ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

***

Parish of *Saint George the Martyr*, not exceeding Sixpence in the Pound by the Year, of or upon such annual Rent or Value as therein mentioned; and it was further enacted, that the said Trustees should and might sue and be sued in the Name of their Clerk for the Time being to be appointed under that Act, and that no Action or Suit which might be brought by or against the said Trustees or any of them, in relation to that Act, in the Name of their Clerk, should abate or be discontinued by the Death or Removal of such Clerk, but the Clerk for the Time being should always be deemed Plaintiff or Defendant in every such Action or Suit (as the Case might be); provided always, that every such Clerk should be reimbursed, out of the Monies to be raised by virtue of that Act, all such Costs, Damages, and reasonable Expenses as he or they should be put unto or become charged or chargeable with by reason of his or their being so made Plaintiff or Defendant as aforesaid: And whereas the said Trustees appointed by the said Act have proceeded to carry the Purposes thereof into execution, and have raised the Sum of Five thousand Pounds on the Credit of the said Rates in the Manner by the said Act directed, and have caused the said Parish Church to be well and substantially repaired, altered, and improved, and have made the same (as far as may be) fit for the commodious Reception and Accommodation of the Parishioners, and have set apart and appropriated therein more than One hundred and fifty free Sittings, for the Use of any Persons desirous of using the same, *gratis*; and the said Church has been made to communicate with the Vestry (which was not previously the Case), and is now reopened for Divine Service: And whereas the Sum of Five thousand Pounds, raised as aforesaid, has by the said Trustees been applied (as far as the same would extend) for the Purposes and in the Manner directed concerning the same by the said Act; but the same has been found inadequate for those Purposes, and there is a Deficiency of Funds for fully discharging the Expenses incurred in and about the said Works, which Deficiency has arisen partly from the extended Scale and thoroughly complete Manner upon and in which the said Church had been throughout repaired and improved, and partly from the Circumstance of the said Trustees having found it necessary in the Course of the said Works that the Vestry House of the said Parish, which adjoins the said Church, should be at the same Time put into repair, and having caused the same to be done accordingly; and it consequently appears that the whole of the said Sum of Five thousand Pounds having been expended as aforesaid, there yet remain due and unpaid, on account of various Expenses incurred in the Execution of the aforesaid Trust, and in and about the Improvements and Works aforesaid, certain Debts and Sums amounting in the whole to Two thousand Pounds, or thereabouts: And whereas the Burial Ground of the said Parish hath for some Time been and is in a State of great Dilapidation, in want of Drainage, and in bad Condition, so that it is expedient that the same should be put into good Repair and Order: And whereas a Rate of Sixpence in the Pound upon the said Parish, as authorized by the said Act, will produce the annual Sum or Income of Eight hundred Pounds and upwards, and the Annuities charged thereon under the said Act amount together to the annual Sum of Two hundred and ninety-seven Pounds and no more; and the annual Interest of the only Sum which the said Trustees have taken up by way of Loan under the said Act (being One thousand nine hundred Pounds) is Ninety-five Pounds and no more, and therefrom a further Sum of Money not exceeding Two thousand five hundred Pounds may be raised on the Credit of the said Rates (by way either of Annuity or Loan) without rendering

any

any Increase of such Rates necessary; and it is under the Circumstances aforesaid expedient that the Trustees of the said Act should be enabled to raise, on the Credit of the said Rates (in addition to the said Sum of Five thousand Pounds raised and applied as aforesaid), any Sum not exceeding Two thousand five hundred Pounds, to be applied in the Manner and for the Purposes herein-after mentioned, and that the Provisions of the said Act should be amended and extended as herein-after expressed; but as the Objects and Purposes aforesaid cannot be obtained or effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Trustees for the Time being, acting or authorized to act in the Execution of the said recited Act, or any Seven or more of them, and they are hereby authorized, empowered, and required, with all convenient Speed, or at any Time or Times after the passing of this Act, to raise by the granting and Sale of any Life Annuity or Life Annuities to any Person or Persons, or by way of Loan upon Bond or Bonds to be entered into or given by or by the Order and Direction of such Trustees or any Seven or more of them, or by all of such Ways and Means, any Sum or Sums of Money not exceeding in the whole the Sum of Two thousand five hundred Pounds of lawful Money of *Great Britain* (in addition to and beyond the Monies authorized to be raised by the said recited Act as aforesaid); and for such Purpose it shall and may be lawful for any Person or Persons whomsoever, at any Time or Times hereafter, to contribute and advance or pay into the Hands of the said Trustees or of any Seven or more of them, or of such Person or Persons as they may appoint to receive the same, any Sum or Sums of Money (not in the whole exceeding Two thousand five hundred Pounds as aforesaid), either for the absolute Purchase of any Life Annuity or Life Annuities (simply or by way of Tontine as aforesaid); or by way of Loan at Interest on Bond or Bonds; and that the Annuity or Annuities (if any) which shall be so granted or sold by virtue or in pursuance of this Act, shall, by the said Trustees or any Seven or more of them for the Time being, be paid and payable unto the Person or Persons respectively, to whom or for whose Benefit the same shall be granted respectively, or to his, her, or their Executors, Administrators, or Assigns respectively, at the House or Office of the Clerk of such Trustees for the Time being, or at such other Place or Places as such Trustees or any Seven or more of them shall appoint for that Purpose, Half-yearly, during the Life or Lives for or upon which respectively such Annuity or Annuities respectively shall be granted, and a proportional Part of each or any such Annuity may, by such Trustees or any Seven or more of them, be agreed to be paid, and if so agreed shall be paid to the Person or Persons entitled thereto respectively, or his, her, or their Executors, Administrators, or Assigns respectively, from the Half-yearly Day of Payment thereof last preceding the Death of the last surviving or only Life, for or upon which each or any such Annuity respectively shall be payable, up to the Day of such Death respectively, and that the Interest of the Sum or Sums of Money (if any) which shall be raised or borrowed on Bond or Bonds as aforesaid shall be paid and payable by the said Trustees for the Time being, at or in any such Place or Places as aforesaid, unto the Person or Persons advancing such Sum or Sums respectively, or his, her, or their Executors, Administrators, or Assigns respectively, by equal Half-yearly Payments

Power to raise a further Sum of Money.

or

or Proportions, or otherwise, until the Principal so borrowed shall be paid off by such Trustees.

Preventing the improvident Grant of Annuities.

II. And (for preventing improvident Grants under this Act) be it further enacted, That no Annuity shall be granted by virtue of this Act, for or upon any single Life, at any higher or other Rate than such as shall be agreeable and conformable to the Rates and Gradations which (for preventing improvident Grants) are prescribed or directed in the said Act, with reference to the Annuities thereby authorized to be granted.

Annuities granted under this Act to be on Parchment, and executed by Trustees.

III. And be it further enacted, That each and every Annuity (if any), which shall be granted under or by virtue of this Act, shall be granted by a Writing or Writings on Parchment or Vellum, executed by the said Trustees for the Time being, or by some Seven or more of them; and that the Repayment of the Principal and Interest of all and every Sum and Sums of Money (if any) which shall be advanced or paid to them, or to their Order, by way of Loan as aforesaid, shall be secured respectively by a Bond or Bonds written on Parchment or Vellum, and under the Hand and Seal of the Clerk of the said Trustees for the Time being, and every such Bond shall be signed in the Margin thereof by Seven or more of such Trustees; and that as well every such Bond as also every such Writing as aforesaid, by which any Annuity or Annuities shall be granted as aforesaid, shall severally and respectively be in such Words or to such Effect, or according to such Form respectively, as in and by the said recited Act prescribed or directed as to and concerning the Bonds and Grants of Annuities therein mentioned severally and respectively, or as near thereto respectively as Circumstances will allow, with such Variations as to make the same refer to the said recited Act and to this Act, instead of referring to the said recited Act only; and that if in any Case or Cases it shall seem to the said Trustees or any Seven or more of them expedient and advisable that for any good Reasons any other Variation or Variations should be made in the said Forms respectively, or either of them, it shall be lawful for them to make or cause to be made such Variation or Variations therein accordingly, and to make any such Grant or Grants, Bond or Bonds, Security or Securities, of or in any such varied Form.

Bonds and Securities declared to be valid and made chargeable upon the Rates.

IV. And be it further enacted, That all and singular such Grants, Bonds, and Securities as aforesaid shall be and are hereby declared to be good, valid, and effectual, according to the Purport, true Intent, and Meaning thereof respectively; and all and every Annuities and Annuity to be purchased, granted, or secured under or by virtue of this Act as aforesaid, and all and every Sum and Sums of Money to be borrowed or taken up on Bond or Bonds under or on the Credit of this Act as aforesaid, and the Interest thereof, shall be and the same respectively are and is hereby charged upon and made payable from Time to Time out of the Monies arising and that shall arise from Time to Time by or from the Rates and Assessments made and levied, and to be made and levied from Time to Time under or by virtue of the said recited Act and this Act, or either of them; and all and every the Person and Persons contributing or advancing any Money on the Credit of or under this Act as aforesaid, duly paying the Consideration or Purchase Monies for any such Annuity or Annuities as aforesaid, or otherwise lending or advancing any Monies as aforesaid, or such Person or Persons as he, she, or they respectively shall appoint his, her, or their respective Executors, Administrators, or Assigns, shall

shall have, receive, take, and enjoy, and be entitled by virtue of this Act, to have, receive, take, and enjoy the respective Annuities or Annuity so to be purchased, and the Principal and Interest of the Monies so to be advanced by way of Loan, out of the aforesaid Rates and Assessments made and levied, and from Time to Time hereafter to be made and levied as aforesaid; and all and every Purchaser and Purchasers of such Annuity or Annuities, and other Person and Persons so advancing Money as aforesaid, and his, her, and their respective Executors, Administrators, and Assigns, shall respectively have a good, sure, perfect, absolute, and indefeasible Estate, Right, and Interest in and to the said Annuities or Annuity so to be by him, her, or them respectively purchased, and in and to the said other Monies so to be advanced as aforesaid, and the Interest thereof, and the Securities or Security for the same respectively, according to the Tenor and true Meaning of this Act.

Securities under this Act transferable as those granted by former Act.

V. And be it further enacted, That all and singular the Annuities, Bonds, and Securities to be respectively purchased, granted, or made under or by virtue of this Act shall respectively be assignable and transferable in such or the like Manner and Form, and as effectually as in and by the said Act provided or declared with respect to the Annuities, Bonds, and Securities therein mentioned; and that all and singular the Annuities, Bonds, and Securities to be respectively granted or made under or by virtue of this Act, and the Payment thereof respectively, and all Assignments and Transfers thereof respectively, and all other Matters, Things, and Circumstances relating thereto, shall be regulated and governed by and shall be subject to such or the like Regulations, Directions, Clauses, Provisions, and Enactments as the Annuities, Bonds, and Securities therein mentioned; and that all such or the like Provisions and Directions shall be applicable to and in force, concerning the Annuities, Bonds, and Securities herein-before authorized to be granted, as by virtue of the said recited Act are or shall be applicable to or in force concerning the Annuities, Bonds, and Securities granted by virtue of that Act respectively (save only in Cases in or for which any different Provision or Provisions is or are by this Act made).

For improving the Burial Ground.

VI. And be it further enacted, That it shall and may be lawful to and for the said Trustees for the Time being, or any Seven or more of them, and they are hereby directed, with all convenient Speed after the passing of this Act, to cause the said Burial Ground of the said Parish of *Saint George the Martyr*, and the Walls and Gates thereof, to be properly repaired and amended, and to cause the said Burial Ground to be well and properly drained, and to provide for the future Drainage thereof, and to cause the same Ground to be put into good and proper Order and Condition, and generally to take Measures for the good Regulation of the said Burial Ground in every respect; and it shall be lawful for them (if they shall so think proper) to cause or allow such Reparation, Drainage, ordering and Regulation, or any Part thereof, to be made or done by or under the Directions and Inspection of the Churchwardens of the said Parish of *Saint George the Martyr* for the Time being, subject to the Approbation and Control of such Trustees.

Vesting Materials in Churchwardens.

VII. And be it further enacted, That the Right and Property of and in all and singular the Stones, Iron, Gravel, Posts, Rails, Wood, Materials, and Things that shall be used or laid down or set apart for Use, in or upon or

or about the said Burial Ground, in or for repairing, draining, and ordering the same as aforesaid, or in the Course of the Works hereby authorized, shall be and the same are hereby respectively vested in the Churchwardens of the said Parish of *Saint George the Martyr* for the Time being.

Directing the Application of Money raised.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees for the Time being, or any Seven more of them, and they are hereby directed and required, to dispose of and apply all and every the said Sum and Sums of Money to be by them raised under or by virtue of this Act as aforesaid for the Purposes and in the Manner following; that is to say, in the first place, in and for paying, defraying, and discharging the Costs, Charges, and Expenses of and attendant upon preparing, obtaining, and passing this Act, and raising in manner aforesaid the said Monies herein-before authorized to be raised; and in the next place, in and for paying, defraying, and discharging the Costs, Charges, and Expenses of and to be incurred in and by the said Reparations, Amendments, Drainage, ordering and regulating Matters and Things which shall be done in and to and about the said Burial Ground in manner aforesaid: Provided nevertheless, that such Costs, Charges, and Expenses to be so incurred in and for and about such Burial Ground shall not in the whole exceed Three hundred Pounds; and in the next place, the Monies which shall be so raised as aforesaid, or the Residue thereof, after answering the prior Purposes aforesaid, shall, by such Trustees or any Seven or more of them, be disposed of and applied in and for paying off and discharging the Amount now remaining to be paid by the said Trustees for and on account or in respect of the said Repairs, Alterations, Improvements, and Works in and to and about the said Church and Vestry House, and the Costs, Charges, and Expenses attendant thereon and incidental thereto respectively.

Limiting the Amount to be expended on Burial Ground.

Rates to be raised under Provisions of former Act.

IX. And be it further enacted and declared, That the Rates and Assessments authorized to be made and levied as aforesaid shall and may from Time to Time hereafter continue to be made and levied in the Form and Manner, and with, under, and subject to the Provisions directed by the said Act, or contained therein, for raising, recovering, and enforcing the Payment of such Rates, or otherwise relating thereto, as well for the Purpose of securing and paying and discharging the Annuity or Annuities (if any) to be granted, and the Principal and Interest of the Monies (if any) to be borrowed under this Act as aforesaid, as for the other Purposes for which such Rates and Assessments are authorized to be made by the said recited Act; and that all the clear Monies to be from Time to Time hereafter produced by or from the Rates and Assessments to be from Time to Time made or levied as aforesaid shall by the said Trustees for the Time being, or by any Seven or more of them, be from Time to Time disposed of and applied as follows; that is to say, in the first place, in and for keeping down and paying and discharging from Time to Time, as well the Annuities already granted as aforesaid respectively, while subsisting respectively, as also the Interest to be from Time to Time payable upon or in respect of the said Sum of One thousand nine hundred Pounds already borrowed on Bond as aforesaid, or upon or in respect of so much of that Sum as for the Time being shall remain due or unpaid, so long as the same or any Part thereof shall remain unpaid, and subject to those prior Charges; in and for keeping down, paying, and discharging from Time to Time, as well the Annuity or Annuities (if any) which shall be hereafter granted in

in manner aforesaid, while and so long as subsisting respectively, as also the Interest to be from Time to Time payable upon or in respect of the Sum or Sums of Money (if any) which shall be taken up or raised by way of Loan as aforesaid, or upon or in respect of so much thereof as for the Time being shall be due, while and so long as the same or any Part thereof shall be due and unpaid, and subject to and after satisfying such several prior Charges, or so much thereof as for the Time being shall be in existence; then in and for paying and discharging from Time to Time the several specific Sums and Charges by the said recited Act directed to be paid out of the said Rates; and if there shall be any Surplus of the Monies to be produced from Time to Time by or from such Rates and Assessments as aforesaid, such Surplus as shall from Time to Time annually remain, after having duly answered and satisfied such several Purposes as aforesaid, or so much thereof to which for the Time being such Monies shall be capable of being applied, shall go to form a Fund for the Liquidation and Discharge of the Principal of the Monies already borrowed and to be borrowed as aforesaid; and subject to and after fulfilling that Object, then for the repurchasing of any Annuity or Annuities which shall be repurchaseable under this Act; and for those Purposes such Surplus, and the Proceeds thereof, shall be from Time to Time laid out, invested, managed, and accumulated by the said Trustees in such Manner as they shall judge most advantageous; and as and when from Time to Time a competent Sum or Amount shall so have been accumulated or obtained, the same shall be by such Trustees applied from Time to Time in and for such Purposes of Liquidation or Repurchase accordingly.

Providing for the Repurchase of Annuities.

X. And be it further enacted, That in case of any Annuity or Annuities being purchased or granted under or by virtue of this Act as aforesaid, it shall and may be lawful for the said Trustees for the Time being, or any Seven or more of them, in any Case or Cases to stipulate and provide (if they shall think it advisable and proper to do so) that any such Annuity or Annuities may be bought up and repurchased by the said Trustees for the Time being, if they shall desire and think it expedient to do so, at such Time or Times, upon such Notice or Notices, for such Consideration and upon such Terms, as such Trustees for the Time being, or any Seven or more of them, shall agree upon; provided that in every Case when any such Annuity shall be granted, so as to be repurchaseable in manner aforesaid, such Variation in or Addition to the Form prescribed by this Act as aforesaid for Grants of Annuities shall be made as shall be necessary or proper according to Circumstances.

Authorizing the borrowing Money for Repurchase of Annuities with Consent of Parties interested.

XI. And be it further enacted, That in case at any Time or Times hereafter the said Trustees for the Time being, or any Seven or more of them, shall deem it expedient, and desire to repurchase and buy up the Annuities already granted under or by virtue of the said recited Act as aforesaid, or either of them, or any Annuity or Annuities that shall have been granted under or by virtue of this Act as aforesaid, then and so often, and in every such Case, it shall be lawful for them from Time to Time to do so, and to borrow and take up at Interest, on the Credit of the said Rates, any Sum or Sums of Money requisite for effecting such Repurchase or Repurchases respectively, and that such Sum or Sums shall be by them applied in and for such Repurchase or Repurchases accordingly: Provided nevertheless, that the said Trustees shall not have any Right or Power, unless by and with the Consent of the Person or Persons interested therein and

and entitled thereto respectively, to repurchase or buy up either of the said present Annuities already granted as aforesaid, or any such future Annuity or Annuities as shall not by original Stipulation and Agreement have been made repurchaseable as aforesaid.

Limiting the Amount to be paid for Repurchase.

XII. Provided always, and be it further enacted, That no more shall be paid or agreed to be paid for the Repurchase of any One such Annuity as aforesaid (whether already granted or to be granted, and whether originally made repurchaseable or not) than the Amount of the Consideration Money originally received for the same, together with the Arrears (if any) and full Payment of such Annuity up to the Day of repurchasing the same, and the Costs and Charges (if any) caused by any Default or Defaults (if any) of or in the due and regular Payment of such Annuity respectively.

In Cases where Money can be borrowed at a low Rate of Interest, authorizing the taking up Money for the Discharge of Bonds, &c.

XIII. And be it further enacted, That in case the said Trustees for the Time being, or any Seven or more of them, can at any Time or Times borrow and take up any Sum or Sums of Money at a lower Rate of Interest than some or any One or more Bond or Bonds, Security or Securities, theretofore granted under or by virtue of this Act as aforesaid, and then being in force, shall bear, then and so often it shall be lawful for them from Time to Time to borrow and take up at such lower Rate of Interest, on the Crèdit of the said Rates, a Sum or Sums of Money sufficient to discharge any such Bond or Bonds, Security or Securities, bearing such higher Rate of Interest, and that the Sum or Sums so borrowed and taken up shall be by them applied in paying off and discharging such last-mentioned Bond or Bonds, Security or Securities, accordingly.

Provisions of the Act to be in force with respect to every Description of Bond granted under its Powers.

XIV. And be it further enacted, That a Bond or Bonds of such or the like Nature and Form, and so executed as herein-before directed concerning other Bonds, shall be given and executed for the Principal and Interest of the Monies (if any) that shall be borrowed or taken up as aforesaid for the Purpose of any such Repurchase or Repurchases as aforesaid, or for paying off any Bond or Bonds, Security or Securities as aforesaid, and that such Principal and Interest shall be charged upon and payable out of the aforesaid Rates in such or the like Manner as herein-before mentioned concerning the other Monies hereby authorized to be taken up as aforesaid; and all such and the like Provisions, Regulations, Clauses, and Directions shall be applicable to and in force concerning the last-mentioned Bond or Bonds as are or shall be applicable to or in force concerning any other Bond or Bonds granted or executed in manner aforesaid.

Receipts of the Trustees to be sufficient Discharge.

XV. And be it further enacted, That the Receipt or Receipts in Writing from Time to Time, of or under the Hands of the said Trustees for the Time being, or any Seven or more of them, for any Monies or Sum or Sums of Money which from Time to Time, or at any Time or Times shall be advanced or paid to or received by them under or by virtue or in pursuance of this Act, or which shall come to their Hands in the Course of or with relation to the Trust or Matters aforesaid, shall be a good and sufficient Discharge to the Person or Persons respectively, who shall pay such Monies or any Part thereof, for so much Monies as in such Receipt or Receipts respectively shall be expressed or acknowledged to be received; and that such Person or Persons, or his, her, or their Heirs, Executors, Administrators, or Assigns, shall not, after taking such Receipt or Receipts, respectively, be bound or liable to see to the Application, or answerable

or

or accountable for any Loss, Misapplication, or Nonapplication of such Monies, or any Part thereof, or concerned to inquire as to the Necessity of raising such Monies, or the Propriety of the Mode adopted for that Purpose.

Vesting the Powers of the Act in Trustees.

XVI. And be it further enacted, That all the Powers, Acts, Matters, and Things by this Act directed or authorized to be done or executed by the said Trustees shall be done or ordered or directed at some such Meeting or Meetings, to be holden under or by virtue of the said recited Act of Parliament, as in that Act mentioned, and not otherwise, and shall and may be done, executed, ordered, and directed by the Majority of the said Trustees for the Time being then present, the whole Number present not being less than Seven, as fully, legally, and effectually as by their whole Number, and every Question shall be determined by such Majority and in such Manner as by the said recited Act appointed, which Determination shall be as valid and of as full Force as if determined by all the said Trustees.

Proceedings of the Trustees to be entered in a Book.

XVII. And be it further enacted, That all the Acts, Orders, Resolutions, and Proceedings of the said Trustees relative to the Execution of this Act, and the Names of the Trustees who shall be present at their respective Meetings, shall be entered by the said Clerk for the Time being in a Book or Books provided and kept for that Purpose, or for the Purposes of the said recited Act, and signed by the Chairman presiding for the Time being, and all such Entries so signed shall be deemed Originals, and shall and may be produced and read in Evidence in any Courts or Places whatsoever; and such Book or Books shall at all convenient Times be open to the Inspection and Perusal of all Persons interested in the said Rates for the Time being without Fee or Reward.

Officers to account.

XVIII. And be it further enacted, That all Officers already appointed or 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 Officer shall, when thereunto required by the said Trustees or any Seven 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 if any such Officer shall refuse or neglect to make and render 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 Seven 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 or the said recited 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 Summons or Warrant under his Hand and Seal for the Officer so refusing and 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 Nonpayment 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 produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this or the said recited 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 Mainprise 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.

Extending the Provisions of former Act respecting Suits and Actions to the present Act.

XIX. And be it further enacted, That all and singular the Provisions, Directions, Clauses, and Enactments in the said recited Act contained, concerning or in respect of or with reference to Actions and Suits by or against the said Trustees and the Evidence therein, shall be applicable and applied to and the same are hereby enacted as to and concerning all Actions and Suits which shall be brought or instituted by or against them, for or in respect or on account of anything by this Act authorized to be done, or anything done in pursuance of this Act, or anything in this Act contained.

Clerk to Trustees made Plaintiff or Defendant.

XX. And be it further enacted, That in all Cases from Time to Time hereafter in which the Clerk for the Time being of the said Trustees for the Time being shall, by virtue or in pursuance of the said recited Act or of this Act, be the Plaintiff or Defendant on the Record, in any Action or Actions, Suit or Suits, in which in effect such Trustees shall be suing or sued in the Name of such Clerk, he the same Clerk for the Time being, although

although appearing as the Plaintiff or Defendant on the Record, may and shall nevertheless, if not otherwise interested and not otherwise objectionable, be a good, examinable, and competent Witness in every such Action and Suit, either for or against the said Trustees, in such and the same Manner as if such Clerk were not named as a Party on the Record.

Respecting the letting of Pews.

XXI. And whereas by the said recited Act it was amongst other Things enacted, that the Pews in the said Parish Church should be vested in the Churchwardens of the said Parish and their Successors, upon Trust to let the same, under the Direction and Control of the Trustees of the said Act, in the Manner therein mentioned, and certain Provisions were thereby made for giving a Preference in the letting of such Pews to Persons being Parishioners of the said Parish: And whereas it is expedient that the said Provisions should be extended in the Cases herein-after mentioned: Be it therefore further enacted, That it shall be lawful for the Trustees of the said recited Act and of this Act (jointly with the Churchwardens of the said Parish for the Time being), and they are hereby required, to make such Regulations from Time to Time relative to the letting of the said Pews as to the said Trustees shall appear proper or expedient in order to secure the actual Occupation and Enjoyment thereof, and of all the Places or Sittings therein, as far as possible, to Persons being Parishioners of the said Parish; and further, that in case any Person having been a Parishioner of the said Parish, and having rented or occupied a Pew, or any Sitting or Sittings in a Pew in the said Church, shall quit the said Parish, such Person shall, within One Month next after he or she shall have so quitted the said Parish, give up or cause to be given up the quiet Possession of each or any Pew or Sitting theretofore occupied or rented by him or her to the Churchwardens for the Time being, in order that the same may be let or disposed of by them (under the Direction and Control of the said Trustees) according to the Provisions of the said recited Act and of this Act; and in case any such Person as aforesaid shall neglect to give up Possession of any such Pew or Sitting as herein-before directed, it shall be lawful for the Churchwardens (under the Direction of the said Trustees) to give to such Person such Notice as herein-after mentioned to quit the Pew or Sitting or Sittings thentofore occupied or rented by him or her; and further, in case it shall satisfactorily appear to the said Trustees that any Pew, or any Sitting or Sittings in a Pew in the said Church, hath been or hereafter shall be colourably taken or held by or in the Name of any Person being a Parishioner for the Use and Benefit of any Person or Persons not being a Parishioner or Parishioners, or that any Pew or any Sitting or Sittings in the said Church shall, by the Space of One Year, have been most usually occupied by any Person or Persons not being a Parishioner or Parishioners of the said Parish to the Exclusion of Parishioners of the said Parish, or that any other Abuse or improper Conduct shall exist relative to the renting or tenanting of any such Pew or Sitting (in opposition to the Preference intended to be secured to Persons being Parishioners as aforesaid), then and in each or any such Case it shall be lawful for the Churchwardens for the Time being, and they are hereby required (under the Direction and Control of the said Trustees), to give to the Person or Persons being Tenant or Tenants of such Pew, Sitting or Sittings, or in whose Name the same shall be taken or held, such Notice as herein-after mentioned to quit the Possession of the same.

XXII. And

Notice in Writing to be given to Persons requested to quit Possession of any Pew.

XXII. And be it enacted, That every such Notice to quit as aforesaid shall be in Writing, signed by the Churchwardens for the Time being, or One of them, and by Seven or more of the said Trustees, and shall require the Party to whom the same shall be addressed to quit Possession of the Pew or Sitting or Sittings to which the same shall relate (and the Number of which Pew shall be expressed therein), at some Time to be therein specified, not being less than Two Months from the Date of such Notice; and every such Notice shall, within Two Days after the Date thereof, be delivered to the Party to whom the same shall be addressed, or left at his or their then present or last previous most usual Place of Abode within the said Parish, and a Copy thereof shall, previous to and at the Time of Morning Service on the *Sunday* next succeeding the Date of such Notice, be placed in some conspicuous Part of the Inside of the Pew to which the same shall relate, and upon any such Notice to quit being given as aforesaid, it shall be lawful for the Churchwardens of the said Parish, under the Direction and Control of the said Trustees, at the Expiration of such Notice, or at any Time afterwards, to take peaceable and quiet Possession of the Pew or Sitting or Sittings to which such Notice to quit shall relate (but without resorting to any Force or Violence in so doing), and thenceforth to retain Possession thereof or to let and dispose of the same according to the true Intent and Meaning of the said recited Act and this Act.

Penalty on obstructing Churchwardens in taking Possession of any Pew.

XXIII. And be it further enacted, That if any Person to whom any such Notice to quit as aforesaid shall have been given shall, by himself or herself, or by any other Person or Persons, by any Means hinder or obstruct the said Churchwardens from or in taking peaceable Possession of the Pew or Sitting or Sittings to which such Notice shall relate, at the Expiration of such Notice as aforesaid, or at any Time afterwards, then and in every such Case the Person so offending shall forfeit and pay for every *Sunday*, *Good Friday*, *Christmas Day*, and Fast Day by Proclamation, on which such Hindrance or Obstruction shall occur, in addition to the yearly or other Rent which shall be payable for such Pew, Sitting, or Sittings, the Sum of Twenty Shillings Sterling, to be payable to the Churchwardens or the Collector of the Rents of the said Pews for the Time being, and to be recoverable by all or any such Ways and Means as by the said recited Act and this Act, or any other Act whatsoever now in force, are or shall be available for the Recovery of the Rents of the said Pews; and every Sum of Money so to be forfeited and paid as aforesaid shall go and be applied and disposed of in the same Manner as the Rents of the Pews are applicable in augmentation of such Rents.

Public Act.

XXIV. 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.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1864.