeting to ſome other Day within Twenty-one Days then next following, to be holden at the ſame Place; and the ſaid Clerk or Clerks ſhall cauſe Notice thereof to be given in Manner aforeſaid, at leaſt Seven Days before the Day to which ſuch Meeting ſhall be adjourned.

Meetings on Emergencies.

IX. And be it further enacted, That if, after any Adjournment of any Meeting as aforeſaid, it ſhall at any Time be thought neceſſary that a Meeting of the Truſtees ſhould be holden on an earlier Day than the Day to which ſuch Meeting ſhall have been adjourned, then and in every ſuch Caſe the Clerk or Clerks to the ſaid Truſtees (an Order in Writing, ſigned by Five or more of the ſaid Truſtees, mentioning the Time and Place and Purpoſes of ſuch earlier Meeting, being given to him or them, or left at his or their Office, laſt or uſual Place of Abode), ſhall forthwith give Notice of the Meeting to be holden on ſuch earlier Day, in Manner herein-before directed, and of the Time and Place which ſhall be mentioned in the Order of the ſaid Truſtees, ſuch Time not being leſs than Seven Days after ſuch Notice; and all Proceedings of ſuch Truſtees at ſuch earlier Meeting, ſhall be as good and valid as they would have been in caſe ſuch Truſtees had met in purſuance of any Adjournment.

No Order to be revoked, unleſs at a Meeting for the Purpoſe, nor unleſs a Majority of the Truſtees concur.

X. And be it further enacted, That no Order, Appointment, or Proceeding made at any Meeting of the Truſtees holden in purſuance of this Act, ſhall be revoked or altered at any ſubſequent Meeting, unleſs at a Meeting to be holden for that expreſs Purpoſe, nor unleſs Notice ſpecifying the Revocation or Alteration intended to be made, ſigned by the Clerk or Clerks to the ſaid Truſtees, ſhall be given in Manner aforeſaid, at leaſt Fourteen Days before ſuch ſubſequent Meeting; nor unleſs a Majority of the Truſtees preſent at ſuch ſubſequent Meeting ſhall decide in Favour of ſuch Revocation or Alteration, and a greater Number of Truſtees ſhall be preſent at ſuch ſubſequent Meeting, than were preſent at the Meeting when ſuch Order, Appointment, or Proceeding was had or made.

Proceedings to be entered.

XI. And be it further enacted, That the ſaid Truſtees ſhall cauſe to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all the Truſtees appointed or to be appointed by or in purſuance of this Act, and of all ſuch Truſtees as ſhall be preſent at their ſeveral Meetings; and all Entries in ſuch Book or Books, being ſigned by the Chairman of ſuch Meeting, ſhall be deemed Originals, and ſhall be allowed to be read as Evidence in all Cauſes, Suits, and Actions, touching or concerning any Thing done in purſuance of this Act; and that all Receipts, Payments, Debts, Credits, and Contracts, or Minutes of Contracts, or other Matter or Thing relating to the Execution of this Act, ſhall be written in ſuch Book or Books, to be kept for that Purpoſe by the Clerk or Clerks to the ſaid Truſtees; and all ſuch Book or Books ſhall, at all the Meetings of the ſaid Truſtees be open and liable to the Inſpection of all and every of the ſaid Truſtees, and that any of the ſaid Truſtees and Creditors ſhall and may have and take Copies thereof, paying for every Copy ſo had not exceeding Seventy-

two Words, the Sum of Four-pence, and ſo in Proportion for any greater Number of Words.

Truſtees to appoint Officers.

XII. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, may, and they are hereby empowered by Writing under their Hands, to appoint a Treaſurer or Treaſurers, Clerk or Clerks, and alſo ſuch other Officers and Perſons for the Execution of this Act, as the ſaid Truſtees ſhall think proper; and from Time to Time to remove ſuch Officers and Perſons reſpectively as the ſaid Truſtees ſhall ſee Occaſion; and out of the Monies to be received by virtue of this Act to allow and pay ſuch Salaries, Wages, and Allowances to the ſaid Officers and other Perſons, as the ſaid Truſtees ſhall think reaſonable; and all ſuch Officers ſo to be appointed ſhall under their Hands, at ſuch Time or Times, and in ſuch Manner as the ſaid Truſtees ſhall direct, deliver to the Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officers reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been expended and diſburſed, and for what Purpoſe, together with proper Vouchers for ſuch Payments, and ſhall pay all ſuch Money as ſhall remain due from them reſpectively to the ſaid Truſtees or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame; and every ſuch Treaſurer ſhall when thereunto required by the ſaid Truſtees, or any Five or more of them, lay his Accounts before the ſaid Truſtees, in order that the ſame may be audited, paſſed, and allowed by them, if approved of; and all the ſaid Officers ſo accounting as aforeſaid ſhall, whenever thereunto required by the ſaid Truſtees, verify their ſaid Accounts upon Oath (which Oath any Juſtice of the Peace for the ſaid County is hereby empowered to adminiſter); and if any ſuch Officer ſhall refuſe or neglect to make and render or to verify upon Oath any ſuch Account as aforeſaid, or to produce and deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall refuſe or wilfully neglect to deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, within Twenty-one Days after having been thereunto required by the ſaid Truſtees, or any Five or more of them, by Notice in Writing given to or left at the laſt or uſual Place of Abode of ſuch Officer, all Books, Papers, and Writings in his Cuſtody or Power, relating to the Execution of this Act, or give Satisfaction to the ſaid Truſtees reſpecting the ſame, then and in any ſuch Caſe, upon Complaint made by the ſaid Truſtees, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or wilful Neglect as aforeſaid, to any Juſtice of the Peace for the County, City, or Place wherein ſuch Officer ſo refuſing or wilfully neglecting ſhall be or reſide, ſuch Juſtice may, and he is hereby authorized and required to iſſue a Warrant under his Hand and Seal, for the Officer ſo refuſing or neglecting to appear before him, and upon his appearing, or having been ſummoned and not 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 by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath ſuch Juſtice is hereby empowered to adminiſter) it ſhall appear to ſuch Juſtice that any of the Monies that ſhall have been collected or received by virtue of this Act, ſhall remain due from ſuch Officer,

ſuch Juſtice may and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer; and if no Goods and Chattels of ſuch Officer can be found, ſufficient to anſwer and ſatisfy the ſaid Money and the Charges of diſtraining and ſelling the ſaid Goods and Chattels, or if it ſhall appear to ſuch Juſtice that ſuch Officer ſhall have refuſed or wilfully neglected to render and give ſuch Account, or to verify the ſame as aforeſaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings, relating to the Execution of this Act, ſhall be in the Cuſtody or Power of ſuch Officer, and he ſhall have refuſed and wilfully neglected to deliver up, or give Satisfaction reſpecting the ſame, as aforeſaid, then and in each and every ſuch Caſe, ſuch Juſtice ſhall commit ſuch Offender to the Common Gaol or Houſe of Correction for the County, City, or Place where ſuch Offender ſhall be or reſide, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees for ſuch Money, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Truſtees are hereby empowered to make and receive) and until he ſhall deliver up ſuch Books, Papers, and Writings, or give Satisfaction in reſpect thereof to the ſaid Truſtees; but no ſuch Officer ſhall be detained or kept in ſuch Common Gaol or Houſe of Correction for Want of ſuch ſufficient Diſtreſs, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

Security to be taken from Treaſurer, &c.

XIII. Provided always, and be it further enacted, That the ſaid Truſtees ſhall, and they are hereby required to take ſufficient Security from every Treaſurer or Receiver to be appointed for the Purpoſes of this Act, for the due and faithful Execution of his Office; and, if they ſhall think proper, may alſo take ſuch Security from any other Officer to be appointed under or by virtue of this Act.

Actions to be brought in the Name of the Treaſurer or Clerk, or one of the Truſtees.

XIV. And be it further enacted, That whenever any Action ſhall be brought by the Order of the ſaid Truſtees againſt any Perſon or Perſons, by virtue or in purſuance of this Act, the ſame may be brought in the Name of their Treaſurer, or Clerk or Clerks, or in the Name of any one of the ſaid Truſtees, on Behalf of the ſaid Truſtees; and no ſuch Action ſhall abate or be diſcontinued by the Death or Removal of the Perſon in whoſe Name the ſame ſhall be brought.

Indemnity to Truſtees.

XV. Provided always, and be it further enacted, That all and every the Truſtees herein-before named, and their Succeſſors to be appointed as herein before mentioned, ſhall from Time to Time and at all Times hereafter be fully indemnified from and out of the Monies to be raiſed under this Act, of and from all Coſts, Charges, Damages, and Expences, which they or any of them, or their Treaſurer, or Clerk or Clerks as aforeſaid, ſhall and may ſuſtain or be put unto, for or by reaſon of any Action, Suit, or other Proceedings, which may be had, ſued, commenced, or proſecuted againſt them, any or either of them, for any Matter or Thing which may be by them reſpectively legally done in or about the Execution of this Act, and the Truſts repoſed in them under the ſame.

XVI. And

Truſtees may contract for the Purchaſe of Lands and Buildings.

XVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, and they are hereby empowered, as ſoon as conveniently may be after the paſſing of this Act, to contract and agree for the abſolute Purchaſe of any Lands, Tenements, or Hereditaments within the ſaid Pariſh of *Clifton* (not exceeding Three Acres in the whole) with any Body Politic, Corporate or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail General or Special, or for any Term or Terms for Years, abſolute or determinable on any Life or Lives, or with any Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees for Lunatics and Idiots, or other Truſtees whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, or Femes Covert, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, or with any Perſon or Perſons whomſoever, who ſhall be willing to ſell any Lands, Tenements, or Hereditaments, for the Purpoſe of building and erecting thereon a new Church, with ſuitable Buildings and Conveniencies thereto, and of laying out any Land (as may be thought proper by the ſaid Truſtees) as may be contiguous to the ſaid new Church, or convenient for the Purpoſe of an additional Cemetery or Burial Ground for the Uſe of the ſaid Pariſh, and of making any Roads or Approaches to the ſaid Church, Cemetery, or Burial Ground: Provided always, that the Situation and Quantity of the Land ſo to be purchaſed, and alſo the Size of the Cemetery or Burial Ground, ſhall be approved of by the Lord Biſhop of the Dioceſe for the Time being; and it ſhall and may be lawful to and for the ſaid Truſtees to hold ſuch Lands, Tenements, and Hereditaments ſo purchaſed, without incurring or being ſubject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatſoever to the contrary thereof, in anywiſe nothwithſtanding.

Bodies Politic, &c. empowered to ſell.

XVII. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years abſolute or determinable on any Life or Lives, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees for Lunatics, and Idiots, and other Truſtees whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, or Femes Covert, who are or ſhall be ſeiſed or poſſeſſed of, or intereſted in their own Right, and all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, or any Part thereof, which ſhall be thought neceſſary by the ſaid Truſtees to be purchaſed for the Purpoſe of building and erecting the ſaid new Church and other Conveniencies, and for other the Purpoſes of this Act, to treat, contract, and agree with the ſaid Truſtees for the Sale thereof, or of any Part thereof, and to ſell and convey all or any Part thereof, and all Eſtate, Right, Title, and Intereſt whatſoever, of, in, and to the ſame, to the ſaid Truſtees, for the Purpoſes of this Act; and all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by virtue and in purſuance of this Act, ſhall without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Aſſurances

Aſſurances in the Law whatſoever, be good, valid, and effectual to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim and Demand whatſoever, of their ſaid ſeveral and reſpective Ceſtuique Truſts, and all Perſons whomſoever, claiming or to claim, by, from, or under them, and of all Perſons entitled in Remainder or Reverſion expectant on any ſuch particular Eſtate; and the ſame ſhall be deemed and conſidered to bar the Dower and Dowers of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder or Expectancy; any Law, Statute, or Uſage, or any other Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years abſolute or determinable on any Life or Lives, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Application of Compenſation Money if amounting to 200 l.

XVIII. And be it further enacted, That if any Money ſhall be paid or agreed to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Body or Bodies Politic, Corporate, or Collegiate, or Corporation Aggregate or Sole, or any Tenant or Tenants, for Life or in Fee Tail, General or Special, or for any Term or Terms of Years abſolute or determinable on any Life or Lives, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Ceſtuique Truſts, or 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, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Truſtees for executing this Act, 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 ſuch Lands, Tenements, or Hereditaments in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſaid Lands, Tenements, and Hereditaments, or affecting other Lands, Tenements, and Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under and with the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, and 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, taken, or uſed, as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined

and capable of taking Effect; and in the mean Time 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, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed by virtue of this Act, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation Money when leſs than 200l., and not leſs than 20l.

XIX. Provided always, and be it further enacted, That if any Money ſo agreed to be paid for any Lands, Tenements, or Hereditaments, to be purchaſed, taken, or uſed, 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 amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes, the ſame ſhall at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, 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 High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees (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 Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the High Court of Chancery.

Application of Compenſation if leſs than 20l.

XX. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed to be paid as next-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, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money 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.

Where any Queſtion ſhall ariſe touching the Title to the

XXI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, in purſuance of this

Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt, in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid High Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court, that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein. Money to be paid, &c.

XXII. And be it further enacted, That upon Payment of the Money ſo contracted or agreed to be paid for the Purchaſe of ſuch Lands, Tenements, or Hereditaments, by the ſaid Truſtees, to the Party or Perſon or Perſons reſpectively entitled to ſuch Monies, or their Agents, or upon Payment thereof into the Bank of *England*, in Manner herein-before directed, and upon the Conveyance of ſuch Lands, Tenements, or Hereditaments, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim and Demand in Law or Equity, of the Party or Perſon or Perſons reſpectively, to whoſe Uſe the ſame ſhall be paid in, to, or out of ſuch Lands, Tenements, and Hereditaments, ſhall veſt in the ſaid Truſtees and their Succeſſors for ever, for effecting the Uſes and Purpoſes of this Act. On Payment of Purchaſe Money, Premiſes veſted in Truſtees.

XXIII. And be it further enacted, That all Sales, Conveyances, and Aſſurances of any Lands, Tenements, or Hereditaments to be made to the ſaid Truſtees and their Succeſſors, ſhall be made in the following Form, or in ſome Form to the following Effect; (that is to ſay),

Form of Conveyance.

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

And every ſuch Sale, Conveyance, and Aſſurance ſo made, ſhall be good, valid, and effectual, to all Intents and Purpoſes whatſoever, as to and againſt the Perſon or Perſons making the ſame, and his, her, or their Ceſtuique Truſts, and all other Perſons claiming or to claim by, from, under, or in Truſt for him, her, or them reſpectively, or in Remainder, Reverſion or Expectancy as aforeſaid; and the ſame ſhall be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion,

Reverſion, Remainder or Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons claiming under them, as effectually as Fines or Common Recoveries would do, if levied or ſuffered by the proper Parties in due Form of Law; any Law, Statute, Uſage, or Cuſtom to the contrary thereof notwithſtanding.

Truſtees empowered to reſell Lands.

XXIV. And whereas the ſaid Truſtees, under the Proviſions of this Act, may purchaſe Lands, Tenements, or Hereditaments, which may be found more than ſufficient for the Purpoſes thereof; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, acting in the Execution of this Act, to ſell and diſpoſe of, and by Indenture or Indentures under their Hands and Seals, to grant and convey by way of abſolute Sale, in Fee Simple, for a Conſideration in Money, all or any Part or Parts of the Lands, Tenements, and Hereditaments as may have been ſo purchaſed, as ſhall in the Judgment of the ſaid Truſtees, or any Five or more of them, at any of their Meetings to be holden in purſuance of this Act, not be wanted for the Purpoſes of this Act; and upon Payment of the Money which ſhall ariſe by or from the Sale of ſuch Lands, Tenements, and Hereditaments, or any Part or Parts thereof, it ſhall and may be lawful for the Treaſurer or Treaſurers, Clerk or Clerks, for the Time being to the ſaid Truſtees, to ſign and give Receipts for the Monies for which the ſame ſhall be ſold, which Receipts ſhall be ſufficient Diſcharges to any Perſon or Perſons for the Purchaſe Money, for which ſuch Lands, Tenements, or Hereditaments, ſhall be ſo ſold, or for ſo much thereof as in ſuch Receipts ſhall be expreſſed or acknowledged to be received, and ſuch Perſon or Perſons ſhall not afterwards be anſwerable or accountable for any Loſſes, Miſapplication, or Non-application of ſuch Purchaſe Money, or any Part thereof.

Application of Monies received for Sale of Lands.

XXV. And be it further enacted, That the Monies ariſing from the Sale of ſuch Lands, Tenements, and Hereditaments, ſhall be applied and diſpoſed of by the ſaid Truſtees, for carrying the ſeveral Purpoſes of this Act into Execution.

Truſtees empowered to contract for the building new Church, &c.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authoriſed and empowered to contract and agree with any Perſon or Perſons, for the making, erecting, and building the ſaid new Church to be erected and built by virtue of this Act, and for furniſhing and providing Materials for the ſame, and for the taking in and incloſing any of the Lands and Grounds to be purchaſed by virtue of this Act, for a Cemetery or Burial Ground for the Uſe of the ſaid Pariſh, and for the taking down the ſaid preſent Church and the Tower thereof, or for the repairing or altering the Tower thereof, (if the ſaid Truſtees ſhall deem it neceſſary,) and for providing Materials for building, erecting, finiſhing, and completing the ſaid new Church and Tower, and the Walls or Fences of the ſaid Cemetery or Burial Ground, or for repairing or altering the Tower of the ſaid preſent Church, and generally to make and do all ſuch Orders, Matters, and Things as they ſhall think proper and neceſſary, fully and effectually to carry this Act into Execution; and all ſuch Contracts and Agreements when made and entered into, by or between the ſaid Truſtees, or any Five or more of them, and any other Perſon or Perſons, ſhall be reduced into Writing, by or by the Order of the ſaid Truſtees,

and

and ſigned by the Parties thereto, and ſhall be good, valid, and binding, as well upon the ſaid Truſtees and their Succeſſors to be elected in Manner aforeſaid, as upon all other Parties thereto, his, her, and their Executors, Adminiſtrators, and Aſſigns, and the ſaid Truſtees ſhall and may pay or order Payment to be made of the Monies due upon any ſuch Contract or Contracts, Agreement or Agreements, to the Perſon or Perſons entitled to receive the ſame out of the Monies to ariſe by virtue of this Act; and Copies of all Contracts, made in purſuance of this Act, ſhall be entered in a Book or Books to be kept for that Purpoſe as herein-before mentioned, and ſuch Book or Books ſhall from Time to Time and at all convenient Times, be open to the Inſpection of all and every Perſon and Perſons upon whom any Rate or Aſſeſſment ſhall be made, under the Authority of this Act, on Payment of One Shilling to the Clerk or Perſon in whoſe Cuſtody the ſame ſhall be.

Materials, &c. veſted in Truſtees.

XXVII. And be it further enacted, That all the Stones, Bricks, Timber, Iron, Lead, and Materials of which the Body of the preſent Church is conſtructed or built, and all the Stones, Bricks, Timber, Iron, Lead, and other Materials bought or procured by Order of the ſaid Truſtees or under the Proviſions of this Act for building the ſaid new Church, Tower, and other Buildings and Conveniences thereto, and the Walls or Fences of the ſaid Cemetery or Burial Ground, or for repairing or altering the ſaid Tower to be erected, built, and repaired or altered by virtue 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 to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Caſe may require) againſt any Perſon or Perſons who ſhall ſteal, take, remove, or carry away, ſpoil, injure, or deſtroy the ſaid Church and Tower, Buildings, Walls, and Fences, or the Stones, Timber, Iron, Lead, and other Materials thereof reſpectively, or any of them, or any Part or Parts thereof reſpectively; 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 Church, Tower, 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 Truſtees for taking down the Pariſh Church of *Clifton* in the County of *Glouceſter*, and building a new Church for the Uſe of the ſaid Pariſh," without particularly ſtating or ſpecifying the Names of all or any of the ſaid Truſtees.

Truſtees empowered to build new Church.

XXVIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, and they are hereby authorized and empowered to erect and build, or cauſe to be erected and built, on the Lands or Grounds to be purchaſed or taken by virtue of this Act, or on ſome Part or Parts thereof, a new Church, of ſuch Size and Dimenſions, and of ſuch Materials, and after ſuch Specification and Model, and with ſuch Buildings and Conveniences thereto, as to the ſaid Truſtees, or any Five or more of them, with the Approbation of the Lord Biſhop of the Dioceſe for the Time being, ſhall ſeem right and proper; and alſo to build a new Tower, or repair or alter the preſent Tower, as they, with ſuch Approbation as aforeſaid, ſhall judge proper; and alſo to ſet apart, lay out, or appoint a competent Part or Parts of the Lands and Grounds ſo to be purchaſed or taken as aforeſaid, as and for an additional Cemetery or Burial Ground for the

Uſe of the ſaid Pariſh, and for Ways and Approaches to the ſaid new Church, Cemetery or Burial Ground; and alſo to make, erect, and ſet up, or cauſe to be made, erected, and ſet up, in or adjoining ſuch new Church, a Veſtry Room or Veſtry Rooms, and all ſuch Pews, Seats, Galleries, Bells, Organ, Ornaments, and Conveniences as tō the ſaid Truſtees with ſuch Approbation as aforeſaid ſhall ſeem right and proper; and to purchaſe or provide all proper Materials for making, erecting, and completing the ſaid new Church and other Works.

Truſtees empowered to ſell Materials of the preſent Church;

XXIX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby authorized and empowered to take and pull down, or cauſe to be taken and pulled down, the whole of the ſaid preſent Church of *Clifton* aforeſaid and the Tower thereof, or otherwiſe to repair or alter the Tower thereof, or ſuch Part or Parts thereof, as they ſhall think neceſſary; and to ſell and diſpoſe of the Timber, Wood, Stones, Brick, Iron, Lead, and other Materials of the ſaid Church and Tower, or either of them, or any Part or Parts thereof, to any Perſon or Perſons whomſoever, and the Monies ariſing by ſuch Sale ſhall be applied to the ſeveral Purpoſes of this Act: Provided nevertheleſs, that the ſaid preſent Church and Tower ſhall not be taken or pulled down until the ſaid new Church ſhall be built, completed, and conſecrated, any Thing in this Act to the contrary notwithſtanding.

but not to pull it down until the new Church ſhall be built.

The new Church to be called The Pariſh Church of Clifton.

XXX. And be it further enacted, That the ſaid new Church, when the ſame ſhall be built, completed, and conſecrated, ſhall from thenceforth for ever be called and known by the Name of, and to all Intents and Purpoſes be the Pariſh Church of the ſaid Pariſh of *Clifton*; and that Divine Service, the Solemnization of Matrimony, Baptiſms, Burial of the Dead, and all other Rites and Ceremonies, Matters, and Things whatſoever, which were or of Right have been uſed to be celebrated, ſolemnized, adminiſtered, had, done, or performed by the Curate or Miniſter of the ſaid Pariſh, in the ſaid preſent Church, ſhall and may be celebrated, ſolemnized, adminiſtered, had, done, and performed in ſuch and the like Manner, by the ſaid Curate or Miniſter of the ſaid Pariſh and his Succeſſors Curates, or Miniſters of the ſaid Pariſh for the Time being, in the ſaid new Church, any Law, Statute, Cuſtom, or Uſage to the contrary notwithſtanding.

Power to remove Grave-ſtones and Monuments.

XXXI. And be it further enacted, That the ſeveral Monuments, Grave-ſtones, and Monumental Inſcriptions which ſhall be taken down and removed in taking down the ſaid preſent Church, ſhall be preſerved and kept by or by the Order of the ſaid Truſtees, in ſuch Place or Places as to them ſhall ſeem proper, and when and as ſoon as the ſaid new Church ſhall be built, or as ſoon after as conveniently may be, all ſuch Monuments, Grave-ſtones, and Monumental Inſcriptions ſhall be replaced and fixed in ſuch Manner as the ſaid Truſtees ſhall think proper, or as near to the Place or Places from whence they ſhall have been reſpectively removed as may be.

Power to erect a Vault under the new Church, at the Expence of the

XXXII. And be it further enacted, That in caſe the Land or Ground, to be provided by virtue of this Act for the Scite of the new Church, ſhall be in ſuch a Situation as to render it practicable for a Vault to be formed and made under the ſaid new Church, then and in that Caſe it ſhall and may be lawful for the ſaid Truſtees and they are hereby empowered to form,

form, make, erect, and build, or cauſe to be formed, made, erected, and built at the Coſts and Expences of the ſaid *James Vaughan*, (who is hereby made liable to the Payment of ſuch Coſts and Expences) a Vault under the ſaid new Church, which Vault ſhall be built on all Sides thereof with Brick or Stone, and arched over with ſimilar Material or Materials of equal Durability; and that all the Graves to be made in the ſaid Vault ſhall be laid out and formed previous to the Erection and Completion of the ſaid Pariſh Church, and the ſame ſhall be built on all Sides with Brick or Stone, and when completed ſhall be covered over with rough Pennant or Flag Stones: Provided always, that none of the ſaid Grave or Graves ſo to be erected and built within the ſaid Vault ſhall be ſunk below the Foundation Walls or Pillars of the ſaid new Church, and that between the Top or Surface of the ſaid covering Stones and the Crown of the Arch of the ſaid Vault there ſhall be a Space of at leaſt Seven Feet and Six Inches, and that there ſhall be no Entrance or Communication whatever with the ſaid Vault from the internal Part or Body of the ſaid new Church.

Reverend James Vaughan the Patron.

XXXIII. Provided alſo, and be it further enacted, That the ſaid Vault, when completed, ſhall for ever thereafter be maintained and kept in Repair by the ſaid *James Vaughan* or other the Patron or Patrons for the Time being of the ſaid Living.

Patron to keep the Vault in Repair.

XXXIV. And be it further enacted, That no Interment or Burial of the Corpſe or Corpſes of any Perſon or Perſons whomſoever, ſhall be made or allowed to be made within the ſaid Vault, except only in a Grave or Graves to be made and formed in Manner herein-before directed, and that no ſuch Interment or Burial ſhall be made or allowed unleſs the Corpſe or Corpſes to be interred or buried be incloſed in Lead, Iron, or Copper; provided that whenever and as often as any Corpſe or Corpſes ſhall be interred in any ſuch Grave or Graves, the ſame Grave or Graves ſhall (at the Coſts and Expences of the Perſonal Repreſentative or Repreſentatives of the Deceaſed, or other Perſon or Perſons by whom or on whoſe Behalf Application ſhall have been made for effecting ſuch Interment) immediately after ſuch Interment be covered over with the ſaid rough Pennant or Flagſtones which ſhall be rough, jointed, and laid in Mortar; and upon ſuch Flagſtones there ſhall (at the Coſts and Expences of ſuch Repreſentatives or other Perſons as laſt aforeſaid) be immediately laid down and placed a flat Stone Tomb which ſhall be laid in Mortar, and ſhall be of the Thickneſs of Two Inches and an Half at the leaſt; and in caſe the ſaid flat Stone Tomb ſhall not be of ſufficient Size to cover the whole Surface and Extent of ſuch Grave, then the Space which ſhall not be ſo covered ſhall (at the Coſts and Expences of ſuch Repreſentatives or Perſons as laſt aforeſaid) be filled up with flat paving Stone of the ſame Thickneſs which ſhall alſo be laid in Mortar, and ſhall be cloſe jointed with the ſaid flat Stone Tomb.

Directions as to the Mode of Interment.

XXXV. And be it further enacted, That the ſaid Vault, and all the Grave and Graves to be therein erected, formed, and made, ſhall when the ſame ſhall be built, and at all Times for ever thereafter, be veſted in the Patron or Patrons for the Time being of the ſaid Pariſh Church; but nevertheleſs, ſo and in ſuch Manner as that the ſame ſhall be uſed only for the Interment or Burial of Corpſes, and the Erection or placing of Tombſtones or Monuments therein; and that it ſhall not be lawful for the

Vault and Graves veſted in the Patron for the Purpoſes of Interment only.

the ſaid *James Vaughan*, or the Patron or Patrons for the Time being of the ſaid Pariſh Church, to alienate, ſell, or diſpoſe of any of the ſaid Grave or Graves to any Perſon or Perſons whomſoever, or to refuſe or prevent Interment therein, but that the ſame Graves until filled ſhall be always uſed for the Purpoſe of Interment (in Manner herein-before provided) whenever Occaſion ſhall require: Provided nevertheleſs, that nothing in this Act ſhall extend, or be conſtrued to operate or to extend, to prevent any of the ſaid Grave or Graves in the ſaid Vault, upon the Interment of any Corpſe therein taking place (if the Curate or Miniſter and the ſaid Patron for the Time being reſpectively ſhall ſo think proper) being from that Time excluſively appropriated and uſed for the Burial of Corpſes of the Relations and Family of the Deceaſed ſo interred therein.

For apportioning the Fees payable for Interment, &c. in the Vault.

XXXVI. And be it further enacted, That all the Fees, Dues, and Perquiſites payable to the Miniſter, Clerk, and Sexton, for Interment within the ſaid Vault, or for the Erection or placing of Monuments or Tomb Stones therein, ſhall be paid to and received by the Curate or Miniſter for the Time being of the ſaid Pariſh Church; and the ſaid Curate or Miniſter for the Time being ſhall from Time to Time collect and receive ſuch Fees, Dues, and Perquiſites, and account for and pay, by equal Half-yearly Payments on every *Midſummer Day* and *Chriſtmas Day*, One Moiety thereof unto the Patron or Patrons for the Time being of the ſaid Pariſh Church; the Firſt of which Payments ſhall begin and be made at and upon ſuch of the ſaid half-yearly Days as ſhall firſt happen after the Conſecration of the ſaid intended new Church; and the ſaid Curate or Miniſter for the Time being of the ſaid Pariſh Church ſhall, out of the other Moiety of the ſaid Fees ſo from Time to Time to be collected and received by him, and when and as the ſame ſhall be received, account for, allow, and pay unto the Clerk and Sexton for the Time being of the ſaid Pariſh reſpectively, the Fees, Dues, and Perquiſites which are uſually and of Right ought to be paid to the ſaid Clerk and Sexton reſpectively, for and on account of Interment in Vaults in the preſent Church-yard or Burial Ground of the ſaid Pariſh; and the Remainder of the ſaid laſt-mentioned Moiety ſhall belong to and be retained by the ſaid Curate or Miniſter for the Time being for his own Uſe; and in order to aſcertain the Sums which will be ſo due and payable from Time to Time to the Patron of the ſaid Pariſh Church, a Statement and Account of all the Interments which ſhall take place in the ſaid Vault, and of the ſeveral Fees, Sum and Sums of Money, which ſhall be paid in reſpect thereof, ſhall be fairly entered in a Book or Books to be kept for that Purpoſe, by the Curate or Miniſter for the Time being of the ſaid Pariſh Church, which Book or Books ſhall at all reaſonable Times in the Day-time be open or ſubject to the Inſpection of the Patron or Patrons for the Time being of the ſaid Pariſh Church, without Fee or Reward; and an Extract or Copy from the ſaid Book of every Half-yearly Account ſhall from Time to Time be made and written on Paper, and ſigned by the Curate or Miniſter for the Time being of the ſaid Church, and be by him delivered, if demanded, to the Patron or Patrons for the Time being of the ſaid Church, on every *Midſummer Day* and *Chriſtmas Day*, the Days of Payment as aforeſaid.

Rights of Miniſter preſerved.

XXXVII. And be it further enacted, That the preſent Curate or Miniſter of the ſaid Pariſh Church, and his Succeſſors, Curates or Miniſters for the Time being, ſhall be the Curates or Miniſters of the ſaid Pariſh in

the ſaid new Church, in like Manner as in the ſaid preſent Church; and the Right of nominating or appointing a Curate or Miniſter to the ſaid new Church, ſhall be and remain in the Perſon or Perſons who, for the Time being has, or have, or would have a Right of nominating or appointing a Curate or Miniſter of the ſaid preſent Church, in caſe the ſame had not been taken down by virtue of this Act, in ſuch and the ſame Manner, in all reſpects, as the ſame Right now exiſts; and every Perſon hereafter ſo duly appointed Curate or Miniſter of ſuch new Church ſhall have and enjoy ſuch and the ſame Profits, Privileges, Commodities, and other Eccleſiaſtical Dues and Duties ariſing within the ſaid Pariſh, as the preſent Curate or Miniſter of the ſaid Pariſh, has or ought of Right to have and enjoy, or would have had or been entitled to, in caſe this Act had not been paſſed.

Allotment of Pews to Perſons entitled to Pews in the preſent Church.

XXXVIII. And be it further enacted, That when the ſaid new Church ſhall be erected and completed the ſaid Truſtees ſhall, and they are hereby authorized and required to allot and appoint an equal Number of Pews or Seats therein to the ſeveral Proprietors or Perſons who ſhall at the Time of ſuch Allotment or Appointment be reſpectively in Poſſeſſion of Pews or Seats in the preſent Church, or in the actual Receipt of the Rents and Profits thereof; and ſuch Pews or Seats in the ſaid new Church ſhall be made convenient to accommodate as many Perſons as the Pews or Seats which ſuch Proprietors or Perſons are, or ſhall, or may be entitled to in the ſaid preſent Church as aforeſaid, and ſhall be as conveniently and elegibly ſituate as the ſame preſent Pews, or as nearly as Circumſtances will allow: Provided nevertheleſs, that it ſhall be lawful for the ſaid Truſtees, with the Conſent in Writing of any ſuch Proprietors or Perſons, to allot and appoint to him, her, or them any Pew or Seat in the ſaid new Church of ſmaller Dimenſions and Size, or capable of accommodating fewer Perſons than the Pew or Seat which he, ſhe, or they is or are or ſhall or may be entitled to as aforeſaid in the ſaid preſent Church, in lieu of ſuch laſt-mentioned Pew or Seat, any Thing herein contained to the contrary notwithſtanding; and all the new Pews which ſhall be ſet out or allotted to the ſeveral Proprietors or Perſons ſo entitled to Seats in the preſent Church as aforeſaid ſhall be held and enjoyed by ſuch Perſons, their Heirs, Executors, Adminiſtrators, Succeſſors, and Aſſigns, in the ſame and in as full and ample a Manner as the preſent Pews or Seats, in lieu of which ſuch new Pews or Seats ſhall be ſo ſet out or allotted are or ought to be held and enjoyed reſpectively.

Allotment of Pews to the Subſcribers.

XXXIX. And whereas divers Perſons, Inhabitants of the ſaid Pariſh, have ſubſcribed ſeveral Sums of Money towards defraying the Coſts and Charges of erecting and completing the ſaid new Church and other Works, in Conſideration that Pews or Seats in the ſaid Church ſhall be allotted to them in the Four following Claſſes; that is to ſay, Pews or Seats in the Firſt Claſs to thoſe who have ſubſcribed their Names for Seventy Pounds; Pews or Seats in the Second Claſs to thoſe who have ſubſcribed their Names for Forty Pounds; Pews or Seats in the Third Claſs to thoſe who have ſubſcribed their Names for Thirty Pounds; and Pews or Seats in the Fourth Claſs to thoſe who have ſubſcribed their Names for Fifteen Pounds; be it therefore further enacted, That the ſaid Truſtees ſhall and they are hereby authorized and required (after allotting and appointing the ſaid Pews or Seats to ſuch Proprietors or Perſons ſo reſpectively entitled to Pews

or Seats in the ſaid preſent Church as aforeſaid, and after allotting and appointing Part of the ſaid new Church for Pews, for the Accommodation of the Poor and other Inhabitants of the ſaid Pariſh as herein-after mentioned) to ſet out and allot a Pew or Seat in the ſaid Church for the Uſe of the Curate or Miniſter for the Time being of the ſaid Pariſh Church, in ſuch Situation, and of ſuch Size or Dimenſions as the ſaid Truſtees, or any Five or more of them, with the Approbation of the Lord Biſhop of the Dioceſe for the Time being, ſhall think proper and ſuitable; and alſo a proper or ſuitable Pew or Seat for the Uſe of the Churchwardens of the ſaid Pariſh for the Time being, and alſo a proper and ſuitable Pew or Seat for the Uſe of Perſons attending for the Purpoſe of baptizing or chriſtening Children in the ſaid Church; and then the ſaid Truſtees are hereby authorized and required to ſet out and allot, arrange or divide the remaining Pews or Seats in the ſaid new Church into Four Claſſes, according to their reſpective Size and Convenience, and to allot and appoint the ſame to the ſeveral Perſons who have ſubſcribed or ſhall ſubſcribe their Names for the Purpoſes aforeſaid; (that is to ſay), the Pews or Seats in the Firſt Claſs, to be allotted to Perſons ſubſcribing Seventy Pounds; the Pews or Seats in the Second Claſs, to be allotted to Perſons ſubſcribing Forty Pounds; the Pews or Seats in the Third Claſs, to be allotted to Perſons ſubſcribing Thirty Pounds; and the Pews or Seats in the Fourth Claſs to be allotted to Perſons ſubſcribing Fifteen Pounds.

Choice of Pews in the ſame Claſs to be determined by Ballot.

XL. And be it further enacted, That the Choice of the ſaid Pews or Seats to be arranged or divided into Claſſes, and allotted to Subſcribers as aforeſaid, ſhall in each Claſs be aſcertained and determined by Ballot; and the ſaid ſeveral Pews or Seats ſhall be the abſolute Property, in Fee Simple, of the ſeveral and reſpective Perſons to whom the ſame ſhall be ſo allotted.

Seats for gratuitous Accommodation of Inhabitants.

XLI. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby authorized and required to ſet out and appropriate in the ſaid new Church, ſuch a Number of Seats for the gratuitous Accommodation of the Inhabitants of the ſaid Pariſh for the Time being, as ſhall be ſufficient to accommodate Six hundred Perſons at the leaſt.

Reſidue of Pews may be ſold or let.

XLII. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees (after allotting, appropriating, and ſetting apart the ſaid ſeveral Pews or Seats as aforeſaid) to ſell and diſpoſe of the Fee Simple and Inheritance of the Reſidue of the Pews or Seats in the ſaid new Church, or of any or either of them, or to leaſe or demiſe the ſaid Pews or any or either of them, unto any Perſon or Perſons, for ſuch Price or Prices and at ſuch Rents as can be reaſonably had or obtained for the ſame; and in caſe the Rent of any ſuch Pew or Seat which ſhall be ſo let or demiſed, ſhall be behind and unpaid for the Space of Twenty-one Days next after the ſame ſhall have become due and payable and have been demanded, then and in ſuch Caſe the ſaid Truſtees, or any Perſon appointed by them, may enter upon and take Poſſeſſion of ſuch Pew or Seat, and may let the ſame to any other Perſon or Perſons as aforeſaid, and may ſue for and recover the Rent in Arrear and up to the Time of taking ſuch Poſſeſſion, by Action of Debt or on the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter*; and the Monies ariſing from every ſuch Sale, or from the Rents of the ſaid Pews or Seats ſo to be let as aforeſaid, ſhall be ap-

plied, in the firſt Place, in and towards Payment of the Expences of this Act, and afterwards in carrying the ſeveral Purpoſes thereof into Execution, and the Reſidue or Surplus (if any) ſhall form a Fund to be applied by the ſaid Truſtees for the repairing, ornamenting, or otherwiſe ſupporting the ſaid new Church, as they ſhall deem right or proper; and a Memorandum of every ſuch Leaſe or Demiſe of ſuch Pews as ſhall be made in purſuance of this Act, being entered in a Book to be kept for that Purpoſe by the Clerk to the ſaid Truſtees, and ſigned by Five or more of the ſaid Truſtees, and by the Leſſee or Leſſees of ſuch Pews or Seats reſpectively, or, in caſe of the abſolute Sale thereof free from any reſerved Rent or annual Payment, then a Memorandum of ſuch Sale and Receipt of the Purchaſe Money duly ſtamped, being ſigned by Five or more of the ſaid Truſtees, and delivered to the Purchaſer or Purchaſers, ſhall be good, valid, and effectual to leaſe, demiſe, or convey as aforeſaid ſuch Pews or Seats reſpectively, without any Faculty or Inſtrument whatſoever, and ſhall be received and admitted in Evidence in all Cauſes, Suits, and Actions, touching or concerning any ſuch Leaſe or Demiſe or Sale, and in all Courts and by all Judges, Juſtices, and others.

Truſtees to make equal Calls on Proprietors for Amount of Subſcriptions.

XLIII. And be it further enacted, That the ſaid Truſtees ſhall have full Power and Authority from Time to Time to make equal Calls on the reſpective Subſcribers, their Executors or Adminiſtrators, for the Payment of the Monies due upon and by virtue of their ſeveral and reſpective Subſcriptions, ſo that the Firſt Call ſhall not exceed the Sum of Twenty-five Pounds *per Centum* on the Sum ſubſcribed, and that no ſubſequent Call ſhall exceed the Sum of Twenty-five Pounds *per Centum* on the Sum ſubſcribed; and ſo that ſuch Calls ſhall be made at Intervals of Three Calendar Months at leaſt from each other; and the Money ſhall be applied in the Firſt Place, in Payment of the Coſts and Expences of obtaining and paſſing this Act, and afterwards in and about the Erection of the ſaid new Church, and carrying of this Act into Effect; and if any of the ſaid Subſcribers, his, her, or their Executors or Adminiſtrators, ſhall refuſe, omit, or neglect to pay any ſuch Call or Sum of Money, to the Perſon or Perſons, who ſhall be from Time to Time authorized and appointed by the ſaid Truſtees to receive the ſame, and alſo all Arrears of any Call or Calls already made, together with the lawful Intereſt for the ſame, from the Time when the ſame ought to have been paid, and at the Place where it ſhall be appointed by the Truſtees that the ſame ſhall be paid, being in the Pariſh of *Clifton* aforeſaid, for the Space of One Calendar Month after Notice thereof in Writing given by or by the Order of the ſaid Truſtees to ſuch Perſon or Perſons, or left at their, his, or her uſual or laſt Place of Abode, ſuch Perſon or Perſons ſo refuſing, omitting, or neglecting to pay ſuch Call or Sum of Money, ſhall at the Diſcretion of the ſaid Truſtees forfeit all future Intereſt of and in the ſaid Pew or Pews to be allotted to him, her, or them in the ſaid new Church by virtue of this Act, in reſpect of the Share or Intereſt therein, wherein Default ſhall be made, together with all Money which ſhall have been advanced on any ſuch Subſcription by ſuch Defaulter; and the ſame Pew or Pews ſhall be ſold and diſpoſed of by the ſaid Truſtees, in Manner herein-before directed, reſpecting the Sale or letting of Pews, and the Money which the ſame ſhall be ſold for ſhall be applied to the Purpoſes of this Act.

Truſtees inſtead of declaring

XLIV. Provided always, and be it further enacted, That if any Perſon or Perſons who hath or have ſubſcribed or ſhall ſubſcribe to and on account

of

Shares to be forfeited, may bring Actions for Amount due.

of the ſaid new Church, or to whom any Share or Shares in the ſaid Pew or Pews ſhall at any Time hereafter be aſſigned or become veſted, his, her, or their Executors or Adminiſtrators, ſhall neglect to pay the Money which ſhall from Time to Time become due by virtue of any Call hereafter to be made, and alſo all Sums as ſhall or may be due by virtue of any ſuch Subſcription, with lawful Intereſt for the ſame as aforeſaid, it ſhall and may be lawful to and for the ſaid Truſtees, inſtead of declaring the Forfeitures of any Share or Shares as aforeſaid, to ſue for and recover the Money ſo due in any of His Majeſty's Courts of Record by Action of Debt or on the Caſe.

Power to accept voluntary Contributions.

XLV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees to accept and receive voluntary Contributions from any Perſon or Perſons, and ſhall apply the ſame in and towards carrying the Purpoſes of this Act into Effect.

Rate to be made.

XLVI. And in order to raiſe Money towards carrying the ſeveral Purpoſes of this Act into Execution; be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered in each and every Year, until all the Monies hereby authorized to be raiſed for the Purpoſes of this Act ſhall be paid off and diſcharged, and the ſeveral other Purpoſes of this Act ſhall be carried into complete Execution, to make (at ſome Meeting to be holden for that Purpoſe, of which Meeting or Meetings and of the Purpoſe thereof Notice in Writing, ſigned by the Clerk to the ſaid Truſtees, ſhall be affixed on the Pariſh Church Door in *Clifton* aforeſaid, and publiſhed by Advertiſement in ſome Newſpaper printed or circulated in the City of *Briſtol*, Twenty-one Days at the leaſt immediately preceding the ſame reſpectively); a Rate or Rates, Aſſeſſment or Aſſeſſments on all and every Perſon and Perſons who do or ſhall inhabit, occupy, or hold any Houſe or Houſes, Buildings, Lands, Tenements, or Hereditaments, within the Pariſh of *Clifton* aforeſaid, not exceeding Three-pence in the Pound in any one Year, on the full annual Rent or Value of all and each of ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments within the ſaid Pariſh (ſave and except the Miniſter or Curate of the ſaid Pariſh for the Time being) and ſuch Rate or Rates, Aſſeſſment or Aſſeſſments ſhall be made at any Time after the Expiration of Two Calendar Months from and after the paſſing of this Act, and ſhall be paid to and raiſed and levied and collected by any Collector or Collectors to be appointed by the ſaid Truſtees, and ſhall when collected be applied by the ſaid Truſtees for the Purpoſes of this Act in the Manner herein-after mentioned: Provided always, that the Sum to be raiſed for the Purpoſes of this Act by any ſuch Rate or Aſſeſſment as aforeſaid ſhall not in the whole exceed the Sum of Two thouſand Pounds.

Rates to be payable Half Yearly.

XLVII. And be it further enacted, That the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be payable Half yearly.

Collectors empowered to receive Rates.

XLVIII. And be it further enacted, That it ſhall be lawful for the Perſon or Perſons to be appointed by the ſaid Truſtees, Collector or Collectors of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, and he and they

they is and are hereby authorized and empowered to collect, receive, levy, and recover the ſame Rates or Aſſeſſments according to the Powers and Proviſions of this Act.

Tenants to pay the whole of the Rates, but to deduct One Half from their Landlord's Rent.

XLIX. And be it further enacted, That the ſeveral Tenants or Occupiers of ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments ſo to be rated or aſſeſſed as aforeſaid, ſhall, and they are hereby required to pay the whole of ſuch Rates or Aſſeſſments on the Premiſes in his, her, or their Occupation; and ſuch Tenants or Occupiers ſhall and may deduct and retain out of the Rents by them payable to the Landlords or Owners of ſuch Premiſes reſpectively, One Moiety or Half Part of ſuch Sum or Sums of Money as ſhall be ſo rated or aſſeſſed, when the ſame ſhall have been ſo paid by them as aforeſaid; and the ſaid Landlords or Owners, mediate or immediate, are hereby required to allow to their reſpective Tenants ſuch Moiety accordingly, and ſuch Tenants or Occupiers ſhall reſpectively be acquitted and diſcharged for ſuch Moiety, in ſuch Manner and as fully and effectually as if the ſame had been actually paid as Rent to ſuch Landlords or other Perſons reſpectively entitled to their Rent.

Landlords of Houſes let in Apartments or ready furniſhed, to be deemed the Occupiers.

Tenants of ſuch Houſes to pay Rates and deduct out of Rent.

L. And be it further enacted, That the ſeveral Leſſors, Landlords, Owners, and Proprietors, of all Houſes, Buildings, or Tenements within the ſaid Pariſh, let or which ſhall hereafter be let out in Parts or ſeparate Apartments or ready furniſhed, ſhall reſpectively for the Purpoſes of this Act be deemed and taken to be the Occupiers thereof, and ſhall be liable and ſubject to the Payment of the Rates or Aſſeſſments by this Act directed to be raiſed, levied, and received: Provided always, that each and every Perſon renting or occupying any ſuch Part or ſeparate Apartment, or any ready furniſhed Houſe, or any other Building or Tenement as aforeſaid, ſhall in the firſt Place be liable to the Payment of the ſaid Rates or Aſſeſſments and all Arrears thereof, to be recovered in Manner hereinafter directed; and the reſpective Perſons ſo 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 Rent due and payable by him, her, or them to ſuch reſpective Leſſors or Landlords, Owners or Proprietors of ſuch Houſes, Buildings, or Tenements; and the Receipt of the Collector or Receiver of the ſaid Rates for ſuch Payment ſhall be a ſufficient Diſcharge for and to all and every ſuch Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord, for ſo much Money as he, ſhe, or they ſhall pay, or as ſhall be recovered on his, her, or their Goods and Chattels reſpectively by virtue of this Act; but no ſuch Perſon ſo renting or occupying any ſuch Part or ſeparate Apartment, or ready furniſhed Houſe, or other Building or Tenement, ſhall be ſubject, or liable, or required to pay for or in reſpect of any ſuch Rates or Aſſeſſments, any Sum or Sums of Money beyond the Amount of the Rent which ſhall be then actually due in reſpect of the ſaid Premiſes from him, her, or them reſpectively: Provided alſo, 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 and Tenant, touching or concerning the Payment of the Rates or Aſſeſſments to be made, raiſed, levied, and received by virtue of this Act, or in any other reſpect whatſoever.

Act not to affect Agreement between Landlord and Tenant.

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

LI. And be it further enacted, That whenever any Perſon or Perſons ſhall come into or occupy any Houſe, Building, Land, Tenement, or Hereditament, out of or from which any other Perſon or Perſons aſſeſſed by virtue of this Act ſhall be removed, or which at the Time of making any ſuch Rate or Aſſeſſment was empty or unoccupied, then and in every ſuch Caſe, every Perſon ſo removing from, and every Perſon ſo coming in or occupying the ſame, ſhall be liable to pay ſuch Rate or Aſſeſſment in Proportion to the Time that ſuch Perſon or Perſons occupied the ſame reſpectively; and the Proportion of the ſaid Rate or Aſſeſſment ſhall be levied and recovered in the ſame Manner, as if ſuch Perſon had not removed, or ſuch Perſon ſo coming in, or occupying, had been originally rated and aſſeſſed to ſuch Rate or Aſſeſſment; which ſaid Proportion, in caſe of Diſpute, ſhall be aſcertained by any One or more of the Juſtices of the Peace for the ſaid County of *Glouceſter*.

Recovery of Rates.

LII. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect to pay the Sum or Sums of Money at which he, ſhe, or they ſhall be rated or aſſeſſed by virtue of this Act, for the Space of Ten Days next after the ſame ſhall become due and payable as aforeſaid, after Demand in Writing made thereof and delivered to or left at the uſual Place of Abode of ſuch Perſon or Perſons, ſigned by any Perſon or Perſons by virtue of this Act appointed Collector or Collectors of ſuch Money ſo rated or aſſeſſed, then and in every ſuch Caſe it ſhall be lawful for ſuch Collector or Collectors, and he and they is and are hereby reſpectively authorized and required to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of every Perſon ſo refuſing or neglecting to pay as aforeſaid by virtue of a Warrant under the Hand and Seal of any Two Juſtices for the ſaid County of *Glouceſter*; which Warrant ſuch Juſtices are hereby empowered and required to grant, upon Proof made upon Oath of ſuch Refuſal or Neglect, and which Oath the ſaid Juſtices or One of them are and is hereby empowered and required to adminiſter, rendering the Overplus (if any) upon Demand, to the Owner of ſuch Goods and Chattels, after deducting the Amount of the ſaid Rates or Aſſeſſments, and of all Arrears thereof, and the reaſonable Coſts and Charges attending ſuch Proceedings, 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 *Glouceſter*.

Truſtees may compound for Rates.

LIII. Provided always, and be it further enacted, That the ſaid Truſtees, or any Five or more of them, may, if they think proper, compound or agree to accept leſs than the full Amount of the Rates impoſed on any Dwelling Houſe, Cottage, or Tenement, or other Premiſes within the ſaid Pariſh, the Annual Value whereof reſpectively in their Judgment ſhall not exceed Ten Pounds.

Collectors to account.

LIV. And be it further enacted, That every Perſon or Perſons to be appointed Collector or Collectors as aforeſaid, who ſhall collect or receive any of the Monies ariſing by any ſuch Rates or Aſſeſſments ſhall and he and they is and are hereby required to deliver in Writing under his and their Hand or Hands, to the ſaid Truſtees, or unto ſuch Perſon or Perſons as they ſhall appoint, a true and perfect Account in Writing, and ſhall verify the ſame on Oath (which Oath any Juſtice of the Peace for the ſaid County is hereby empowered to adminiſter) of all Monies which he and

they ſhall have collected and received by ſuch Rate or Aſſeſſment, or which ſhall be in his or their Hands, Cuſtody, or Power relating thereto, unto the Treaſurer of the ſaid Truſtees; and if any ſuch Collector or Collectors ſhall refuſe or neglect to receive the Sums to be rated and aſſeſſed by virtue of this Act, or to account for ſuch Money in his or their Hands, Cuſtody, or Power, in Manner herein directed as aforeſaid, every ſuch Collector or Collectors ſo offending, ſhall for every ſuch Refuſal or Neglect forfeit any Sum not exceeding Fifty Pounds; which Penalty, and alſo all the Money in the Hands, Cuſtody, or Power of ſuch Collector or Collectors, ſo due and owing from ſuch Collector or Collectors to the ſaid Truſtees, for or on account of ſuch Rate or Aſſeſſment, ſhall and may be levied and recovered by virtue of a Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County of *Glouceſter*; which Warrant ſuch Juſtice is hereby required to give, on Proof of any ſuch Refuſal or Neglect, or that any Sum or Sums of Money is or are due and owing from ſuch Collector or Collectors to the ſaid Truſtees, for or on account of ſuch Rate or Aſſeſſment, on the Oath or Oaths (which Oath or Oaths ſuch Juſtice is hereby empowered to adminiſter) of any credible Witneſs or Witneſſes, directed to any Perſon or Perſons whomſoever, by Diſtreſs and Sale of the Goods and Chattels of the Collector or Collectors ſo refuſing or neglecting, or from whom any Sum or Sums of Money ſhall be ſo to be accounted for or due and owing, for or on account of ſuch Rate or Aſſeſſment as aforeſaid, rendering the Overplus (if any) upon Demand, to the Owner of ſuch Goods and Chattels, after deducting ſuch Penalty, and the Sum or Sums of Money as ſhall appear to be ſo due and owing to the ſaid Truſtees, for or on account of ſuch Rate or Aſſeſſment, and the Coſts and Charges of ſuch Diſtreſs and Sale.

Rates to be laid out and accumulated until the Completion of the new Church.

LV. And be it further enacted, That until the ſaid new Church hereby authorized to be erected ſhall be completely finiſhed and fit for the Celebration of Divine Service, the ſeveral Rates and Aſſeſſments to be made on the ſaid Pariſh, under the Authority of this Act, ſhall, by the ſaid Truſtees be laid out and inveſted, in the Names of any Three or more of them the ſaid Truſtees, in the Government Stocks or Funds, or in the Purchaſe of Exchequer Bills, and the Intereſt, Dividends, and Profits to ariſe therefrom, ſhall be laid out and inveſted in like Manner with the Principal, and be accumulated therewith; and that when and as ſoon as the ſaid new Church ſhall be completely finiſhed and fit in every reſpect for the Celebration of Divine Service therein, and not before, the ſaid Principal and accumulated Intereſt ſhall be applied and diſpoſed of in defraying the Expences incurred and to be incurred in and about the Erection of the ſaid Church, and the furniſhing and completing the ſame, and the taking down of the ſaid preſent Church, and otherwiſe carrying this Act into Execution.

To prevent Nuiſances near the Church or Church Yard.

LVI And be it further enacted, That if any Perſon or Perſons ſhall place or lay any Rubbiſh, Stones, Soil, Manure, Litter, Compoſt, or Dung, or other ſimilar Nuiſance, Matter, or Thing, in or againſt the ſaid new Church when built, or in or againſt the Walls, Rails, or Fence furrounding the ſame, or in or upon any of the Church-yards or Burial Grounds thereto belonging, or the Walls, Rails, or Fences furrounding the ſame, or ſhall permit or ſuffer the ſame Rubbiſh, Stones, Soil, Manure, Litter, Compoſt, or Dung, or other ſimilar Nuiſance to remain near ſuch Church or Burial Grounds, or the Fences or Fence thereof, longer than ſhall be neceſſary for

for the housing or removing the same therefrom, every Person or Persons so offending, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Inhabitants may be Witnesses.

LVII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant of the said Parish of *Clifton* shall be deemed an incompetent Witness, on account of his or her being charged with or liable to pay or having paid any Rate or Assessment to be raised, levied, and collected by virtue of this Act.

Recovery of Penalties.

LVIII. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act, or by virtue of the Powers thereof imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place where the Offence shall be committed, (which Warrant such Justice is hereby empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath, and which Oath such Justice is hereby empowered to administer), and the Overplus (if any) of the Monies arising by such Distress and Sale, shall be returned, upon Demand, to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures when recovered, (if not herein-before directed, to be otherwise applied) shall be paid to the Treasurer to the said Trustees, to be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice, and he is authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction of the County or Place where the Offence shall have been committed, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner fully paid and satisfied.

LIX. And be it further enacted, That in all Cases where any Conviction shall be had, for any Offence or Offences committed against this Act, or against any Order of Sessions on any Matter or Thing done in the Execution of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say),

Form of Conviction.

'BE it remembered, That on this Day of
'in the Year of our Lord *A. B.* is convicted
'before of His Majesty's Justices of the Peace for the
'of having [*as the Offence shall be*] and I [*or* we] the said Justice
'[*or*, Justices] do adjudge him [her *or* them] to forfeit and pay for the
'same the Sum of Given under my Hand and Seal [*or*
'our Hands and Seals] the Day and Year aforesaid.'

Distress not unlawful for want of Form.

LX. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same

ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity that ſhall be afterwards done by the Party or Parties ſo diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe.

Proceedings not to be quaſhed for want of Form or removeable by Certiorari.

LXI. And be it further enacted, That no Order, Verdict, Judgment, or other Proceedings made, touching or concerning the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, or elſewhere, any Law or Statute to the contrary in anywiſe notwithſtanding.

Plaintiff not to recover without Notice, or after Tender of Amends.

LXII. And be it further enacted, 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, Fourteen Days before ſuch Action ſhall be commenced, of ſuch intended Action, ſigned by the Attorney of the Plaintiff or Plaintiffs, ſpecifying the Cauſe of ſuch Action; nor ſhall the Plaintiff recover in any ſuch Action if Tender of ſufficient Amends ſhall have been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before ſuch Action brought; and in caſe no Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court, after ſuch Action ſhall have been brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Order, and Judgment ſhall be 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.

LXIII. Provided always, and be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, after the Expiration of Three Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be brought and tried in the County where the Cauſe of Action ſhall have ariſen, and not elſewhere; and if any ſuch Action or Suit ſhall be brought before Fourteen Days Notice ſhall have been given, or after ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County than as aforeſaid, then and in every ſuch Caſe the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdicts, 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, then and in every ſuch Caſe the Defendant or Defendants ſhall recover Treble Coſts, and ſhall have ſuch Remedy for recovering of the ſame as any Defendant hath for Coſts of Suit in other Caſes by Law.

Appeal.

LXIV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or

Rates, Aſſeſſment or Aſſeſſments, or any Judgment or Determination, or by any Matter or Thing made, given, or done in purſuance of this Act, ſuch Perſon or Perſons may appeal to the Juſtices of the Peace, at the Firſt General Quarter Seſſions of the Peace to be holden for the County or Place within which the Matter of Appeal ſhall ariſe, next after the Expiration of Three Calendar Months from the Time ſuch Matter of Appeal ſhall have ariſen; the Perſon or Perſons appealing firſt giving Fourteen Days Notice at leaſt of his or their Intention to bring ſuch Appeal and of the Matter thereof, to the Treaſurer or Clerk to the ſaid Truſtees, and within Four Days after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace of ſuch County or Place, with Two ſufficient Sureties conditioned to try ſuch Appeal, and abide the Order or Award of the ſaid Court thereon; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of ſuch Appeal in a ſummary Way, and to make ſuch Order therein, and to award ſuch Coſts to either of the Parties, or otherwiſe, as they the ſaid Juſtices, ſhall adjudge proper; and the ſaid Juſtices may alſo order ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable; and all ſuch Orders and Determinations of the ſaid Juſtices ſhall be final, binding, and concluſive, to all Parties, to all Intents and Purpoſes whatſoever.

Juſtices may relieve on an Appeal againſt Rates without quaſhing them.

LXV. Provided always, and be it further enacted, That on any Appeal from any Rate or Aſſeſſment to be made for the Purpoſes of this Act, the Juſtices at ſuch General or Quarter Seſſions ſhall and may amend the ſame, in ſuch Manner as may be neceſſary for giving Relief in the particular Complaint brought before them, without quaſhing or altering ſuch Rate or Aſſeſſment with reſpect to other Perſons mentioned in the ſame; but if upon Appeal from the whole Rate or Aſſeſſment, 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 Aſſeſſment to be made, and the Truſtees ſhall make a new Rate accordingly, in the Manner herein-before directed.

Public Act.

LXVI. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and others, without being ſpecially pleaded.

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