ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 20.

An Act to provide a new Burial Ground, and erect a Chapel thereon, for the Pariſh of *Saint Giles in the Fields*, in the County of *Middleſex*.

[7th *April* 1803.]

WHEREAS the Population of the Pariſh of *Saint Giles in the Fields*, in the County of *Middleſex*, has lately much increaſed, and is ſtill increaſing, and the Church Yard thereof has been for ſome Years paſt too ſmall for the decent Interment of the Dead, although conſiderable Sums of Money have been expended in bringing in Earth for the Purpoſe of raiſing the ſame; and the ſaid Church Yard is become extremely offenſive and dangerous to the Health of the Inhabitants of the Neighbourhood thereof, from the great Number of Bodies buried therein; and it is neceſſary that an additional Burial Ground ſhould be provided in ſome adjacent Pariſh, there not being any proper Place within the ſaid Pariſh that can be appropriated to that Purpoſe: 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 Rector and Churchwardens of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being, and their Succeſſors, together with the Right Honourable *Charles Price*, now Lord Mayor of the City of *London*, *John Soane*, Truſtees appointed.

Soane, Thomas Greene, Harvey Chriſtian Combe, John Legh, John Sargeaunt, John Page, Samuel Cleaver, Joſeph Seger, Peter Ludgate, Samuel Remnant, Thomas Waddell, John Abraham Goldwin, Alexander Stewart, Richard Barker, John Bittleſton, William Lewis, Thomas Park, and *William Bailey*, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be and they are hereby appointed Truſtees for the ſeveral Purpoſes herein-after mentioned, during ſuch Time only as they ſhall continue to act, and be reſident Houſeholders within the ſaid Pariſh; and that when any of the ſaid Truſtees (except the ſaid Rector and Churchwardens for the Time being) ſhall die, refuſe to act, or ceaſe to be a reſident Houſeholder within the ſaid Pariſh, the Veſtry Men of the ſaid Pariſh ſhall, at their next Meeting after ſuch Death, Refuſal to act, or ceaſing to be a reſident Houſeholder, appoint another Perſon, being One of the ſaid Veſtry Men, to be a Truſtee in the Stead of him ſo dying, refuſing to act, or ceaſing to be a reſident Houſeholder as aforeſaid.

Veſtry to appoint new Truſtees.

Corporations, &c. empowered to treat for Burial Ground.

II. And be it further enacted, That it ſhall and may be lawful to and for any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees of Idiots and Lunatics, and Huſbands, and all other Truſtees whomſoever for and on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, Idiots, Lunatics, or other Perſons under any Diſability of acting for themſelves, and for all and every Perſon or Perſons who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Truſtees or any Five or more of them for the abſolute Sale of any Piece or Parcel of Ground, or Pieces or Parcels of Ground, in any Pariſh in the County of *Middleſex*, adjacent to the ſaid Pariſh of *Saint Giles in the Fields*, not exceeding Five Acres in the Whole, with any Buildings erected thereon and other Hereditaments belonging or appertaining thereto, and to convey the ſame to the ſaid Truſtees for the Purpoſes mentioned in this Act; and that all Contracts, Agreements, Sales, and Conveyances which ſhall be ſo made, ſhall be valid and effectual to all Intents and Purpoſes, any Law, Uſage, or other Matter or Thing to the contrary thereof in anywiſe notwithſtanding; and that all ſuch Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, Huſbands, and Truſtees, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, and other Perſons, are and ſhall be indemnified for what they ſhall do by virtue or in purſuance of this Act.

Directing the Application of Money paid for Compenſation for Lands, &c. when amounting to or exceeding 200l.

III. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for 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 Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, as in this Act particularly mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an

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

Where leſs than 200l. and exceeding 20l.

IV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank 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 any Perſon or Perſons, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Three 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 any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

V. Provided

Where leſs than 20l.

V. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded 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 or any Three or more of them ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

First Meeting of Truſtees.

May adjourn.

VI. And be it further enacted, That the ſaid Truſtees ſhall meet in the Veſtry Room of the ſaid Pariſh of *Saint Giles in the Fields* within One Month next after the paſſing of this Act, and ſhall and may then and from Time to Time adjourn their Meetings as they ſhall think proper; and that they may alſo meet at any Time (without Adjournment) upon Notice being given by their Clerk, by the Direction of the Rector or Churchwarden, or any Three of the ſaid Truſtees, Three Days at the leaſt before every ſuch Meeting; and that all Acts and Proceedings of any Three or more of ſuch Truſtees, being a Majority of them aſſembled at any of their Meetings, ſhall be as valid and binding as if all the Truſtees had been preſent, and had concurred therein.

Proceedings of Three Truſtees to be binding.

To ſue and be ſued in the Name of the Veſtry Clerk.

VII. And be it further enacted, That the ſaid Truſtees for the Time being ſhall ſue and be ſued in the Name of the Veſtry Clerk of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being, and that no Action or Suit ſo brought or commenced ſhall abate or be diſcontinued by the Death of the ſaid Veſtry Clerk, or by any Act of the ſaid Veſtry Clerk, without the Conſent of the ſaid Truſtees; but that ſuch Veſtry Clerk for the Time being ſhall be always deemed Plaintiff or Defendant in every ſuch Action or Suit, as the Caſe ſhall happen.

Veſtry Clerk to be reimburſed his Expences.

VIII. Provided always, and be it further enacted, That ſuch Veſtry Clerk ſhall be reimburſed and indemnified, out of the Monies ariſing or to ariſe by virtue of this Act, all ſuch Coſts, Damages, and Expences as by the Event of any ſuch Action or Suit he ſhall be put unto, or become charged or chargeable with, on account of any ſuch Action or Suit.

Truſtees to appoint a Clerk and Treaſurer, &c.; and take Security from the Treaſurer and Collectors.

IX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees from Time to Time to appoint a Clerk and Treaſurer, and ſuch other Officers and Perſons, with ſuch Salary or Gratuities, as they ſhall think neceſſary for effecting the Purpoſes of this Act, and ſhall take Security from their Treaſurer, and from the Collectors of the Rates and Aſſeſſments to be made by virtue of this Act, to the Satisfaction of the ſaid Veſtry Men, for the due Execution of the reſpective Offices of Treaſurer and Collector; and that it ſhall be lawful for the ſaid Truſtees from Time to Time to diſcharge any ſuch Clerk, Treaſurer, and other Officers and Perſons as aforeſaid, when and as they ſhall think proper.

For encloſing the Burial Ground and

X. And be it further enacted, That the ſaid Truſtees ſhall, when and ſo ſoon as any ſuch Purchaſe ſhall be made and completed by virtue of this

this Act, cauſe the Ground ſo to be purchaſed as aforeſaid, or ſuch Part thereof as they ſhall judge neceſſary, to be encloſed and fenced in with a good and ſubſtantial Brick Wall or other Fence, not leſs than Eight Feet high above the Surface, and to do all other Things neceſſary and proper for making ſuch Ground fit and convenient for the Burial of the Dead; and ſhall cauſe a Chapel, together with ſuch Buildings as ſhall be neceſſary for the Reſidence of ſuch Perſon or Perſons as the ſaid Truſtees may think proper to appoint, for the Care and Protection of the ſaid intended Burial Ground, to be erected upon ſome Part thereof, with Vaults under the ſame for the Burial of the Dead, in ſuch Manner and Form, and with ſuch Pews, Seats, and Conveniencies in the ſaid Chapel, as they ſhall think proper; and the ſaid Truſtees ſhall and are hereby required at all Times to keep the ſaid intended Chapel, Buildings, and Vaults ſo to be erected, in good and proper Repair and Condition.

building Chapel with Vaults, and to keep the ſame in Repair.

XI. And be it further enacted, That the ſaid Ground, or a ſufficient Part thereof, when encloſed, ſhall be conſecrated for a Burial Ground, according to the Uſage of the Church of *England*, and ſhall for ever thereafter be uſed as and for an additional Burial Ground for the ſaid Pariſh of *Saint Giles in the Fields*; and that when the ſaid Chapel ſhall be finiſhed and completed, it ſhall be conſecrated as aforeſaid, and ſhall be uſed for the Purpoſe only of performing Funeral Service; and the ſaid Truſtees ſhall find and provide a Sexton for the ſaid Chapel and Burial Ground, who ſhall occupy the ſaid Building ſo to be erected as aforeſaid, and ſhall have and receive for his Salary or Compenſation ſuch Sum or Sums of Money as the ſaid Truſtees ſhall think fit and appoint: Provided always, that it ſhall and may be lawful to and for the ſaid Truſtees, when and as often as they ſhall think proper, to diſcharge and remove any ſuch Sexton from his ſaid Office, and from and out of ſuch Dwelling or Building, and from Time to Time to appoint another Perſon or Perſons to be Sexton in his Stead; any Thing herein contained to the contrary thereof notwithſtanding.

The Ground to be conſecrated.

Chapel to be conſecrated, and to be uſed for Funeral Service only.

Truſtees to appoint a Sexton, and remove him at Pleaſure.

XII. And be it further enacted, That the ſaid Ground, Hereditaments, and Premiſes ſo to be veſted in the ſaid Truſtees and their Succeſſors, together with all Buildings erected or hereafter to be erected thereon, or on any Part thereof, ſhall, from and after the ſame ſhall be veſted in the ſaid Truſtees by virtue of this Act, be deemed and taken to be within and Part of the ſaid Pariſh of *Saint Giles in the Fields*, and ſhall for ever thereafter be freed, exempted, and diſcharged of and from the Payment of all and all Manner of parliamentary and parochial Taxes, Rates, and Aſſeſſments, to any other Pariſh or Place whatſoever; and alſo of and from the Payment of all Tithes, Funeral Rates, and other Dues and Duties whatſoever, to the Rector or Vicar of any ſuch Pariſh or Place, other than and except as herein-after mentioned; any Law, Cuſtom, or Uſage to the contrary thereof notwithſtanding.

The Ground and Premiſes deemed to be in the Pariſh of St. Giles in the Fields, and exempted from Payment of Taxes, &c. to any other Pariſh.

XIII. And in order to make Compenſation to the Rector or Vicar and Pariſhioners of the Pariſh wherein the ſaid Ground, Hereditaments, and Premiſes may be ſituate, for any Loſs they may reſpectively ſuſtain on account of the ſaid Ground, Hereditaments, and Premiſes being exempted from the Payment of Taxes, Tithes, and other Payments to them as

Compenſations.

aforesaid; be it further enacted, That the Senior Churchwarden of the said Parish of *Saint Giles in the Fields* for the Time being shall and he is hereby required to pay or cause to be paid to the Rector or Vicar of the Parish wherein the said Ground, Hereditaments, and Premises may be locally situate, for the Time being, for his own Use, a clear Rent Charge or annual Sum, equal in amount, as near as can be ascertained, to the aggregate Amount of all Tithes, Offerings, Oblations, Obventions, Dues, and Duties which the said Rector or Vicar did receive or was entitled unto for the Year ending at *Easter* next before the passing of this Act, for or in respect of the said Ground, Hereditaments, and Premises, or from the Occupier or Occupiers thereof; and to the Senior Churchwarden of the said Parish for the Time being, for the Use of the Parishioners of the said Parish, a clear Rent Charge or annual Sum equal to the aggregate Amount of all parochial Taxes, Rates, and Assessments charged upon and paid in respect of the said Ground, Hereditaments, and Premises, for the Year ending at *Easter* next before the passing of this Act; which said respective Rent Charges or annual Sums shall be paid by even and equal Half-yearly Payments, upon the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* in every Year for ever; the First Payment of the said respective Rent Charges or annual Sums to be made upon such of the said Days as shall happen next after the said Ground, Hereditaments, and Premises shall vest in the said Trustees by virtue of this Act.

Fees to be paid to the Rector or Vicar, Churchwardens, Clerk, and Sexton, may be recovered as Surplice Fees, or by Action of Debt.

XIV. And be it further enacted, That in case any of the Inhabitants of the Parish, wherein the said Ground, Hereditaments, and Premises may be situate, shall be buried in the said intended Burial Ground, there shall be paid for every such Burial (over and above the Fees which for the Time being shall be payable for other Burials), for the Use of the Rector or Vicar, Churchwardens, Clerk, and Sexton of the Parish wherein the said Ground, Hereditaments, and Premises shall be situate, such Sum and Sums of Money as shall be equal in Amount to the Fees which would have been due and payable to the said Rector or Vicar, Churchwardens, Clerk, and Sexton, in case such Burial had taken place in the usual Place of Interment of the said Parish wherein such Ground, Hereditaments, and Premises shall be situate; which said respective Sums shall from Time to Time be accounted for and paid by the Senior Churchwarden of the said Parish of *Saint Giles in the Fields* to the then Rector or Vicar, Churchwardens, Clerk, and Sexton of the said Parish wherein the said Ground, Hereditaments, and Premises may be situate, upon the Twenty-ninth Day of *September* and the Twenty-fifth Day of *March* in every Year; the First Account and Payment to be made upon such of the said Days as shall happen next after the First Burial of any of the Inhabitants of the said Parish wherein the said Ground, Hereditaments, and Premises may be situate, shall take place in the said intended Burial Ground; and the Rector or Vicar, Churchwardens, Clerk, and Sexton of such Parish, shall or may at all seasonable Times, without Fee or Reward, be at Liberty to inspect the Register Book of Burials within the said intended Burial Ground, and to make Copies or Extracts of such Parts thereof as shall relate to the Interment of any of the Inhabitants of the Parish wherein the said Ground, Hereditaments, and Premises shall be situate; and in case any Senior Churchwarden of the said Parish of *Saint Giles in the Fields* shall at any Time neglect, refuse, or

omit to account for and pay such Money to the Rector or Vicar, Churchwardens, Clerk, and Sexton of the Parish wherein the said Ground, Hereditaments, and Premises may be situate, or any or either of them, at the respective Times aforesaid, or within Twenty-one Days afterwards, such Money shall and may be recovered from the Senior Churchwarden of the said Parish of *Saint Giles in the Fields* for the Time being, in such Manner and by such Ways and Means as any Surplice Fees due and payable at the Parish Church of the Parish wherein the said Ground, Hereditaments, and Premises may be situate, can or may be recovered, or by Action of Debt in any of His Majesty's Courts of Record at *Westminster*; and the Money which shall be so paid by or recovered from any such Churchwarden of the said Parish of *Saint Giles in the Fields*, shall be allowed him in his Account with the said Trustees.

In case of Dispute, the Trustees to issue a Precept for impannelling a Jury.

XV. And be it further enacted, That if any Doubt, Dispute, or Controversy shall arise or take place in ascertaining the Amount of the several Rent Charges or annual Sums and Fees (or any or either of them), which the Senior Churchwarden of the said Parish of *Saint Giles in the Fields* for the Time being is by this Act required to pay to the Rector or Vicar, Senior Churchwarden, Clerk, and Sexton for the Time being of the Parish in which the said Ground, Hereditaments, and Premises may be locally situate, then and in every such Case it shall be lawful for the said Trustees or any Three or more of them, and they are hereby required, to issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of *Middlesex*, who is hereby authorized, directed, and required accordingly to impannel, summon, and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than Twenty-four nor more than Forty-eight; and out of such Persons so to be impannelled, summoned, and returned, a Jury of Twelve Men shall be drawn by some Person to be by the said Trustees appointed in such Manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster* are, by an Act made in the Third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Regulation of Juries*, directed to be drawn; which Persons so to be impannelled, summoned, and returned as aforesaid, are hereby required to come and appear before the Justices of the Peace for the County of *Middlesex*, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County, or at some Adjournment thereof, as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed to attend such Court of General or Quarter Sessions from Day to Day, until discharged by the said Court; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array; and the said Justices are hereby authorized and empowered, by Precept or Precepts, from Time to Time as Occasion shall require, to call before them all and every Person and Persons whomsoever, who shall be thought proper and necessary to be examined as a Witness or Witnesses on his, her, or their Oath or Oaths, touching or concerning the Premises; and the said Justices shall have Power to adjourn such Court from Day to Day as Occasion shall require, and to command such Jury, Witnesses, and Parties to attend, until all such Affairs for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, as also the Oaths of such Person or Persons as shall be called upon to

give

give Evidence, the ſaid Juſtices are hereby empowered and required to adminiſter) ſhall enquire of the Loſs which the Rector or Vicar and Pariſhioners of the Pariſh wherein the ſaid Ground, Hereditaments, and Premiſes may be locally ſituate, or any or either of them, might have ſuſtained by reaſon of the ſaid Ground, Hereditaments, and Premiſes being exempted from the Payment of Taxes, Tithes, and other Payments to them as aforeſaid; and alſo of the Amount of the Burial Fees herein-before directed to be paid to the Rector or Vicar, Churchwarden, Clerk, and Sexton of the Pariſh wherein the ſaid Ground, Hereditaments, and Premiſes may be locally ſituate, for or in reſpect of the Burial of each and every of the Pariſhioners of ſuch Pariſh who ſhall be interred in ſuch intended Burial Ground; and ſhall aſcertain, aſſeſs, award, and ſettle the Amount of the ſaid ſeveral Rent Charges or annual Sums and Burial Fees, or ſuch of them as ſhall be in Doubt, Diſpute, or Controverſy, according to the true Intent and Meaning of this Act, ſo as the ſaid Rent Charges ſo to be aſcertained, aſſeſſed, awarded, and ſettled, ſhall be a fair and juſt Compenſation for the Loſs ſo to be ſuſtained as aforeſaid; and ſo as the ſaid Burial Fees ſhall be as nearly equal as may be in Amount to the Fees which would have been due and payable to the ſaid Rector or Vicar, Churchwarden, Clerk, and Sexton, in caſe ſuch Burials had taken place in the uſual Place of Interment of the ſaid Pariſh wherein ſuch Ground, Hereditaments, and Premiſes ſhall be ſituate; and the ſaid Juſtices ſhall and may give Judgment for the Amount of ſuch Rent Charges or annual Sums and Burial Fees, or ſuch of them as ſhall be in Doubt, Diſpute, or Controverſy; which Verdict or Verdicts, and the Judgment and Judgments, Determination and Determinations thereupon (Notice in Writing being given to the Perſon or Perſons intereſted or claiming ſo to be, at leaſt Fourteen Days before the Time of the Meeting of the ſaid Juſtices aforeſaid and Jury, by leaving ſuch Notice at the Dwelling Houſe of ſuch Perſon or Perſons, or at his, her, or their laſt uſual Place or Places of Abode), ſhall be binding and concluſive to all Intents and Purpoſes whatſoever againſt the Rector or Vicar, Churchwardens, Pariſhioners, Clerk, and Sexton for the Time being of the Pariſh wherein the ſaid Ground, Hereditaments, and Premiſes ſhall be locally ſituate, and againſt all other Perſon and Perſons whomſoever; and the ſaid Rent Charges or annual Sums and Fees, and each of them, ſo to be aſcertained, aſſeſſed, awarded, and ſettled, ſhall be paid and accounted for by the Senior Churchwarden of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being to the Perſon and Perſons entitled, and to be entitled to receive the ſame on the Days and Times from Year to Year, and in the Manner and Proportions herein-before mentioned for Payment thereof for ever; and the ſaid Verdicts, Judgments, and Determinations, and all other Proceedings of the ſaid Juſtices and Juries ſo to be made, given, and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned by the Clerk of the Peace for the Time being of the County of *Middleſex*; and in caſe it ſhall ſo happen that the Amount of ſuch Rent Charges or annual Sums or Fees ſo to be aſcertained, aſſeſſed, awarded, and ſettled in conſequence of ſuch Doubt, Diſpute, or Controverſy, ſhall not exceed or be equal to the Rent Charges or annual Sums or Fees which the ſaid Truſtees or Senior Churchwarden of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being ſhall have previouſly offered to pay in purſuance of the Directions herein-before contained, then and in every ſuch Caſe all the reaſonable Coſts, Charges, and Expences of cauſing and procuring

procuring ſuch Rent Charges or annual Sums and Fees ſo to be aſcertained, aſſeſſed, awarded, and ſettled as aforeſaid, and of ſo aſcertaining, aſſeſſing, awarding, and ſettling the ſame, ſhall be borne and paid by the Perſon or Perſons who ſhall decline or refuſe to accept ſuch previous Offer or Offers as before mentioned; and the ſaid Truſtees or Senior Churchwarden of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being are and is hereby authorized and empowered to deduct and retain the ſaid Coſts, Charges, and Expences out of the Rent Charges or annual Sums and Burial Fees ſo to be aſcertained, aſſeſſed, awarded, and ſettled as aforeſaid, or out of any Part thereof.

Juſtices empowered to impoſe Fines on Non-attendance.

XVI. And be it further enacted, That the ſaid Juſtices ſhall have Power from Time to Time to impoſe any reaſonable Fine, not exceeding the Sum of Ten Pounds, on ſuch Sheriff or his Deputy or Deputies, Bailiffs, or Agents reſpectively, making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries, and ſhall not appear, or appearing ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn ſhall not give his, her, or their Verdict, and alſo on any Perſon or Perſons who ſhall be ſummoned to give Evidence touching any of the Matters aforeſaid, and ſhall not attend, or attending ſhall refuſe to be ſworn or to affirm, or who ſhall refuſe to give his, her, or their Evidence, and on any Perſon or Perſons who ſhall in any other Manner wilfully neglect his, her, or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act, and from Time to Time to levy ſuch Fine or Fines, by Order of the ſaid Juſtices, by Diſtreſs and Sale of the Offender's Goods and Chattels, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, returning the Overplus (if any) to the Owner or Owners; and that a Copy of the Order of the ſaid Juſtices, ſigned by the Clerk of the Peace for the Time being of the ſaid County of *Middleſex*, as the Caſe ſhall require, ſhall reſpectively be ſufficient Authority to the Perſon or Perſons therein to be appointed, and to every other Perſon acting or aiding and aſſiſting therein, to make ſuch Diſtreſs and Sale; and all ſuch Fines ſhall be paid to the Treaſurer of the ſaid Truſtees for the Time being, to be applied to the Purpoſes of this Act.

The Rector, &c. of St. Giles to have the ſame Fees as for the Church Yard, or ſuch other Fees as ſhall be ſettled by Veſtry.

XVII. And be it further enacted, That the Rector, Churchwardens, and Clerk of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being, and alſo the Sexton to be appointed to officiate at the ſaid intended Burial Ground, ſhall reſpectively from Time to Time have, receive, take, and enjoy the like Funeral Rates, Fees, Dues, and Profits, from or in reſpect of the Burials and Grave Stones within the ſaid intended Burial Ground and Vaults, as are now due and payable to the ſaid Rector, Churchwardens, Clerk, and Sexton of the ſaid Pariſh of *Saint Giles in the Fields*, for or in reſpect of the Burials and Grave Stones within the Church Yard of the ſaid Pariſh, or ſuch other Rates, Fees, and Dues with reſpect to the Burials, and the erecting of Monuments, Tomb Stones, and Grave Stones within the ſaid intended Burial Ground and Vaults, as may hereafter from Time to Time be ordered, ſettled, and eſtabliſhed by the Rector, Churchwardens, and the reſt of the Veſtry Men of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being in Veſtry aſſembled.

Fees of new Ground not to be leſs than

XVIII. Provided always, and be it further enacted, That the aggregate Amount of the ſaid Rates, Fees, and Dues to be taken and received in reſpect

in the uſual Place of Interment of the Pariſh where the Ground may be ſituate.

reſpect of the Burial of Perſons (not reſiding within the ſaid Pariſh of *Saint Giles in the Fields*) in the ſaid intended Burial Ground ſhall in no Caſe be leſs than the aggregate Amount of the Rates, Fees, and Dues which ſhall from Time to Time be payable in reſpect of Burials in the uſual Place of Interment of the Pariſh wherein the ſaid Ground, Hereditaments, and Premiſes may be ſituate.

Churchwardens of St. Giles to pay all Fees received by them, after deducting Outgoings, into the Hands of the Treaſurer.

XIX. And be it further enacted, That the Churchwardens of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being ſhall and they are hereby required to pay into the Hands of the Treaſurer to the ſaid Truſtees all ſuch Fees and other Sums of Money which they the ſaid Churchwardens ſhall from Time to Time receive on account of the Burials in the ſaid intended Burial Ground, after deducting thereout ſuch Sum and Sums of Money as they may from Time to Time diſburſe and pay in reſpect of the ſeveral Rent Charges or annual Sums herein-before made payable; which Money ſhall from Time to Time be applied by the ſaid Truſtees in paying a Salary or Salaries to a Sexton to be appointed as herein-after mentioned, and in providing Books, Surplices, and all other Neceſſaries, and in or towards defraying all other Expences of carrying the Purpoſes of this Act into Execution.

Truſtees to borrow a Sum not exceeding 10,000l. and charge the ſame on Fees and Aſſeſſments; and aſſign ſuch Fees and Aſſeſſments by way of Security.

XX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby authorized, to borrow and take up at Intereſt any Sum or Sums of Money not exceeding in the Whole the Sum of Ten thouſand Pounds, at as low a Rate of Intereſt as the ſame can be conveniently procured, ſo as the ſame do not exceed the Rate of Five Pounds *per Centum per Annum*, which Money ſo to be borrowed, and the Intereſt thereof, is and are hereby charged upon the Fees which ſhall be received by the Churchwardens of the ſaid Pariſh of *Saint Giles in the Fields*, on account of the Burials in the ſaid intended Burial Ground as aforeſaid; but ſubject nevertheleſs to the ſeveral Rent Charges or annual Sums of Money herein-before made payable out of the ſame, and alſo upon the Rates and Aſſeſſments to be made from Time to Time upon the Inhabitants of the ſaid Pariſh of *Saint Giles in the Fields* by virtue of this Act; and for ſecuring the Repayment of the Money ſo to be borrowed, and the Intereſt thereof, the ſaid Truſtees or any Five or more of them ſhall and may, by Writing under their Hands and Seals, aſſign over the ſaid Fees and other Sums of Money which ſhall be received on account of Burials as aforeſaid (ſubject as aforeſaid); and alſo the ſaid Rates and Aſſeſſments to be from Time to Time made by virtue of this Act, to any Perſon or Perſons who ſhall advance and lend the ſame, their reſpective Executors, Adminiſtrators, and Aſſigns, which Aſſignments ſhall be in the Words or to the Effect following; (that is to ſay),

Form of Aſſignment.

'WE, of the Truſtees for putting in Execution an Act of Parliament made and paſſed in the Forty-third Year of the Reign of King *George* the Third, intituled [*ſet forth the Title of the Act*], in conſideration of the Sum of advanced and lent by of to us, upon the Credit and for the Purpoſes of the ſaid Act, do hereby aſſign unto the ſaid Executors, Adminiſtrators, and Aſſigns, the Fees and other Sums of Money ariſing and payable to the Churchwardens

'wardens of the ſaid Pariſh, on account of Burials in the ſaid Burial 'Ground (ſubject nevertheleſs to ſuch Payments and Outgoings as are ſpe-'cified in the ſaid Act); and alſo all Rates and Aſſeſſments to be from 'Time to Time made on the Inhabitants of the ſaid Pariſh, by virtue of 'the ſaid Act, for the Purpoſes thereof, to hold unto the ſaid
'Executors, Adminiſtrators, and Aſſigns, until the ſaid
'Sum of together with Intereſt for the
'ſame, after the Rate of *per Centum per Annum*, to
'be paid Half-yearly, ſhall be fully paid and ſatisfied. In Witneſs whereof
'we have hereunto ſet our Hands and Seals, the
'Day of .'

Creditors to be entitled without Preference.

And all Perſons to whom ſuch Aſſignments ſhall be made, or who ſhall be entitled to the Money thereby ſecured, ſhall be, in proportion to the Sums therein reſpectively mentioned, Creditors on the ſaid Fees and other Sums of Money, ſubject as aforeſaid, and on the ſaid Rates and Aſſeſſments ſo to be aſſigned as aforeſaid, equally one with another, without any Preference in reſpect of the Priority of advancing any ſuch Money, or the Dates of ſuch Aſſignments.

Truſtees may raiſe any Part of the ſaid Sum by way of Annuity.

Power to grant Annuities.

XXI. Provided always, and be it further enacted, That in caſe the ſaid Truſtees ſhall think it adviſable to raiſe all or any Part of the ſaid Money neceſſary for the Purpoſes of this Act, by the granting of Annuities for Lives, then it ſhall and may be lawful for the ſaid Truſtees or any Five or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities to any Perſon or Perſons who ſhall contribute, advance, and pay into the Hands of the ſaid Truſtees, any Sum or Sums of Money for the abſolute Purchaſe of any ſuch Annuity to be paid and payable during the natural Life of ſuch Perſon as ſhall be nominated by or on behalf of ſuch Contributor at the Time of the Payment of his or her Contribution or Purchaſe Money, ſo that no ſuch Annuity do exceed the Rate of Ten Pounds for One hundred Pounds by the Year; and the Grant of every ſuch Annuity ſhall be in the Form or to the Effect following; that is to ſay,

Form of Grant.

'WE, of the Truſtees appointed by or in purſuance of an Act of 'Parliament, made in the Forty-third Year of the Reign of King 'George the Third, intituled [*ſet forth the Title of the Act*], in conſidera-'tion of the Sum of paid by
'to us, upon the Credit and for the Purpoſes of the ſaid Act, do hereby
'grant unto the ſaid Executors, Admi-'niſtrators, and Aſſigns, One Annuity or clear yearly Sum of
'out of the Burial Fees, Rates, and Aſſeſſments
'authorized to be received, made, and applied for the Purpoſes aforeſaid;
'which ſaid Annuity or yearly Sum of
'ſhall be paid to the ſaid
'Executors, Adminiſtrators, or Aſſigns,
'by Half-yearly Payments, upon the Twenty-fourth Day of *June* and
'the Twenty-fifth Day of *December*, or within Twenty-one Days after each
'of the ſaid Days in every Year, during the Life of
'and the Sum of being a fractional Part of
'the Firſt Payment thereof, ſhall be made upon the
'next enſuing the Date of theſe Preſents. In Wit-'neſs whereof we have hereunto ſet our Hands and Seals, the
'Day of

And

Annuitants with Mortgagees entitled without Preference.

And every ſuch Grant ſhall be good, valid, and effectual in the Law; and the ſeveral Annuities ſo to be granted ſhall be and are hereby charged upon and ſhall be payable out of the ſaid Burial Fees (ſubject as aforeſaid), Rates, and Aſſeſſments, in Manner herein-before mentioned, with the Monies to be borrowed as aforeſaid, equally one with another, and without any Preference in reſpect of the Priority of advancing or contributing the ſaid Purchaſe Money, or the Date of any ſuch Grant or Grants.

Aſſignments and Grants may be tranſferred.

XXII. And be it further enacted, That it ſhall and may be lawful for the Perſons who ſhall be entitled to any Securities for the Money which ſhall be borrowed, or Annuities to be granted as aforeſaid, by Writing under their Hands and Seals to transfer the ſame to any Perſon or Perſons by Indorſement thereon or otherwiſe, to be executed in the Preſence of Two or more credible Witneſſes, in the Form or to the Effect following; *videlicet*,

Form of Transfer.

'I DO hereby aſſign and transfer the within Aſſignment, [*or* Annuity], 'and all my Right, Title, and Intereſt in and to the ſame, and the 'Money thereby ſecured, unto Executors, 'Adminiſtrators, and Aſſigns. Witneſs my Hand, this 'Day of .'

Copies of Aſſignments, Grants, and Transfers, to be entered in a Book, to which any Perſon intereſted may have Acceſs.

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

Debt to be paid off by Ballot.

Notice to be given to Perſons to be paid off.

Intereſt to ceaſe.

Monies borrowed, and raiſed by Annuity to be paid to the Treaſurer.

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

XXIV. And

Vestry to make Rates.

XXIV. And be it further enacted, That for the better securing the Repayment of the Money so to be borrowed with Interest thereon, and also for securing the due Payment of the said Annuities so to be granted upon the Credit of the Burial Fees, Rates, and Assessments herein-before mentioned, and also for defraying the other contingent and incidental Expences of carrying the Purposes of this Act fully into Execution, the Vestry Men of the said Parish of *Saint Giles in the Fields* shall and they are hereby directed to meet in the Vestry Room of the said Parish within Six Months next after the passing of this Act, and also upon the Second *Thursday* in *February* in every Year afterwards, and at any other Time or Times as often as Occasion shall require; and they or the major Part of them shall make One or more fair and equal Rate or Rates, Assessment or Assessments, upon all and every Person and Persons who do or shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, or Hereditament whatsoever within the said Parish of *Saint Giles in the Fields*, in such Manner as they the said Vestry Men shall judge competent and necessary to and for all the Purposes of this Act, so as no such Rate or Rates, Assessment or Assessments, shall exceed the Sum of Four-pence in the Pound in any One Year, according to such Proportion of the yearly Rent or Value as the same Hereditaments and Premises shall from Time to Time be assessed to the Rates for the Relief of the Poor within the said Parish of *Saint Giles in the Fields*.

Rates not to exceed 4d. in the Pound in One Year.

Houses hereafter to be built to be rated.

XXV. And be it further enacted, That all Houses, or other Buildings which shall hereafter be erected or built in the said Parish of *Saint Giles in the Fields*, shall be rated and assessed, for the Purposes of this Act, in the same Manner and Proportions as other Houses or Buildings within the said Parish shall be then assessed.

Rates to be paid by Occupiers to the Collectors of the Poors Rates.

XXVI. And be it further enacted, That all and every the Rate and Rates, Assessment and Assessments, to be made by virtue of this Act, shall be paid by the Persons inhabiting or occupying the said Lands, Grounds, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments respectively, at such Times and in such Manner and Proportions as the said Vestry Men, at the Time of making any such Rates or Assessments, shall direct and appoint, to the Collector or Collectors appointed or to be appointed from Time to Time to gather and collect the Rates for the Relief of the Poor of and within the said Parish of *Saint Giles in the Fields*.

To be collected according to the Rules, and with the like Power, as the Poors Rates.

XXVII. And be it further enacted, That all Rates and Assessments to be made by virtue and in pursuance of this Act shall be collected, received, and levied of and from such Person and Persons, in such and the like Form and Manner, with such Powers of Distress and Appeal, and according to such Rules, Methods, and Directions, as are prescribed and appointed in and by a certain Act made and passed in the Fourteenth Year of His present Majesty's Reign, intituled *An Act for better governing and employing the Poor, and making and collecting the Poors Rates, within the Parishes of* Saint Giles in the Fields *and* Saint George Bloomsbury, *in the County of* Middlesex, for collecting, receiving, recovering, and levying the Rates and Assessments made or to be made for the Relief of the Poor of the said Parishes, under or by virtue of the said Act; and all and

every the Powers, Authorities, Methods, Rules, and Directions contained in the ſaid Act, in relation to the ſaid Rates and Aſſeſſments for the Relief of the ſaid Poor, ſhall be and continue in full Force, and be ſeverally and reſpectively obſerved, practiſed, and put in Execution, for the collecting, receiving, recovering, and levying the Rates or Aſſeſſments to be made by virtue or in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſame Powers, Authorities, Methods, Rules, and Directions were particularly repeated and re-enacted in the Body of this Act.

Collectors to pay the Monies collected to the Treaſurer;

XXVIII. And be it further enacted, That the reſpective Collectors of the Rates and Aſſeſſments to be made by virtue of this Act ſhall and they are hereby required, from Time to Time as they ſhall reſpectively collect, recover, and levy the Monies to ariſe thereby, to pay the ſame into the Hands of the Treaſurer of the ſaid Truſtees for the Time being, to be applied and paid by ſuch Treaſurer for the Purpoſes of this Act, by the Certificates and under the Authority herein-after mentioned; and upon the Payment of every ſuch Sum of Money to ſuch Treaſurer, every ſuch Collector ſhall take a Receipt for the ſame, and produce ſuch Receipt, within Seven Days after every ſuch Payment ſhall be made, unto the Clerk to the ſaid Truſtees; and every ſuch Collector ſhall be paid or allowed by the ſaid Truſtees ſuch Sum and Sums of Money as they ſhall think proper for the Trouble he may have in ſuch Collection, ſo that ſuch Sum or Sums of Money do not exceed Three-pence in the Pound for the Monies ſo to be collected.

to take Receipt, and produce ſame to the Clerk;

to be allowed not more than 3d. in the Pound for collecting.

Treaſurer and Collectors to account on Oath, and pay the Balance in their Hands.

XXIX. And be it further enacted, That the Treaſurer to the ſaid Truſtees, and every Collector of the Rates and Aſſeſſments to be made by virtue of this Act, ſhall, when thereunto required by the ſaid Truſtees or any Three or more of them, make up and render true and perfect Accounts, verified on their Oaths reſpectively, of all Monies by them received and paid in purſuance of this Act, and ſhall produce Receipts and Vouchers for all ſuch Payments, and ſhall pay over all Money which upon any ſuch Account ſhall appear to be remaining in his or their Hands, to ſuch Perſon or Perſons as the ſaid Truſtees or any Three or more of them, being the major Part of them preſent at any Meeting to be held in purſuance of this Act, ſhall, by Writing under their Hands, direct and appoint to receive the ſame; and in caſe any ſuch Collector or Treaſurer ſhall refuſe or neglect ſo to do, it ſhall and may be lawful, in any or either of the ſaid Caſes, to and for any One or more of His Majeſty's Juſtices of the Peace for the ſaid County to commit ſuch Defaulter or Defaulters to the Common Gaol of the ſaid County, there to remain without Bail or Mainprize until he or they ſhall have made a true Account and verified the ſame on Oath as aforeſaid, and ſatisfied and paid ſuch Sum and Sums of Money as upon ſuch Account ſhall appear to be remaining in his or their Hands.

All Payments by the Treaſurer to be made under Certificate.

XXX. And be it further enacted, That all and every the Payments of Intereſt of Money to be borrowed, and of Annuities to be granted by virtue of this Act, together with all other Payments, Salaries, Allowances, Charges, and Expences whatſoever incurred or to be incurred by the ſaid Truſtees for any Thing purchaſed or to be purchaſed, done, executed, contracted, or paid for in purſuance of this Act, and for the Purpoſe of

of carrying the ſame into Execution, ſhall be firſt certified to the ſaid Treaſurer by Writing under the Hands of Three or more of the ſaid Truſtees; and the ſaid Treaſurer ſhall and he is hereby directed and required, within Seven Days after the Receipt of every ſuch Certificate (in caſe he ſhall then have ſo much Money in his Hands as Treaſurer to the ſaid Truſtees), to pay the Sum and Sums of Money to be ſpecified therein to the Perſon and Perſons entitled to receive the ſame.

Truſtees, with the Conſent of the Veſtry, may certify Money for Repair of the Church, &c.

XXXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, with the Conſent of the ſaid Veſtry, from Time to Time to certify to their Treaſurer ſuch Sum and Sums of Money as they ſhall think proper, to be paid to the Senior Churchwarden of the ſaid Pariſh of *Saint Giles in the Fields*, in lieu of the Proportion of the Burial Fees which at the Time of paſſing this Act was uſually applied to the Repair and Support of the ſaid Church and Church Yard, and the Fences and Gates belonging thereto, in order to enable the ſaid Churchwarden to repair, amend, and ſupport the ſame; all which ſaid Sums of Money ſo to be certified as laſt aforeſaid ſhall be paid and payable by the ſaid Treaſurer out of any Money which ſhall come to his Hands by virtue of this Act, and ſhall be charged and allowed in his Account.

and with like Conſent may ſell Part of the Ground, &c.

XXXII. 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, with the Privity and Conſent of the ſaid Veſtry, but not otherwiſe, to agree for, ſell, diſpoſe of, and convey, or let or demiſe ſo much (if any) of the ſaid Ground, Hereditaments, and Premiſes as ſhall not be deemed neceſſary for ſuch additional Burial Ground, to any Perſon or Perſons whomſoever, for the beſt Price or Prices, Rent or Rents, and moſt Money that can reaſonably be had and obtained for the ſame, and to ſign and to give Receipts for ſuch Purchaſe Money, Rents, and other Sums of Money as ſhall be ſo agreed upon.

Church-wardens to account with Truſtees.

XXXIII. And be it further enacted, That the Churchwardens of the ſaid Pariſh of *Saint Giles in the Fields* for the Time being ſhall, until the whole of the Principal Money to be borrowed as aforeſaid and all Intereſt thereon ſhall be diſcharged, and the Annuities to be granted as aforeſaid ſhall ceaſe, yearly, upon ſuch Day in the Month of *January* as the ſaid Truſtees ſhall direct, render to them the ſaid Truſtees an Account of the ſeveral Sums of Money which the ſaid Churchwardens ſhall have received for or on account of all Burials in the ſaid intended Burial Ground, and of all Sums paid by them thereout in purſuance of this Act; and ſhall alſo pay unto the ſaid Truſtees, at the Time of rendering every ſuch Account, the Balance of ſuch Monies as ſhall appear to remain in their Hands.

Clerk to produce the Proceedings and Accounts of Truſtees to the Veſtry, or forfeit 20l

XXXIV. And be it further enacted, That the Clerk to the ſaid Truſtees ſhall and he is hereby required to make, in a Book or Books to be kept for that Purpoſe, regular and fair Entries of all Receipts of and Payments to be made by the Treaſurer to the ſaid Truſtees as aforeſaid, and in the ſame or ſome other Book or Books to enter and keep an Account of all the Proceedings of the ſaid Truſtees, and to produce on the Second *Thurſday* in *February* in each and every Year, all ſuch Books and Accounts before the Veſtry of the ſaid Pariſh of *Saint Giles in the Fields*, in order to enable the

the ſaid Veſtry to aſcertain what Rate or Aſſeſſment will be neceſſary for the Purpoſes of carrying this Act into Execution for the Year enſuing; and in caſe any Clerk to the ſaid Truſtees ſhall wilfully or negligently refuſe or omit to enter, keep, or produce ſuch Books and Accounts at the Times and Places, or in the Manner aforeſaid, every ſuch Clerk ſhall forfeit and pay to the ſaid Truſtees, for every ſuch Refuſal or Omiſſion, the Sum of Twenty Pounds, to be recovered by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, and applied towards carrying the Purpoſes of this Act into Execution.

Expences of paſſing this Act to be paid out of the Monies to be raiſed.

XXXV. Provided alſo, and be it further enacted, That all Charges and Expences incident to and attending the obtaining and paſſing this Act, together with all Money to be advanced by the ſaid Truſtees or either of them, for or towards the Purchaſe of the ſaid Ground, Hereditaments, and Premiſes, ſhall be paid or retained by them out of the firſt Monies which may come to their Hands by virtue of this Act.

Act not to abridge the ordinary Juriſdiction of the Biſhop of London.

XXXVI. Provided always, and be it enacted, That nothing in this Act or in any Clauſe thereof contained ſhall extend or be conſtrued to extend in any reſpect to abridge, oppoſe, or controul the ordinary Juriſdiction of the Lord Biſhop of *London* for the Time being in and over the aforeſaid Pariſh of *Saint Giles in the Fields*, in the County of *Middleſex*; or over the Miniſter, Churchwardens, and Veſtry thereof; or in, over, or relative to any Matter or Thing reſpecting the ſaid Pariſh, Miniſter, Churchwardens, or Veſtry.

Limitation of Actions.

XXXVII. And be it further enacted, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon; and if the Jury ſhall find for the Defendant or Defendants in any ſuch Action or Suit, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in any other Caſes to recover Coſts by Law.

Public Act.

XXXVIII. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame.

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