ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. XXXV.

An Act for building a new Church in the Parish of *Saint Luke Chelsea* in the County of *Middlesex*, and for other Purposes relating thereto.

[19th *May* 1819.]

WHEREAS the Parish of *Saint Luke Chelsea* in the County of *Middlesex* is of considerable Extent, and the Population thereof hath of late much increased, and now consists of upwards of Twenty thousand Inhabitants: And whereas the present Parish Church is situate at one Extremity of the said Parish, and is inadequate to the Accommodation of the Inhabitants thereof: And whereas under or by virtue and for the Purposes of an Act made and passed in the Fiftieth Year of His present Majesty's Reign, intituled *An Act for providing an additional Burial Ground for the Parish of* Saint Luke Chelsea *in the County of* Middlesex, certain Trustees therein named have purchased and are now seised in Fee Simple in Possession of a Piece of Ground containing Four Acres or thereabouts, situate nearly in the Centre of the said Parish: And whereas a certain Part of the said Piece of Ground being of sufficient Dimensions for the Site of a new Church, capable of containing Fifteen hundred Persons or upwards, hath not been broken up or used for Burial Purposes: And whereas the Right Honourable *Charles Henry Cadogan* Earl *Cadogan* and *Sarah D'Oyly* Widow are seised of or entitled to the Rectory and Advowson of the Parish Church of the said Parish of *Saint Luke Chelsea;* and the Honourable and Reverend *Gerald Valerian Wellesley*, Doctor in Divinity, is the present Rector thereof: 50 G. 3. c. xliii.

And whereas it would be of great Convenience to the Inhabitants of the said Parish if a new Parish Church were erected on the before-mentioned Site, and upon a larger Scale than the present Church; but inasmuch as the same cannot be effected without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Rector and Churchwardens of the said Parish of *Saint Luke Chelsea* for the Time being, together with *Charles Adams*, *Edward Antrobus*, *Robert Barker*, *John Beech*, the Reverend *Richard Brickenden*, *Joseph Britten*, *Henry Blunt*, *Robert Brown*, *Philip Burrard*, *Archibald Campbell*, *William Cooper*, *John Crowther*, *George Dawson*, *Thomas Davey*, *Richard Draper*, *Thomas Easton*, *Thomas Eggleton*, *Luke Thomas Flood*, *Richard Ford*, *Thomas Flack*, *Alexander Fraser*, *Robert Gamble*, *John Henry Gell*, *John Granville*, *John Hamilton*, *William Hamilton*, *Charles Hatchett*, *John Charles Herries*, *Edward Holl*, *John Hooton*, *Charles Hopkinson*, *Joseph How*, *Henry Jackson*, *Richard Lockyer*, *Thomas Long*, *William Lucas*, *John Ludlow*, *Frederick Maitland*, *Edward James Mascall*, *Frederick Mathew*, *John May*, *Stephen Moore*, *Robert Blemel Pollard*, *Thomas Raymond*, *John Rolls*, the Reverend *John Rush*, *William Shepherd*, *Alexander Radcliff Sidebottom*, *Thomas Smith*, *John Surry*, *William Stevenson*, *Anthony Todd Thomson*, *William Troward*, *Henry Westmacot*, *William Whitehead*, *Thomas Whitfield*, and Sir *Henry Wright Wilson*, and their Successors, and others to be nominated and elected in manner herein-after mentioned, shall be and they are hereby appointed Trustees for putting this Act into execution during such Time only as they shall respectively continue to act, and be resident Householders within the said Parish.

Appointment of Trustees.

II. And be it further enacted, That it shall and may be lawful to and for the said Right Honourable *Charles Henry Cadogan* Earl *Cadogan* and *Sarah D'Oyly*, and also to and for the Person or Persons who for the Time being shall be seised of or entitled to the Rectory and Advowson of the Parish Church of the said Parish of *Saint Luke Chelsea*, and also to and for his, her, or their Guardian or Guardians, Committee or Committees respectively, to nominate and appoint Two Male Persons, being resident Householders and paying Rates within the said Parish, to act as Trustees in the Execution of this Act; and in case such Two Persons, or either of them, or any Persons or Person to be nominated and appointed in their or his Stead, shall die, or refuse or be incapable to act as Trustees or Trustee in the Execution of this Act, or shall cease to be resident Householders or a resident Householder and paying Rates within the said Parish, then and in every such Case it shall and may be lawful to and for the said *Charles Henry Cadogan* Earl *Cadogan* and *Sarah D'Oyly*, and also for the Person or Persons who for the Time being shall be seised of or entitled to the Rectory and Advowson aforesaid, and also to and for his, her, or their Guardian or Guardians, Committee or Committees respectively, to nominate and appoint any other Person or Persons, being a resident Householder or Householders and paying Rates within the said Parish, to be a Trustee or Trustees in the Room and Stead of the Person or Persons so dying or refusing or being incapable to act as a Trustee or Trustees in the Execution of this Act; and so in like Manner from Time to Time to nominate and appoint any other Person or Persons, being a resident Householder

Earl Cadogan and Mrs. D'Oyly, &c. to appoint Two Trustees.

Householder or Householders, paying Rates within the said Parish, upon the Decease of such last-mentioned Trustee or Trustees, or of any succeeding or future Trustee or Trustees, or his or their refusing or being incapable to act as aforesaid as often as Occasion shall require; and every such Nomination and Appointment shall be certified under the Hands or Hand and Seals or Seal of the said *Charles Henry Cadogan* Earl *Cadogan* and *Sarah D'Oyly*, or of the Person or Persons who for the Time being is, are, or shall be seised of or entitled to the said Rectory and Advowson as aforesaid, or of his, her, or their respective Guardian or Guardians, Committee or Committees, as the Case may be, to the other Trustees for the Time being acting in the Execution of this Act, at some one of their Meetings to be had under this Act, and from Time to Time, upon every such Nomination and Appointment being so certified, the Person or Persons so nominated and appointed shall have full Power and Authority to act as a Trustee or Trustees in the Execution of this Act, in like Manner as if he and they had been originally named a Trustee or Trustees for the Purposes aforesaid.

Trustees Oath.

III. Provided always, and be it further enacted, That no Person to be nominated and appointed as last aforesaid shall be capable of acting as a Trustee in the Execution of this Act, until he shall have taken an Oath to the following Effect, which Oath any of the Trustees herein-before named are authorized and empowered to administer:

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

'So help me GOD.'

Vacancies occasioned by Death of Trustees, &c. to be filled up.

IV. And be it further enacted, That when any of the Trustees named in or appointed by or by virtue of this Act (except the Rector and Churchwardens of the said Parish of *Saint Luke Chelsea* for the Time being, and also except such Two Persons as shall be nominated by or on the Part of the Person or Persons who for the Time being is, are, or shall be seised of or entitled to the Rectory and Advowson aforesaid, to whom a Right of Nomination is given by this Act, as herein-before mentioned,) shall die, or refuse or be disabled to act as such Trustees or Trustee, or shall cease to be a resident Householder within the said Parish, then and in every such Case it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, at any public Meeting to be specially summoned for that Purpose in manner herein-after directed for appointing any Special Meeting or Meetings on Emergency to elect, nominate, and appoint some other Male Person or Persons, being a resident Householder or resident Householders within the said Parish, to be a Trustee or Trustees for the Purposes of this Act in the Room of every or any Trustee or Trustees so dying, or refusing, or being disabled to act, or ceasing to be a resident Householder as aforesaid; and so in like manner from Time to Time, upon the Death, Refusal, Disability, or ceasing to be a resident Householder as aforesaid of any such last-mentioned Trustee or Trustees, or any succeeding or future Trustee or Trustees, to elect, nominate, and appoint

point some other Male Person or Persons, being a resident Householder or resident Householders within the said Parish, to be a Trustee or Trustees for the Purposes of this Act, in the Room of every or any such last-mentioned Trustee or succeeding Trustees, as often as Occasion shall require; and the Person and Persons so chosen and appointed shall and may, and he and they is and are hereby authorized and empowered to act in the Execution of this Act from Time to Time in as full, large, and ample Manner, to all Intents and Purposes, as the Trustees herein-before named and appointed are by this Act authorized and empowered.

Qualification of Trustees.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except the Rector and Churchwardens of the said Parish for the Time being, and such Two Persons as shall be nominated by or on the Part of the Person or Persons who for the Time being shall be seised of or entitled to the Rectory and Advowson aforesaid) unless he shall occupy some Messuage or Tenement in the said Parish, and shall be assessed to the Poor's Rate thereof, according to a Rental of Thirty Pounds or upwards, or who shall not be seised or possessed of a Real or Personal Estate, or a Real and Personal Estate, to the Amount or Value of Five hundred Pounds, over and above what shall be sufficient to satisfy and discharge all his just Debts; neither shall any Person (except the Rector, Churchwardens, and the Two Persons to be nominated as last above mentioned) be capable of acting as a Trustee in the Execution of this Act (except in giving Notice of the First Meeting, and in administering the following Oath, which any of the said Trustees are empowered to administer,) until he shall have taken an Oath to the following Effect:

Qualification Oath.

'I *A.B.* do swear, That I will faithfully, impartially, and honestly 'according to the best of my Skill, Knowledge, and Judgment, 'execute the several Trusts and Powers reposed in me as a Trustee 'by virtue of an Act passed in the Fifty-ninth Year of the Reign of 'His Majesty King George the Third, intituled [*here set forth the Title 'of this Act*], and that I occupy a Messuage or Tenement in the said 'Parish assessed to the Poor's Rate thereof according to a Rental of 'Thirty Pounds or upwards, [*or, as the Case may be,*] that I am seised or 'possessed of a Real or Personal Estate, or a Real and Personal Estate, of 'the Amount in Value of Five hundred Pounds, over and above what 'is sufficient to satisfy and discharge all my just Debts.

'So help me GOD.'

Trustees neglecting to act for Two Years to cease to be Trustees.

VI. And be it further enacted, That if any Trustee or Trustees under this Act (except the Rector and Churchwardens of the said Parish of *Saint Luke Chelsea* for the Time being, and also except the Trustees to be nominated by or on the Part of the Person or Persons who for the Time being is, are, or shall be seised of or entitled to the Rectory and Advowson aforesaid) shall neglect to act in the Execution of this Act for and during the Space of Two Years, then and in every such Case he and they shall be deemed to have refused to act, and shall thenceforth cease to be a Trustee and Trustees under and by virtue of this Act: Provided always, that nothing herein contained shall prevent or disqualify any Person so neglecting to act from being re-elected a Trustee under this Act.

VII. And

VII. And be it further enacted, That if any Person disabled or declared to be incapable to act as such Trustee shall act as a Trustee in the Execution of this Act, contrary to the Intent and Meaning hereof, every such Person shall for each and every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and every Person who may be so prosecuted or sued shall prove that he is so qualified as aforesaid, or otherwise shall pay the aforesaid Penalty, without any other Proof on the Part of the Prosecutor or Plaintiff than that such Person hath acted as a Trustee in the Execution of this Act. Penalty.

VIII. Provided also, That if any Person appointed a Trustee for and acting in the Execution of this Act shall have any Share in or be in any way beneficially concerned or interested, directly or indirectly, in any Contract or Work to be done in or about the Execution of any of the Powers of this Act, or shall have and enjoy, either directly or indirectly, or partake in the Emoluments of any beneficial Employment under or by virtue of this Act, then and in every such Case every such Trustee shall forfeit and pay for each and every such Offence any Sum not exceeding Five hundred Pounds, together with full Costs of Suit, to any Person or Persons being a resident Householder or Householders in the said Parish, duly assessed under this Act, who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign or Protection of Law, nor more than One Imparlance, shall be allowed; and every such Trustee against whom a Verdict shall be obtained upon any Suit or Prosecution in any or either of the Cases aforesaid shall for ever thereafter be disabled and deemed incapable of acting as a Trustee in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of all and every Person or Persons acting as a Trustee or Trustees in the Execution of this Act, previous to such Verdict or Verdicts being obtained against him or them, shall, notwithstanding such Verdict or Verdicts, be as valid and effectual as if no such Verdict or Verdicts had been obtained, or as if such Person or Persons had not by such Verdict or Verdicts been disqualified from acting in the Execution of this Act. Trustees not to be concerned in Contracts.

IX. And be it further enacted, That the said Trustees shall and may meet together at any convenient Place within the said Parish on some *Wednesday* within One Calendar Month next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and they or any Five or more of them so assembled shall and may proceed to put this Act into execution, and then and there adjourn themselves; if they shall think proper so to do, to meet at such Times and at such Place and Places within the said Parish as they shall from Time to Time appoint; and Notice of every such Adjournment, signed by the Clerk or Clerks to the said Trustees for the Time being, shall be given to or left for each of the said Trustees at his usual Place of Abode of every Trustee resident in the said Parish Seven Days at the least previous to such intended Meeting; and if there shall not appear at any Meeting to be appointed by virtue of this Act Five or First and subsequent Meetings of the Trustees.

more of such Trustees present, then and in such Case the said Clerk or Clerks shall and he or they is and are hereby required to summon the Trustees to meet at the Place where the last Meeting shall have been appointed to have been held, within Fourteen Days next after the Day on which such last Meeting was to have been held as aforesaid (such Summons to be signed by the Clerk or Clerks, and to be delivered at the usual Place of Abode of every Trustee resident within the said Parish at least Seven Days before such Meeting); and in case the said Clerk or Clerks shall happen to die before such Summons shall issue, or shall neglect to issue such Summons, then any Five or more of the said Trustees shall and may by Writing under their Hands summon the said Trustees in the like Manner to meet at any Time and Place which they shall think proper.

Quarterly Meetings of Trustees.

X. Provided always, and be it further enacted, That a General Quarterly Meeting of the said Trustees shall be from Time to Time holden at such Place as shall be appointed as aforesaid on the Second *Wednesday* in *January*, the Second *Wednesday* in *April*, the Second *Wednesday* in *July*, and the Second *Wednesday* in *October* in every Year, or within Seven Days afterwards; and such Quarterly Meetings shall be held between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, but such Quarterly Meetings are not to prevent or interfere with the adjourned and other Meetings to be holden in pursuance of this Act; and the same Meeting and Meetings respectively shall be subject to be adjourned, in case Five Trustees at the least shall not be present, in the like Manner as herein-before provided and directed with respect to the other Meetings to be holden by virtue of this Act.

Special Meetings of the Trustees.

XI. Provided also, and be it further enacted, That if, after any Adjournment of any Meeting as aforesaid, it shall at any Time or Times be thought necessary that a Meeting of the Trustees should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, or in case the said Trustees shall at any of their Meetings separate without adjourning themselves to meet on any specific Day, then and in every such Case the Clerk to the said Trustees (an Order in Writing signed by Five or more of the said Trustees, although not assembled at a Meeting, mentioning the Time, Place, and Purpose of a Meeting, being given to him or left at his last or usual Place of Abode,) shall forthwith give Notice of the Meeting to be held on such Day in manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees, such Time not being less than Seven Days after such Notice; and all Proceedings of such Trustees at such Meeting shall be as good and valid to all Intents and Purposes as they would have been in case such Trustees had met in pursuance of an Adjournment; and such Meeting or Meetings so to be ordered may be adjourned, and such Adjournment and Adjournments shall be considered as an Adjournment of an ordinary Meeting under this Act; provided always, that at all Meetings of the Trustees to be holden in pursuance of this Act, whether by Adjournment or otherwise, the said Trustees shall bear, pay, and defray their own Expenses.

Notice of Special Meetings.

XII. Provided always, and be it further enacted, That every Notice for convening any Special Meeting of the said Trustees shall specify the Day and

and Hour and the particular Object and Purpose of such Meeting, and shall be inserted in Four of the daily Newspapers, the first of such Insertions to be Five clear Days at the least before the Day appointed for such Meeting.

All Acts of the Trustees to be done by a Majority at their Meetings when Five or more are present.

A Chairman to be appointed.

XIII. And be it further enacted, That all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to and vested in the said Trustees shall be exercised, executed, and done by them or any Five or more of them at any such Meeting or Meetings assembled, and not elsewhere or otherwise; and every Question shall be determined by the Majority of Votes of the Trustees present at every Meeting; and such Determination shall be as valid and of as full Force and Effect, to all Intents and Purposes, as if done or executed by or before all the Trustees; and the Trustees present at every Meeting shall before they proceed to Business elect One of them, the Trustees then present, to be Chairman of such Meeting; and if at any Meeting of the Trustees any Question shall be put to the Vote, and there shall happen to be an equal Number of Votes for and against the same, then the Chairman shall have a second or casting Vote, which shall determine the Question.

Entries of Proceedings to be made, and when signed by the Chairman may be read in Evidence.

XIV. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose of all the Acts, Orders, Regulations, and Proceedings of the said Trustees relative to the Execution of this Act, and of the Names of the Trustees who shall be present at the respective Meetings; and such Entries shall be signed by the Chairman of each respective Meeting, and, being so signed, shall be confirmed at the next Meeting of the said Trustees, and when so confirmed shall be deemed Originals, and be allowed to be read in Evidence in all Courts whatsoever in all Cases, Suits, and Actions touching anything done or omitted in pursuance of this Act or in anywise relating thereto.

Trustees being Justices may act.

XV. And be it further enacted, That all such Trustees as are or shall be Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Trustees, except in Cases where they may be personally interested.

Trustees to appoint a Treasurer and other Officers, and give Salaries, &c.

XVI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at any Special Meeting to be held for that Purpose, by Writing under their Hands, to appoint a Treasurer or Treasurers, an Architect or Architects, a Surveyor or Surveyors, a Clerk or Clerks, a Collector or Collectors, and such other Officers and Persons, for the Purposes of this Act, as the said Trustees shall think proper, and from Time to Time to remove such Officers and Persons respectively as the said Trustees shall think proper or see Occasion, and out of the Monies to be received by virtue of this Act to allow and pay such Salaries, Wages, Gratuities, and Allowances to the said Officers and other Persons as the said Trustees shall think reasonable; and the said Trustees shall and they are hereby required to take Security from every such Treasurer and Collector for the due Execution of his and their Office and Offices, as the said Trustees shall think proper; and all such Officers so to be appointed shall under their Hands, and at such Time or Times and in such Manner as the Trustees shall direct, deliver to the said Trustees, or such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all

Trustees to take Security from Treasurer and Collector.

all Matters and Things committed to their Charge respectively by virtue of this Act, and also of all Monies which shall have been by such Officers respectively received by virtue and for the Purposes of this Act, and how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Trustees, or to such Person or Persons as they shall appoint to receive the same; and every such Treasurer and Collector shall, at each and every General Quarterly Meeting of the said Trustees, upon receiving Notice of the Time and Place of holding such Meeting respectively, and at any other Time when thereunto required by the said Trustees, lay his and their Account and Accounts before the said Trustees, in order that the same may be examined, with the Vouchers 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, 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 Fourteen Days after being thereunto required by the said Trustees by Notice in Writing under the Hands of any Five or more of the said Trustees, given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Trustees respecting the same, then and in every 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 under his Hand and Seal for the Officer so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing, without some sufficient or reasonable Excuse, or not being found, to hear and determine the Matter in a summary Way; and if upon 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 Monies 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 or Chattels of such Officer shall be found sufficient to answer and satisfy the said Money, and the Charges of distressing and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer has 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 Act remain in the Hands or in the Custody or Power of such Officer, and he has refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall and he is hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Trustees for such Money, and shall

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 Offender shall be detained or kept in such Common Gaol or House of Correction for Want of sufficient Distress by virtue of this Act for any longer Space of Time than Three Calendar Months.

Offices of Clerk and Treasurer not to be held by One Person.

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

Treasurer to pay Money to the Order of Five Trustees, countersigned by their Clerk.

XVIII. And be it further enacted, That the said Trustees shall and they are hereby empowered, by an Order or Orders in Writing under the Hands of Five or more of them the said Trustees, and countersigned by their Clerk or Clerks, at any Meeting duly held, to direct their Treasurer or Treasurers from Time to Time to pay such Sum or Sums of Money out of the several Monies borrowed, raised, levied, and collected by virtue of this Act, and paid to or received by such Treasurer or Treasurers, to such Person or Persons and in such Manner as they the said Trustees shall think necessary and expedient for the Purposes of this Act; and upon the Receipt of such Order or Orders such Treasurer and Treasurers is and are hereby authorized and required to pay from Time to Time the Sum or Sums of Money expressed in such Order or Orders, which Sum or Sums so paid shall be allowed to the said Treasurer and Treasurers in his or their Accounts.

To sue and be sued in the Name of their Clerk, who is to be reimbursed.

XIX. And be it further enacted, That the said Trustees shall and may sue and be sued, and prefer or defend any Indictment or Indictments, in the Name of their Clerk or Clerks for the Time being; and that no Action, Suit, or Indictment that may be brought by or against the said Trustees in the Name of their Clerk or Clerks shall abate or be discontinued by the Death or Removal of such Clerk or Clerks, or by his or their Act or Acts, without the Consent of the said Trustees, but the Clerk or Clerks for the Time being shall always be deemed Plaintiff or Defendant in every such Action, Suit, or Indictment, as the Case may be: Provided always, that such Clerk or Clerks shall be reimbursed, out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and Expenses as he or they may be put unto or become charged or chargeable with by reason of he or they being so made Plaintiff, Prosecutor, or Defendant.

Part of the Burial Ground vested in the Trustees.

XX. And whereas a certain Part of the said Piece or Parcel of Ground so purchased by virtue and in pursuance of the said recited Act of the Fiftieth Year of His present Majesty's Reign (which hath not been used or broken up for Burial Purposes) hath been marked and set out as and for the Site of a new Church, and for the forming of Roads, Avenues, and Approaches to the same: Be it therefore further enacted, That such Part of the said Ground so marked and set out as aforesaid shall be and the same is hereby vested in the Trustees for putting this Act in execution, subject to the Regulations and Provisions in this Act contained, and for the several Purposes thereof, in such and the like Manner as if the same Ground had been purchased by and conveyed to the said Trustees by virtue or in pursuance of any Powers or Provisions in this Act contained or which might have been contained therein, the said recited Act of the Fiftieth Year of His present Majesty's Reign, or any Clause, Matter, or Thing therein contained to the contrary thereof in anywise notwithstanding.

Trustees empowered to erect a Church, &c. on the Ground so vested in them, &c.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby required, as soon as conveniently may be after the passing of this Act, to cause to be erected on the said Piece of Ground so marked and set out, and herein-before vested in them as aforesaid, or on some Part thereof, a Church with a Vestry and Steeple, and such Offices and Conveniences to the same respectively, of such Size, Dimensions, and Materials, and according to such Plans and Specifications, and in such Manner, as by the said Trustees shall be agreed upon, with the Approbation of His Majesty's Commissioners appointed under or by virtue of an Act of the last Session of Parliament, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, or with the Approbation of the Architect or Surveyor of the said Commissioners for the Time being; and also to cause proper and convenient Roads, Avenues, and Approaches to be made into and through the said Burial Ground to the said Church; and to erect and set up therein such Pews, Seats, Sittings, Benches, Forms, Galleries, Organs, Clocks, Bells, Ornaments, and other Conveniences necessary and proper for the Celebration of Divine Service according to the Rites of the United Church of *England* and *Ireland* as by Law established; and also to cause such Vaults, Catacombs, and Arches to be made, formed, and constructed under the same of such Dimensions and in such Manner as may appear to them, with the Approbation aforesaid, most eligible and proper.

58 G. 3. c. 45.

Trustees may contract for providing Materials and building the Church, &c.;

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees at any of their Meetings to contract or agree with any Person or Persons for providing Materials for and for the erecting, building, finishing, and completing the said intended Church, with a Vestry, Steeple, Offices, Pews, Seats, Vaults, Catacombs, and Conveniences, or any Part or Parts thereof respectively, or otherwise for carrying this Act into execution; and all such Contracts or Agreements, when made and entered into by or between the said Trustees and any other Person or Persons, with Sureties, to be approved of by the said Trustees, for the due Performance thereof, shall be reduced into Writing, and shall be good, valid, and binding, as well upon the said Trustees and their Successors as upon all other Parties thereto, his, her, and their Heirs, Executors, Administrators, and Assigns; and the said Trustees shall and may pay or order Payment to be made of the Monies due upon any such Contract or

Contracts,

Contracts, Agreement or Agreements, out of the Monies to arise by virtue of this Act, to the Person or Persons entitled to receive the same.

upon giving Twenty-eight Days Notice of their Intention so to do.

XXIII. Provided always, That before any such Contract or Contracts shall be entered into, Twenty-eight Days Notice at the least shall be given in Four or more of the daily Newspapers, expressing the Object of every such Contract or Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Trustees at a certain Time and Place in such Notice to be mentioned; and Copies or full Abstracts of all Contracts made in pursuance of this Act shall be entered in a Book or Books to be kept for that Purpose.

Particulars to be contained in Contracts.

XXIV. And be it further enacted, That every such Contract or Contracts shall specify the several Works to be done, and the Prices to be received or paid for the same, and the Time or Times at which the said Works shall be completed, and the Penalties to be incurred for Nonperformance thereof, and shall be signed by any Ten or more of the said Trustees present at any Meeting to be called for the Purpose of entering into the same, and also by the Person or Persons contracting to perform such Works respectively.

Trustees may compound for Breach of Contract.

XXV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time as they shall think fit to compound and agree with any Person or Persons on account of any Breach or Nonperformance of any such Contract or Contracts for such Sum or Sums of Money as they shall think proper.

Trustees are not to contract till the Commissioners under 58 G. 3. c. 45. have approved of the Plans, &c.

XXVI. Provided always, That nothing in this Act contained shall extend or be construed to extend to authorize the said Trustees to begin to build or contract for building such Church until a Plan, Elevation, and Section thereof, with such Vestry, Offices, and other Conveniences as aforesaid, and the Scantlings of the proposed Timbers to be used, and the whole Specification thereof, together with an Estimate of the Expense of erecting the same, shall have been first formed, nor until such Plan, Elevation, Section, Specification, and Estimate shall not only have been agreed to by a Majority of the said Trustees present at some Meeting or Meetings to be specially called for that Purpose, but shall also have been approved of by the Right Reverend the Lord Bishop of *London*, and also by His Majesty's said Commissioners for building and promoting the building of Churches and Chapels in populous Parishes, or by their Architect or Surveyor for the Time being.

Materials vested in the Trustees

XXVII. And be it further enacted, That until the said new Church, together with the Vaults, Catacombs, and Appurtenances to the same, shall be built and completed, all the Stones, Bricks, Tiles, Timber, Iron, Lead, and other Materials to be purchased or procured for building the same, or for any Works to be erected or executed by virtue of this Act, or for any of the Purposes of this Act, shall belong to and be the Property of and the same is and are hereby vested in the said Trustees for executing this Act; and it shall be lawful for the said Trustees, in the Name of their Clerk, to bring or cause to be brought any Action or Actions, or to direct the preferring of any Bill or Bills of Indictment, (as the

the Case may require,) against any Person or Persons who shall steal, take, or carry away any such Stones, Bricks, Tiles, Timbers, Iron, Lead, or other Materials, or shall spoil, injure, deface, or destroy any of the Works, Erections, or Buildings to be made or erected by virtue of this Act; and in all such Actions and Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, or that the Works, Erections, or Buildings, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Trustees for carrying into execution an Act for building a new Church in the Parish of *Saint Luke Chelsea* in the County of *Middlesex*, without particularly specifying or stating the Name or Names of all or any of the said Trustees.

Burials not allowed under the Church, except in Vaults, &c.

XXVIII. Provided also, That no Burials shall at any Time be made or allowed under the Site of the said intended Church, except such as shall be in Vaults or Catacombs, and enclosed in Leaden or other Metal Coffins.

New Church to be consecrated;

XXIX. And be it further enacted, That such new Church, when the same shall be completed and fit for Divine Worship, and every Minister officiating therein for the Time being, shall be subject in all respects to the ordinary ecclesiastical Jurisdiction by Law established; and it shall and may be lawful to and for the Lord Bishop of *London* for the Time being, or any other Bishop duly authorized by the said Lord Bishop of *London*, and he or such Bishop so authorized as aforesaid is hereby authorized and empowered to consecrate the said Church, and Divine Service shall be from Time to Time for ever after performed therein according to the Rites of the United Church of *England* and *Ireland* as by Law established.

and called the Parish Church of St. Luke Chelsea.

XXX. And be it further enacted, That such new Church, when the same shall have been built, completed, and consecrated, shall from thenceforth for ever be called and known by the Name of and shall to all Intents and Purposes be "The Parish Church of the Parish of *Saint Luke Chelsea* in the County of *Middlesex*," and that Divine Service, the Solemnization of Matrimony, Burial of the Dead, and all other Matters and Things whatsoever which were or of right have been used to be celebrated, solemnized, administered, had, done, or performed in the Parish Church shall and may, from and immediately after the Consecration of the said new Church, be in like Manner celebrated, solemnized, administered, had, done, and performed in the said new Church, Vaults, and Catacombs to be erected under the same, any Law, Statute, Usage, or Custom to the contrary notwithstanding.

The Rector of St. Luke Chelsea to be Minister of the new Church, and the Chancel vested in him.

XXXI. And be it further enacted, That the Honourable and Reverend *Gerald Valerian Wellesley* Doctor of Divinity, the present Rector of the said Parish of *Saint Luke Chelsea*, and his Successors, Rectors of the said Parish for the Time being, shall and they are hereby respectively declared to be the Minister of the said new Church; and it is hereby further declared that the Chancel of the said intended Church, with the Ground and Soil thereof, and the Vaults and Catacombs under the same, shall be and the same is and are hereby vested in the Rector of the said Parish for the Time being; and that the said Right Honourable *Charles Henry Cadogan* Earl *Cadogan* and *Sarah D'Oyly*, or the Person or Persons for the Time being seised of or entitled to the Rectory and Advowson of the

Earl Cadogan and Mrs. D'Oyly, and Persons en-

Parish

Parish Church of the said Parish of *Saint Luke Chelsea*, and having the Right of nominating and appointing a Rector to the present Parish Church, shall, from and after the Completion and Consecration of the said new Church, have such and the like Estate and Estates, Right, Title and Titles, of and in the said new Church as he, she, or they respectively now have or might or would have had to the Nomination and Appointment of a Rector of the said present Church according to his, her, or their Rights and Estates respectively from thenceforth for ever, and from and after the Death or Avoidance of the present or any succeeding or future Rector shall and may nominate and appoint upon every Vacancy a fit Person to be a Minister of the said new Church, which Person and his Successors so to be appointed and nominated shall, after such Nomination and Appointment, be Ministers successively of such new Church, and shall have and enjoy such Oblations, Mortuaries, *Easter* Offerings, Glebes, Tithes, Profits, Commodities, and other Ecclesiastical Dues and Duties arising within the said Parish as the present Rector is entitled to have and enjoy, or that any of his Predecessors, Rectors of the said Parish, ought to have had and enjoyed.

titled to the Advowson, to have the like Estate and Right of Nomination to the new to the old Church.

XXXII. And be it further enacted, That from and after the said new Church shall be completed and consecrated as aforesaid the present Parish Church shall from thenceforth and for ever thereafter be called and known by the Name of and to all Intents and Purposes be "The Parish Chapel of the Parish of *Saint Luke Chelsea* in the County of *Middlesex*," and that the usual Divine Service shall be had and performed therein, and also all such other Duties as the Rector of the said Parish for the Time being shall think fit to direct and appoint, except the Solemnization of Matrimony and the Publication of Banns of Marriage, and otherwise, as herein-after mentioned.

The present Church to be called the Parish Chapel.

XXXIII. And be it further enacted, That after the said new Parish Church shall have been completed and consecrated in manner aforesaid it shall and may be lawful to and for the Honourable and Reverend *Gerald Valerian Wellesley*, the present Rector of the said Parish of *Saint Luke Chelsea*, or the Rector of the said Parish for the Time being, and he is hereby empowered and required, to nominate, under his Hand and Seal, to and for the Approbation of the said Right Honourable *Charles Henry Cadogan* Earl *Cadogan* and *Sarah D'Oyly*, or to his, her, or their Guardian or Guardians, Committee or Committees respectively, or to the Person or Persons for the Time being seised of or entitled to the Rectory and Advowson aforesaid, a fit Person, being in Priest's Orders and producing the customary Testimonials, and who shall reside within the said Parish, to be licensed as an Assistant Minister to officiate in the present Church by this Act directed to be called the Parish Chapel; and if any such Assistant Minister or Ministers shall die, or remove out of the said Parish, or resign the said Office, or shall refuse or become incapable to perform the Duties required of such Minister or Ministers, then and in either of the said Cases it shall and may be lawful for the Rector of the said Parish for the Time being from Time to Time to nominate, to and for the Approbation of the said Right Honourable *Charles Henry Cadogan* Earl *Cadogan* and *Sarah D'Oyly*, or his, her, or their Guardian or Guardians, Committee or Committees respectively, or of the Person or Persons for the Time being seised of or entitled to the Rectory and Advowson

The Rector to nominate Ministers to the old Church.

aforesaid, one other fit Minister, in Priest's Orders, qualified and to be licensed as aforesaid, to officiate in the said present Church, to be called the Parish Chapel, in the Room and Stead of the Minister or Ministers who shall have so died, or have removed out of the said Parish, or resigned, or have refused or become incapable to perform the Duties of such Minister or Ministers respectively, and so from Time to Time to nominate a Minister for the Purposes aforesaid, as Need or Occasion shall be or require.

Salary of the Minister to the old Church or Parish Chapel to be settled by Trustees.

XXXIV. And be it further enacted, That every Minister of the Parish Church by this Act directed to be called the Parish Chapel shall have and receive such yearly Salary or Stipend as the said Trustees shall from Time to Time think fit to direct and appoint, such Salary or Stipend not being less than Two hundred and fifty Pounds, and that all such Salaries and Stipends shall be paid and payable to each such Minister, by Four equal quarterly Payments in every Year, out of the Fees and Pew Rents to be received, and the Rates to be made under or by virtue of this Act.

Duty of the Minister of Parish Chapel.

XXXV. And be it further enacted, That every Minister for the Time being of the present Church intended to be called the Parish Chapel (or the Rector for the Time being of the said Parish, when he shall see fit,) shall and he and they is and are hereby required, on every *Sunday* Morning and Evening throughout the Year, and on every *Good Friday* and *Christmas Day*, and on Days to be appointed by Authority for Public Fasts or Thanksgivings, to read in the said Chapel the Prayers prescribed by the Book of Common Prayer or Liturgy of the United Church of *England* and *Ireland*, and such other Form of Prayer and Thanksgiving as shall then by Authority be directed to be read; and shall on every *Sunday* throughout the Year, as well in the Evening as in the Morning, preach or cause to be preached a Sermon in the said Chapel, and shall, in the Morning of every *Good Friday* and *Christmas Day*, and on Days to be appointed by Authority for Public Fasts or Thanksgivings, preach or cause to be preached a Sermon in the said Chapel; and shall, on every *Christmas Day*, *Easter Day*, and *Whitsunday*, and on One *Sunday* at the least in every Month after Morning Service is performed, administer the Holy Sacrament of the Lord's Supper in the said Chapel, and also shall perform such other Duties as the Rector of the said Parish for the Time being shall think fit to direct or appoint, except the Solemnization of Matrimony and the Publication of the Banns of Marriage, and otherwise, as herein-after mentioned; and in case any such Minister shall be prevented or hindered by Sickness or other reasonable Cause from performing the Duties above respectively prescribed, or any of them, then and in every such Case he shall find and provide some other qualified Minister to perform the same respectively.

Christenings not to be solemnized in the Parish Chapel without Consent of the Rector.

XXXVI. And be it further enacted, That no Christening or Christenings shall at any Time be solemnized within the said Chapel without the special Leave of the Rector of the said Parish previously obtained, but all such Christenings shall in every Instance be performed (unless such Leave be obtained) in the said new Church as hitherto performed in the present Parish Church.

XXXVII. And

The Rector, &c. to receive the like Fees for Burials, &c. as in the old Church.

XXXVII. And be it further enacted, That the Rector, Churchwardens, Clerk, and Sexton of the said Parish for the Time being shall respectively from Time to Time have, receive, take, and enjoy the like Burial Fees, Dues, and Profits, from or in respect of the Burials, Monuments, Tombs, and other Stones to be had, erected, or placed within the said intended Church, Vaults, and Catacombs, as are now payable to the said Rector, Churchwardens, Clerk, and Sexton for or in respect of the Burials, Monuments, Tombs, and other Stones within the present Church of the said Parish, or such other Rates, Fees, and Dues with respect to the Burials, and the erecting of Monuments, Tombs, and other Stones within the said intended Church, Vaults, and Catacombs, as may hereafter from Time to Time be ordered, settled, and established by the said Rector, Churchwardens, and Trustees, with the Approbation of the Ordinary of the Diocese for the Time being.

The present Parish Clerk to officiate in the new Church, and another Clerk to be appointed for the Parish Chapel.

XXXVIII. Provided always, and be it further enacted, That the Person who, at the Time of the Completion and Consecration of the said intended Church, shall hold the Office of Parish Clerk of the said Parish of *Saint Luke Chelsea*, shall and he is hereby declared to be and continue the Parish Clerk of the said Parish, and shall perform the several Duties of his said Office at the said new Church, and that another Clerk shall, immediately after the Completion and Consecration of the said new Church, be nominated and appointed to officiate at the present Church intended to be called the Parish Chapel.

Sexton to perform the Duty at the new Church, the Parish Chapel, and the Burial Grounds.

XXXIX. Provided also, and be it further enacted, That the Person who, at the Time of the Completion and Consecration of the said intended Church, shall hold the Office of Sexton of the said Parish, shall continue in and perform the several Duties of such Office, as well at the said new Church and the Vaults and Catacombs under the same, as at the present Church intended to be called the Parish Chapel, and at the several Burial Grounds in and belonging to the said Parish.

Appointing of Parish Clerk and Sexton to remain as heretofore.

XL. Provided also, and it is hereby declared, That the Appointment of all and every Clerk and Clerks to officiate as well at the new Church as at the Parish Chapel, and also the Appointment of the Sexton of the said Parish, shall remain and for ever hereafter be vested in such Person and Persons who at the Time of the passing of this Act had the Right of appointing the Parish Clerk and Sexton of the said Parish respectively, this Act or anything herein contained to the contrary thereof in anywise notwithstanding.

Seats to be allotted for the Rector, Churchwardens, and Overseers of the Poor.

XLI. And be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby required to set out and allot a Pew in the said new Church unto and for the Rector of the said Parish for the Time being, One other Pew in the said new Church unto and for the Churchwardens of the said Parish for the Time being, One other Pew for the Overseers of the Poor of the said Parish for the Time being, and One other Pew for the Servants of the Rector of the said Parish for the Time being, which said Pews shall respectively be and remain for ever thereafter the Pews of the Rector, Churchwardens, and Overseers of the Poor of the said Parish for the Time being.

XLII. And

Free Sittings to be allotted for the Use of the Poor.

XLII. And be it further enacted, That in the said new Church, and also in the present Church intended to be called the Parish Chapel, the said Trustees shall cause to be set out and appropriated, in a convenient Manner, a sufficient Number of Sittings in the Gallery of the said new Church and Parish Chapel, and also in the Body of the same respectively, not being less than One Fifth of the whole Number of Sittings in the said Church and Chapel respectively, which shall for ever afterwards be free and open, to be used and occupied, during the Time of Divine Service and the Administration of the Holy Sacrament of the Lord's Supper, by any poor Person or Persons being Inhabitants of the said Parish who shall be willing to use and occupy the same, without any Payment, Appointment, Pre-emption, or Permission whatsoever: Provided always, that it shall be also lawful for the said Trustees to set out and allot to or to the Use of all such Children as shall be receiving Education in any Free or Charity School in the said Parish a sufficient Number of Sittings, or such other fit and convenient Seats in the said new Church and Parish Chapel, as to them the said Trustees shall seem proper or necessary, without receiving for the same any Payment or Emolument whatever.

Other Seats to be let by the Trustees, giving a Preference to Inhabitants.

XLIII. And be it further enacted, That all other the Pews and Seats to be made and erected in the said intended Church and the Galleries thereof shall and may be let to Inhabitant Householders of the said Parish, and to any other Person or Persons, subject to the Preference hereinafter mentioned by the said Trustees, for such Time or Times, and at or for such annual Rents, and subject to such Rules, Orders, and Regulations, as the said Trustees shall think proper and from Time to Time agree and direct in that Behalf; and that the Rents or Sums of Money to be paid for the Use and Occupation of any Seats or Pews shall be paid, applied, and disposed of for the Purposes of this Act, and shall be recovered and recoverable in such Manner as herein-after mentioned: Provided always, that it shall and may be lawful to and for the several Parishioners of the said Parish and Residents therein to have the Preference, on Demand in Writing made to the Trustees, of hiring or renting such Pews respectively at such Rent or Rents, Sum or Sums of Money, and under such Rules, Orders, and Regulations as aforesaid, to any other Person or Persons not being a Parishioner or Parishioners: Provided always, that no Pew or Seat shall be let to any Person or Persons not an Inhabitant Householder or Inhabitant Householders of the said Parish for any longer Term or Period than One Year: Provided also, that if any such Householder or Householders shall take any such Pew or Seat for any longer Term or Period than One Year, and shall cease to be an Inhabitant Householder or Inhabitant Householders of the said Parish, then and in every such Case his, her, or their Term, Estate, and Interest in such Pew or Seat respectively shall, at the End or Expiration of the then current Year of the said Term or Period, cease and determine to all Intents and Purposes whatsoever.

The Trustees to let the Pews in the Parish Chapel.

XLIV. And whereas the present Church intended to be called the Parish Chapel is an ancient Structure, and the Expense of repairing and keeping the same in repair is and has been very considerable: And whereas it is expedient that the Pews and Seats therein should be let, and that the Rents and Profits thereof should be applied in or towards defraying the Expense of such Repairs, and the Payment of the Salary or Stipend

Stipend to be appointed for the Minister thereof, it is hereby further enacted, That it shall and may be lawful to and for the said Trustees to let all the Pews and Seats in the present Church intended to be called the Parish Chapel, and in the Galleries thereof, except such Pews and Seats as shall be set out and appointed as Free Sittings as aforesaid, to such Persons, for such Time, at such Rents, in such Manner, and subject to such Rules and Regulations as are herein-before contained of and concerning the letting of the Pews and Seats in the intended new Church, and also to apply and appropriate all Sum and Sums of Money to be received by them or their Treasurer in respect of the Pews and Seats in the present Church to be called the Parish Chapel, for or towards the several Purposes above mentioned, or otherwise for the general Purposes of this Act: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the said Trustees to let or dispose of any Pew or Seat in the present Church to be called the Parish Chapel, in or to the Possession of which Pew or Seat any Person or Persons hath or have a legal exclusive Right.

Pews to be numbered.

XLV. And be it further enacted, That the said Trustees shall and they are hereby directed to cause the several Seats or Pews in the said new Church and Parish Chapel respectively to be numbered, and the several Numbers of such Seats to be entered in proper Books, and also the several annual Rents at or for which the same shall be set or let, which Books respectively shall be kept or preserved in the said new Church and Parish Chapel respectively, and shall and may be open to the Inspection of all Persons renting any of the said Pews or Seats respectively, at all seasonable Times, without Fee or Reward; and if any of the Rents agreed to be paid for any of the said Pews or Seats shall remain in arrear or unpaid for the Space of Twenty-one Days after the same shall become due, and the Payment thereof shall have been duly demanded by Writing under the Hand of the Person or Persons appointed to collect and receive the same, and left at the Place of Abode of the Person renting, occupying, or contracting for the same, that then it shall be lawful for the said Trustees for the Time being to re-enter into and upon such Pews or Seats, and take possession of the same, and thereby determine and put an End to the holding of such Person or Persons so in arrear; and to let such Pew or Pews, Seat or Seats, to any other Person or Persons whomsoever, and also to sue for and recover the Rent or Rents of such Pews or Seats, by Action of Debt or on the Case, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Privilege, Protection, Wager at Law, or more than One Imparlance, shall be allowed; or where the Rent or Rents in arrear shall not amount to a Sum exceeding Five Pounds, to levy such Rents by Distress and Sale of the Goods and Chattels of the Person or Persons neglecting or refusing to pay the same in his or their Dwelling House or Dwelling Houses within the said Parish, or in such and the like Manner as any Rate or Rates may be recovered by virtue of this Act.

Powers for recovering Rents.

Renters of Pews or Seats to hold for the Term agreed without Molestation; but not

XLVI. And be it further enacted, That it shall be lawful for the Renters of such Pews or Seats, so long as they shall have respectively agreed for or taken such Pews or Seats, and shall respectively pay the Rents for the same, to hold and enjoy such Seats or Pews so to be let or set to him, her, or them, without any Disturbance or Molestation whatsoever, at the respective

to underlet to Advantage.

respective Rents so to be paid to the said Trustees to the Person or Persons to be appointed to receive the same: Provided always, that no such Renters or Occupiers of such Pews or Seats shall directly or indirectly let or demise the same or any of them, or any Kneeling Place or Sitting therein, to any Person or Persons whomsoever, without the Consent of the said Trustees for that Purpose first had and obtained, such Consent to be testified by Writing under the Hand of their Clerk for the Time being, nor for a larger or greater Rent than such Renters or Occupiers shall respectively pay for the same, or receive any Sum of Money or other Advantage for assigning or giving up his or her Right to the Use or Occupation of such Seats or Pews, upon pain of forfeiting the Use and Occupation of such Seats or Pews; and in any such Case the same shall become forfeited, and the Trustees for the Time being shall have Power immediately after such Event shall happen to let such Pews or Seats to such Person or Persons as they shall think proper.

Trustees empowered to sell the Catacombs and Vaults;

XLVII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to sell and dispose of all or any of the Vaults and Catacombs to be constructed by virtue of this Act, except such Vaults or Catacombs as shall be constructed under the Chancel of the said Church, for the Purposes of Burial; and all such Catacombs, Vaults, and Arches to be sold by virtue of this Act shall be conveyed as Freehold of Inheritance in Fee Simple unto the Purchaser or Purchasers of the same respectively, and a Conveyance of the same made and executed by any Ten of the said Trustees, at a General Meeting convened pursuant to Notice for that Purpose, shall be valid and effectual in the Law to vest the same in such Purchaser or Purchasers, and his, her, and their respective Heirs and Assigns absolutely for ever, but subject nevertheless to the Payment of such or the like Burial Fees as would have been payable if such Purchase had not been made; and all the Monies to arise from the Sale of the said Catacombs, Vaults, and Arches shall be applied and disposed of by the said Trustees for the Purposes of this Act.

and to fix the Rates of Burials, &c.;

XLVIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at any of their Meetings to be held in pursuance of this Act, to settle and fix the Rates and Fees for the Burials of the Dead in the Vaults and Catacombs of the said new Church to be built and used by virtue of this Act, and shall and may from Time to Time make such Rules, Orders, and Regulations relative to and concerning Burials in the said Vaults and Catacombs, and for keeping the said new Church, Vaults, and Catacombs, and any other Buildings, Works, and Conveniences to be erected and provided by virtue of this Act, and also for repairing and keeping in repair the present Church intended to be called the Parish Chapel, with the Appurtenances, and the Pews, Seats, and Conveniences therein, in good and sufficient Repair and Amendment, and may from Time to Time alter and amend the said Rates and Fees, and make such other Rules, Orders, and Regulations in and concerning the same Premises, as to the said Trustees shall appear reasonable, necessary, and convenient.

but not to reduce the Rates, &c. payable in the present Church.

XLIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to enable the said Trustees to reduce the Rates or Fees to be paid to the Rector, Churchwardens,

Churchwardens, Clerk, and Sexton of the said Parish for the Time being for every Burial in the Catacombs or Vaults of the said new Church to less Sums than are now payable for or in respect of Burials in the said present Church.

Trustees to repair the Parish Church and Chapel.

L. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and during all such Time as the Churchwardens of the said Parish for the Time being are by this Act directed to account for and pay to them the Fees arising in respect of Burials within the said Parish, to keep not only the said new Church, and other Buildings, Works, Conveniences, and Things to be erected and provided by virtue of this Act, but also the present Church intended to be called the Parish Chapel, with the Pews, Galleries, and Appurtenances thereunto belonging, in good, sufficient, and proper Repair, and to defray the Expenses of all such Repairs out of any Monies that may come to the Hands of the said Trustees or of their Treasurer by virtue of this Act.

Penalty on Persons blowing Horns, &c. on Sundays, &c.

LI. Provided always, and be it further enacted, That if any Person or Persons shall, on a *Sunday*, or on *Christmas Day*, *Good Friday*, or on any Fast Day or Thanksgiving Day, by Proclamation, blow any Horn or other Instrument in the said Parish during the Time of Divine Service for the Purpose of hawking or selling of any Newspaper or Gazette, or any other Paper, Matter, or Thing, it shall and may be lawful to and for any Justice of the Peace for the said County of *Middlesex*, and he is hereby required, upon Complaint to him made by any One or more credible Witness or Witnesses of any such Offence, to issue out a Warrant to apprehend the Party or Parties accused; and it shall and may be lawful to and for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending, the Offender or Offenders, and by Authority of this Act without any Warrant to deliver him or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County, and on the Party or Parties accused being brought before such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either by his or their Confession, or upon such Evidence as aforesaid, then and in every such Case he or they shall for each and every such Offence respectively, and if more than One shall severally, forfeit and pay any Sum not exceeding Twenty Shillings; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty by him or them incurred, such Justice is hereby required to commit such Offender or Offenders to the House of Correction within the said County, there to be kept to hard Labour for any Time not exceeding Seven Days, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he or they shall be so committed, unless such Penalty shall be sooner paid.

Trustees authorized to contract for Land, not exceeding

LII. And whereas it may, for the Convenience of the Inhabitants of the said Parish, be deemed necessary or expedient to make an additional Carriage Road or Roads, Footpath or Footpaths, Approach or Approaches, to the said intended Church: Be it therefore further enacted, That it shall and may be

Three Acres, for making Roads.

be lawful to and for the said Trustees, and they are hereby authorized and empowered, if they shall think proper, to contract and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said Parish (not exceeding Three Acres in the whole), and for the Enfranchisement of any Copyhold Lands which may be so purchased, with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years, or by the Courtesy of *England*, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised, possessed, or interested in their own Right, or with any Person or Persons whomsoever who shall be willing to sell the same, for the Purpose of making and forming necessary and convenient Roads, Paths, Avenues, and Approaches to the said new Church; and it shall and may be lawful to and for the said Trustees to hold such Lands, Tenements, and Hereditaments so purchased, without incurring or being subject to any of the Penalties or Forfeitures of the Statute of Mortmain or any other Law or Statute whatsoever.

Bodies Politic and Corporate, &c. authorized to treat with the Trustees.

LIII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations aggregate or sole, and all Tenants for Life, or in Fee Tail, General or Special, or by the Courtesy of *England*, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and for all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised, possessed, or interested in their own Right, and all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Trustees to be purchased for the Purpose of making and forming necessary and convenient Roads, Avenues, and Approaches to the said new Church, and to treat, contract, and agree with the said Trustees for the Sale thereof or of any Part thereof, and for the Enfranchisement of any such Copyhold Lands, and to sell and convey all or any Part thereof, and all the Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Trustees for putting this Act into execution; and all Contracts, Agreements, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of the said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them respectively, and of all Persons entitled to remainder or reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such

such Person and Persons, and all Estates Tail and other Estates in possession, reversion, remainder, or expectancy.

Application of Money if amounting to 200*l.*

LIV. And be it further enacted, That if any Monies shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there "*ex parte* the Trustees for executing this Act," to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchases shall be so made the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the 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, and Hereditaments so hereby directed to be purchased by virtue of this Act in case such Purchase or Settlement were made.

Where less than 200*l.* and not less than 20*l.*

LV. Provided also, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred

Pounds and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees acting in the Execution of this Act, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends arising therefrom may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Where less than 20*l.*

LVI. Provided also, and be it further enacted, That where such Money so agreed to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Regulations in Cases of doubtful Title to the Compensation.

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

The Court of Chancery may order

LVIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the

the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expenses as the said Court shall deem reasonable, with the necessary Costs and Charges of making such Orders, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, and the said Trustees shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

the Expense of Purchases to be paid by Trustees.

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

Form of Conveyance.

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

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual, to all Intents and Purposes whatsoever, as to and against the Person or Persons making the same, and his, her, or their Cestuique Trusts, and all other Persons claiming or to claim by, from, under, or in trust for him, her, or them respectively, or in remainder, reversion, or expectancy as aforesaid, and the same shall be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person and Persons, and all Estates Tail and other Estates in possession, reversion, remainder, or expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by proper Parties in due Form of Law, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

LX. And whereas the said Trustees under the Provisions of this Act may purchase Lands, Tenements, or Hereditaments which may be found not necessary for the Purposes thereof: Be it therefore further enacted, That it shall and may be lawful to and for the said Trustees, or any Ten or more of them, acting in the Execution of this Act, to sell and dispose of, and by Indenture or Indentures under their Hands and Seals to grant and convey, by way of absolute Sale in Fee Simple, for a Consideration in Money, all or any Part or Parts of the Lands, Tenements, and Hereditaments which may have been so purchased, and which, in the Judgment of the said Trustees at any Meeting to be holden in pursuance of this Act, shall not be wanted for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Lands, Tenements,

Authority for Resale of Lands not wanted.

Tenements, and Hereditaments, or any Part or Parts thereof, it shall and may be lawful for the Treasurer or Treasurers for the Time being to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; and such Person or Persons having *bonâ fide* paid the same shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of such Purchase Money or any Part thereof.

The Words "grant, bargain, and sell" to operate as Covenants for the Title.

LXI. And be it further enacted, That in all Grants and Conveyances to be made by the said Trustees, or any Ten or more of them, under or by virtue and in pursuance of this Act, the Words "grant, bargain, and sell" shall amount and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee or Purchaser, his, her, or their Heirs, Executors, Administrators, and Assigns, from the Trustees for themselves and their Successors, that they the said Trustees, notwithstanding any Act done by them, were at the Time of the Execution of such Grant or Conveyance seised of the Lands, Tenements, and Hereditaments thereby granted, bargained, and sold, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof against the said Trustees, their Successors and Assigns, and all claiming under them.

Monies received for the Resale of Land how applied.

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

Power to receive voluntary Contributions.

LXIII. And be it further enacted, That it shall and may be lawful to and for any Person or Persons voluntarily to contribute and pay into the Hands of the said Trustees, or into the Hands of their Treasurer, any Sum or Sums of Money for the Purposes of this Act, and also to and for the said Trustees and their Treasurer for the Time being to receive and take all such voluntary Contributions, Sum and Sums of Money, and to apply the same towards carrying the Purposes of this Act into execution.

Power to borrow Money.

LXIV. And for the further and better enabling the said Trustees to carry the several Purposes of this Act fully into execution, be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time to raise or borrow and take up at Interest, by way of Mortgage, Annuity, or otherwise, such Sum and Sums of Money, not exceeding in the whole the Sum of Fifteen thousand Pounds, as they shall judge necessary for the several Purposes of this Act, including the Costs and Expenses thereof, upon the Credit of the Rates or Assessments to be made, levied, and collected by virtue of this Act, and also of the Sum and Sums of Money to be received for the Rent of Pews and Seats in the said intended Church and Parish Chapel, and of the Fees to be accounted for to them in respect of Burials as herein-after mentioned, and by Writing under the Hands and Seals of any Five or more of the said Trustees to assign all or any Part of the said Rates or Assessments, Rents and Fees, to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same, and the Charges

and

and Expenses of such Assignment (to be made as herein-after mentioned) shall be from Time to Time defrayed by the said Trustees out of the Money so borrowed; and every such Assignment shall be in the Words or to the Effect following; that is to say,

Form of Assignment.

'WE, Five of the Trustees acting in pursuance of an Act made in the Fifty-ninth Year of the Reign of King George the Third, intituled [*here set forth the Title of this Act*], in consideration of the Sum of advanced and lent by of in the County of upon the Credit and for the Purposes of the said Act, do hereby grant and assign unto the said [*or* his Trustee or Trustees, *as the Case may be*], his [*or* her] Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments to be raised, levied, and collected by virtue of the said Act, and of the Rents of the Pews and Seats in the Church to be erected by virtue of the same Act, and in the Parish Chapel of Saint Luke Chelsea, and also of the Fees payable to or in trust for us in respect of Burials within the said Parish, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed, or become due and owing, or be charged upon the Credit of the said Rates or Assessments, Rents and Fees, to be had or holden from this Day of until the said Sum of with Interest after the Rate of per Centum per Annum for the same, shall be fully paid and satisfied. In witness whereof we the said Trustees have hereunto set our Hands and Seals the Day of in the Year of our Lord .'

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in an arithmetical Progression ascending, whereof the common Excess or Difference shall always be One in respect of any One hundred Pounds so advanced as aforesaid; and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

Power to raise Money by way of Annuity.

LXV. And be it further enacted, That in case the said Trustees shall think it advisable to raise all or any Part of the Money for the Purposes of this Act by granting Annuities for Lives, or for Terms of Years, instead of Assignments as aforesaid, then and in such Case it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered so to do, and by Writing under the Hands and Seals of any Five or more of them to grant an Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer or Treasurers of the said Trustees any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or during the natural Lives of any Two such Contributors and the Life of the Survivor, or the natural Life of such Person as shall be nominated by or on behalf of such Contributor or Contributors at the Time of Payment of his or her Contribution or Purchase Money; and the Charges and Expenses of preparing the Grant of every such Annuity shall be paid by the said Trustees out of the Monies so contributed, and the Grant of every such Annuity shall be in the Words or to the Effect following:

Form of Grant of Annuity.

'WE, Five of the Trustees acting in pursuance of an Act made in the Fifty-ninth Year of the Reign of King George the Third intituled [*here set forth the Title of this Act*], in consideration of the Sum of paid by to the Treasurer appointed in pursuance of the said Act, do hereby grant unto the said an Annuity or yearly Sum of to be paid out of the Rates or Assessments to be raised, levied, and collected by virtue of this Act, and out of the Rents of Pews and Seats in the Church to be erected by virtue of the same Act, and in the Parish Chapel of Saint Luke Chelsea, and out of the Fees payable to or in trust for us in respect of Burials within the said Parish; which Annuity or yearly Sum of shall be paid to the said or his or her Assigns during the Term of his or her natural Life, *or* [*as the Case may be*] to the said his or her Executors, Administrators, or Assigns, by half-yearly Payments, during the natural Life of or during the natural Lives of and and the Life of the Survivor of them, upon the Day of and the Day of or within Days after each of the said Days in every Year during the natural Life or Lives of him, her, or them the said at the and the Sum of being a fractional Part of the First Payment thereof, shall be paid on the Day of next ensuing the Date of these Presents; and the said Executors, Administrators, or Assigns, shall be entitled to and receive a proportionable Part of the said Annuity from the last of the said Days up to the Day of the Death of the said . In witness whereof we the said Trustees have hereunto set our Hands and Seals the Day of in the Year of our Lord .'

And every such Grant shall be good, valid, and effectual in the Law without any Enrolment or Registry of the Memorial thereof in the High Court of Chancery or elsewhere (except as herein-after mentioned), any Law or Statute to the contrary thereof in anywise notwithstanding; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon and shall be payable and paid by the Treasurer to the said Trustees out of the Rates or Assessments, Rents and Fees respectively, according to the Grant of such Annuity.

For granting Annuities under certain Restrictions.

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

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

Power of transferring Assignments and Annuities.

LXVII. And be it further enacted, That it shall and may be lawful to and for the several Persons entitled to any of the Securities for the Money to be borrowed at legal Interest as aforesaid, or to be raised by granting of Annuities as aforesaid, and their respective Executors, Administrators, or Assigns (as the Case may be), at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; that is to say,

'I *A. B.* being entitled to the Sum of
'[*or* an Annuity of secured to and
'his Assigns, *or* his *or* her Executors, Administrators, and Assigns, *as the*
'*Case may be*,] by virtue of an Assignment [*or* Grant of any Annuity] bear-
'ing Date the Day of under the Hands and Seals
'of of the Trustees acting in the Execution of an Act made
'in the Fifty-ninth Year of the Reign of King George the Third, intituled
'[*here set forth the Title of this Act*], upon the Credit of the Rates or
'Assessments, Pew Rents, and Burial Fees granted or payable by the said
'Act, do hereby transfer all my Right and Interest in and to the same
'Sum *or* Annuity, and all Interest and other Money now due and arising
'thereon, unto his *or* her Executors, Administrators,
'and Assigns. Dated the Day of .'

And a Copy or Abstract of every such Security or Assignment, together with the Number or Numbers thereof, and of every Grant of Annuity made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Transfer the Clerk shall be paid by the Person or Persons to whom such Transfer shall be made the Sum of Five Shillings and no more; and every such Transfer, after entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators,

Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof.

Creditors to be paid by Ballot.

LXVIII. And in order that no Preference may be given in the Repayment to any of the Persons who shall have advanced or lent Money upon the Credit of the said Rates, Assessments, Rents, and Fees, be it further enacted, That the said Trustees (if there shall be no more Creditors than One) shall cause the Number or Numbers of all Assignments or Securities granted and then in force for securing the principal Monies lent and advanced upon the Credit of the said Rates or Assessments, Rents and Fees, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form, or as near as possible, and put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Trustees; and after every such Ballot the said Trustees shall cause Notice, signed by their Clerk, to be given to or left at the last or 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 when there is only One Creditor, to give Notice to such Creditor of the Intention of the said Trustees to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than One Month after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money to be so paid off shall from the Day so specified cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day so specified, shall nevertheless be payable on Demand; but nothing herein contained shall extend or be construed to extend so as to require the said Trustees to pay off and discharge any Monies lent on the Credit of the Rates or Assessments, Rents and Fees, by way of Annuity, until all other the Creditors on the said Rates or Assessments, Rents and Fees, shall be paid off and discharged, and the several Parties so advancing Money by way of Annuity shall agree to accept the Sum or Sums of Money offered by the said Trustees for the Repurchase of such his, her, or their Annuity or Annuities.

Power to borrow Money at lower Interest to discharge Securities at a higher Rate.

LXIX. Provided always, and be it enacted, That in case the said Trustees can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall and may be lawful to and for the said Trustees from Time to Time to charge the said Rates or Assessments, Rents and Fees, in the Manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, and to pay off and discharge the Assignments and Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

LXX. And

Power to make Rates.

LXX. And be it further enacted, That for the Purpose of raising Money to carry this Act fully into execution it shall be lawful for the said Trustees from Time to Time as they may think necessary, by Writing under their Hands, to make an Assessment or Assessments, Rate or Rates, on the Occupiers of all Lands, Houses, Shops, Warehouses, Vaults, Coach-houses, Cellars, Stables, Gardens, Tenements, and Hereditaments within the said Parish (the House and Land in the immediate Occupation of the Rector of the said Parish for the Time being only excepted) of any Sum of Money not exceeding Sixpence in the Pound in any One Year, according to such Proportions of the yearly Value as the same Lands, Houses, Shops, Warehouses, Vaults, Coach-houses, Cellars, Stables, Gardens, Tenements, and Hereditaments shall from Time to Time be assessed to the Rates for the Relief of the Poor of the said Parish, and to order and direct the Collector or Collectors to be appointed in pursuance of this Act to collect and receive from such Occupiers as aforesaid such Rates and Sums of Money as shall be assessed or rated as aforesaid; all which Rates and Assessments so to be rated, assessed, and collected are hereby vested in the said Trustees in trust, to be by them applied for the Purposes of this Act, and shall take place from such Time, and be paid and payable at such Time or Times, and in such Proportions, as the said Trustees shall direct and appoint, and shall continue until Payment for the building, finishing, and completing of the said new Church shall be fully made, and so long as any of the Monies to be borrowed or raised by Sale of Annuities, or otherwise, upon the Credit of this Act, as herein mentioned, shall remain due, owing, or have Continuance, and no longer: Provided always, that it shall be lawful for the said Trustees, or for such Person or Persons as they shall appoint, at all convenient Times, to inspect the Poor's Rate of the said Parish, in order to ascertain the Rates to be made by virtue of this Act, and to take Copies thereof *gratis*.

Exempting Hans Town from the Payment of certain Rates. 30 G. 3. c. 76.

LXXI. And whereas by an Act made in the Thirtieth Year of the Reign of His present Majesty, intituled *An Act for forming and keeping in repair the Streets and other public Passages and Places within a certain District in the Parish of* Saint Luke Chelsea *in the County of* Middlesex, *called* Hans Town, *and for otherwise improving the same*, the Inhabitants of a certain District or Part of the said Parish called *Hans Town* are, in consideration of a certain yearly Payment of Four Pounds, exempted from all Statute Duty, Composition, and Assessments for or towards the Repairs of the Highways of any other Part of the said Parish; and it is expedient that the said Inhabitants should also be exempted from the Payment of all Rates or Assessments to be made for or in respect of any Sum or Sums of Money which shall be expended in the Purchase of any Land for the Purpose of making any Road or Roads under the Powers or Authorities of this Act, or for making or repairing any such Road or Roads: Be it therefore enacted, That if any Sum or Sums of Money shall be expended or applied by the said Trustees in the Purchase of any Land as aforesaid, or in the forming or making any such Road or Roads into, through, or over the same, the said Trustees shall and they are hereby required from Time to Time to make further or additional separate or distinct Rates or Assessments in manner aforesaid on the Occupiers of all Lands, Shops, Warehouses, Vaults, Cellars, Stables, Gardens, Tenements, and Hereditaments within the said Parish (except on the Rector of the said Parish of *Saint Luke Chelsea* for the Time being for or in respect of the House and Land

in his own immediate Occupation), and also except on the Occupiers of Lands, Houses, Shops, Warehouses, Vaults, Cellars, Stables, Gardens, Tenements, and Hereditaments within the said District called *Hans Town*, for the Purpose of paying the Interest, Dividends, or Annuities for or in respect of the Sum or Sums so expended and applied, and the paying off and discharging the Principal thereof; and that all such last-mentioned Rates or Assessments shall be paid to the said Collector or Collectors at such Time and Times, and in such Manner and Proportions, as the Trustees shall direct or appoint; and the said Rates and Assessments are hereby vested in the said Trustees in trust to be by them appropriated, in the first place, to the Payment of the Interest, Dividends, or Annuities for or in respect of the Monies expended and applied as last aforesaid, and in the next place in the Payment of the Principal thereof; and the said Trustees shall and are hereby required to keep separate and distinct Accounts of the Receipt and Expenditure of all such last-mentioned Rates or Assessments, it being the true Intent and Meaning of this Act that the Occupiers of Lands, Houses, Tenements, and Hereditaments within the said District called *Hans Town* shall not be put to any Expense or Charge whatever on account of the Purchase of any Land, or of the making or forming any Road or Roads over the same, or of keeping the same in repair as aforesaid.

Houses hereafter to be erected to be rated.

LXXII. And be it further enacted, That all Houses and Buildings which shall hereafter be erected and built in the said Parish, except on the Glebe Land as aforesaid, shall be rated and assessed for the Purposes of this Act in the same Manner and Proportion as other Houses or Buildings within the said Parish shall be then rated and assessed for the like Purposes.

Trustees may rectify Omissions and correct Errors in Rates.

LXXIII. And be it further enacted, That if it shall appear to the Trustees at any Time or Times after any Rate or Assessment shall have been made and signed by them that the Name or Names of any Person or Persons who ought to be included in such Rate or Assessment hath or have been omitted therein, or that the Name or Names of any Person or Persons hath or have been inserted in such Rate or Assessment as Inhabitants, Holders, or Occupiers of any Messuage or Messuages or other Hereditaments, for or in respect of which some other Person or Persons ought to have been rated or assessed, or in case any Messuage or Tenement which at the Time of making any such Rate or Assessment was empty and unoccupied shall become occupied by any Person or Persons within the Meaning of this Act, or that any other Alteration or Amendment of such Rate or Assessment may in the Opinion of the said Trustees be necessary, then and in any or either of such Cases it shall be lawful to and for the said Trustees to add or insert or cause to be added and inserted to or in such Rate or Assessment the Name or Names of the Person or Persons so omitted, and the Name or Names of the Person or Persons who shall have become the Occupier of any Messuage or Tenement which was at the Time of making such Rate empty and unoccupied as aforesaid, together with the Sum or Sums for which he, she, or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof, and also to insert and substitute or cause to be inserted and substituted the Name or Names of such Person or Persons as may be the Inhabitants, Holders, or Occupiers of any

Messuages

Messuages or Hereditaments, instead of and for the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessment as the Inhabitants, Holders, or Occupiers of any Messuages or Hereditaments at the Time of making such Rate, and otherwise from Time to Time to alter and amend the said Rate or Assessment as they may from Time to Time deem necessary; and that every such Addition, Insertion, Alteration, and Amendment to or in any such Rate or Assessment shall be valid and effectual in Law to all Intents and Purposes, and the Monies charged to any Person or Persons in consequence thereof shall and may be demanded, received, and recovered in the same Manner as if the Name or Names of such Person or Persons, or other Alteration and Amendment, had been inserted and made in such Rate or Assessment at the Time previous to the original making or signing thereof.

Public Buildings may be rated.

LXXIV. And be it further enacted, That it may be lawful to and for the said Trustees to include any Rates or Assessments, and from Time to Time to rate and assess thereby, any public Hospital, public School, and other public Building within the said Parish which now is or hereafter may be built; and that each and every of the said Rates or Assessments so made from Time to Time shall be paid for such public Hospitals, public Schools, and other public Buildings by the Persons following; that is to say, the Rates or Assessments of or for any public Hospitals by the Treasurers, Stewards, or Housekeepers of such public Hospitals for the Time being, and the Rates or Assessments of or for any public School by the Treasurers, Masters, or Mistresses of such public Schools for the Time being, and that all and every such Persons respectively shall be charged with and shall pay such Sums of Money as shall from Time to Time be rated, assessed, or imposed on or in respect of or for the said Premises respectively.

Rates of Premises let to Ambassadors payable by Landlords.

LXXV. And be it further enacted, That every Rate or Assessment which at any Time or Times hereafter shall be made, laid, or assessed by virtue of this Act for or in respect of any Messuage or Hereditament which any Ambassador, Envoy, Resident, Agent, or other public Minister of any Foreign Prince or State, or the Servant of any such Ambassador, Envoy, Resident, Agent, or other public Minister, or any other Person who may not be liable by Law to pay such Rate or Assessment, now doth or hereafter shall inhabit, shall be paid by and recoverable from the Landlord or Owner of every such Messuage or Hereditament, who shall be liable and compellable to the Payment thereof, and the same shall be recovered from such Landlord or Owner by an Action or Actions of Debt or on the Case, to be brought in such Name or Names and prosecuted in such Manner as herein-after mentioned.

Rates of small Houses, or Houses let in separate Apartments, or ready furnished, to be paid by the Landlord.

LXXVI. And be it further enacted, That the several Lessors, Landlords, or Owners of all such Houses, Buildings, Tenements, or other Hereditaments within the said Parish, the yearly Value whereof respectively shall not exceed Twenty Pounds, or which shall be let or offered to be let to weekly or monthly Tenants, or which shall be let or offered to be let furnished, or in Lodgings, or in separate Apartments, or at Rents which shall become payable and to be collected at any shorter Periods than quarterly, shall for the Purposes of this Act (but not as to any Settlement which may be gained by any Person or Persons in respect of his, her, or their

their renting or occupying such Messuages or Hereditaments, or any Part or Parts thereof,) be severally deemed and taken to be the Occupier or Occupiers of such Houses, Buildings, Tenements, or Hereditaments respectively; and that all and every such Lessor and Lessors, Landlord and Landlords, Owner and Owners, shall or may from Time to Time and at all Times hereafter be rated and assessed to and by any Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, unless the said Trustees shall from Time to Time prefer and determine to rate the actual Occupier or Occupiers of such Houses, Buildings, Tenements, or Hereditaments respectively; and the Person or Persons so rated, whether the Lessor or Lessors, Landlord or Landlords, Owner or Owners, or the Occupier or Occupiers, shall from Time to Time pay or cause to be paid all and every such Rates or Assessments in respect of such Houses, Buildings, Tenements, or Hereditaments respectively, and upon Non-payment thereof such Rates or Assessments may be levied by Distress and Sale of the Goods and Chattels of such Person or Persons respectively wheresoever they shall be found, or of the Goods and Chattels of the Person or Persons inhabiting the same Messuages or Hereditaments respectively: Provided always, that no Lessor or Lessors, Landlord or Landlords, Owner or Owners, nor any Person or Persons shall be charged with or liable to pay for and in respect of any increased Rent reserved or made payable to him, her, or them for or on account of any Agreement made by such Lessor or Lessors, Landlord or Landlords, Owner or Owners, or Person or Persons with the actual Occupier or Occupiers of such Messuages or Hereditaments, that such Lessor or Lessors, Landlord or Landlords, Owner or Owners, or other Person or Persons would pay the several Rates or Assessments otherwise chargeable by this Act upon the Occupier or Occupiers of such Houses, Buildings, Tenements, or Hereditaments respectively: And provided also, that if the Lessor or Lessors, Landlord or Landlords, Owner or Owners of any House, Building, Tenement, or Hereditament, the yearly Value whereof shall not exceed Twenty Pounds, and which shall be let to One Tenant only at a Rent which shall become payable and be collected only by quarterly Payments, shall be rated and assessed as the Occupier or Occupiers of any such House, Building, Tenement, or Hereditament, then upon Request in Writing under the Hand or Hands of any such Lessor or Lessors, Landlord or Landlords, Owner or Owners, and a true and full Statement in Writing of the Name of the actual Tenant or Occupier of every such House, Building, Tenement, or Hereditament, and such other Information relating thereto as the said Trustees shall from Time to Time direct and require, and to their Satisfaction, the said Trustees shall compound with any such Lessor or Lessors, Landlord or Landlords, Owner or Owners of such House, Building, Tenement, or Hereditament for Payment of the said Rates or Assessments for and in respect of every such House, Building, Tenement, or Hereditament, at such reduced yearly Rental as the said Trustees shall think reasonable, not being more than Two Third Parts or less than One Half of the Rack Rent or annual Value of each of such Houses, Buildings, Tenements, or Hereditaments respectively, or shall remit to such Lessor or Lessors, Landlord or Landlords, Owner or Owners such Part of such Rate or Assessment as the said Trustees shall think reasonable, not being less than One Third Part nor more than One Half of such Rates or Assessments; and also that it may be lawful for the said Trustees, if they shall think proper, to compound with any Lessor or Lessors, Landlord or Landlords, Owner or Owners of any Houses,

Lessors, &c. of Houses, &c. not exceeding the yearly Value of 20*l.* let to One Tenant, and the Rent reserved quarterly, may compound with the Trustees.

Houses, Buildings, Tenements, or other Hereditaments in the said Parish, which shall be let or offered to be let to weekly or monthly Tenants, or which shall be let or offered to be let furnished, or in Lodgings, or in separate Apartments, or at Rents which shall become payable or to be collected at any shorter Periods than quarterly, for Payment of the said Rates or Assessments, for or in respect of such Houses, Buildings, Tenements, or Hereditaments, at such reduced yearly Rental as the said Trustees shall think reasonable, not being less than One Half of the Rack Rent or annual Value of such Houses, Buildings, Tenements, or Hereditaments respectively, or to remit to the Lessor or Lessors, Landlord or Landlords, Owner or Owners of any such Tenements respectively last mentioned such Part of such Rate or Assessment as the said Trustees shall think proper, not being more than One Half of the Rates or Assessments to which such Lessor or Lessors, Landlord or Landlords, Owner or Owners, shall be rated or assessed in respect of each of such last-mentioned Messuages or Hereditaments respectively, or otherwise to collect from such Lessor or Lessors, Landlord or Landlords, Owner or Owners, the whole of such Rates or Assessments, as they shall think proper; and also, that the said Trustees may vary, discontinue, or renew either or any of such Compositions as they shall from Time to Time deem expedient.

Trustees may compound with Owners of Houses let in Lodgings, &c.

LXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Agreements made between any Landlord and Tenant in any Lease now granted or hereafter to be granted previous to any Contract or Agreement now existing, anything in this Act contained to the contrary thereof notwithstanding.

Agreement between Landlord and Tenant not to be impeached.

LXXVIII. And be it further enacted, That in case at any Time or Times hereafter any Lessor or Lessors, Landlord or Landlords, Owner or Owners, Occupier or Occupiers of any Messuages or Hereditaments situate in the said Parish for and in respect whereof he or they shall be rated or assessed to any Rate or Assessment made or to be made by virtue of this Act, or liable to be rated and assessed, or to pay the Money so rated or assessed as aforesaid, shall refuse or neglect to pay the Money rated and assessed upon him or them respectively, or which he or they may be liable to pay by virtue of this Act, and all Arrears hereafter due thereon, it shall be lawful for any One of His Majesty's Justices of the Peace for the County of *Middlesex*, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the said Trustees or any Officer or other Person appointed by them, to summon all and every Person and Persons who shall have refused and neglected as aforesaid to appear at the Time and Place to be mentioned in such Summons before such Justice, or before any Justice or Justices of the Peace for the same County who shall be then and there present; and it shall be lawful for any Person appointed to collect and receive such Rates or Assessments, or for any of the Constables, Headboroughs, or Beadles of the said Parish, or for any other Person, to serve all and every such Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments, mentioned in such

Manner of levying Rates.

Summons shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or they shall attend and shall not show good and sufficient Cause to such Justice or Justices as may be then and there present that he or they is or are not charged with such Rate or Rates, Assessment or Assessments, then and in every such Case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid, upon the Return of such Summons it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or who shall have directed such Summons or Summonses to be signed and issued as aforesaid, or for any other Justice of the Peace for the said County, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons or Summonses by the Person who shall have served the same, to grant a Warrant under his Hand and Seal authorizing or directing any such Person approved to collect such Rate or Rates, Assessment or Assessments as aforesaid, or any Constable, Headborough, or Beadle of the said Parish or other District, or any other Constable, Headborough, or other Person, to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the reasonable Costs, Charges, and Expenses of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing, which shall be found either within the said Parish or elsewhere; and if, within Five Days next after any Distress shall be made, pursuant to the Directions of this Act, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, together with all the said Charges of the said Summons, and the said Charges for the said Warrant, and the said Charges and Expenses of executing the same Warrant, and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or the Constable, Headborough, or Beadle, or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by One or more Appraiser or Appraisers, and to be sold either on the Premises where the same shall be distressed or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges, and Expenses of the said Summons, Warrant, Distress, Removal, and keeping Possession of such Goods and Chattels so distressed, and the reasonable Costs, Charges, and Expenses of appraising and selling the same, (the Amount of all such Costs, Charges, and Expenses relating to the Recovery of the said Rate or Rates, Assessment or Assessments, being in case of Dispute settled by any One Justice of the Peace for the said County,) and shall return the Overplus, if any, to the Owner or Owners of such Goods or Chattels respectively upon Demand thereof made by him or them.

If sufficient Goods cannot be found, &c. Persons may be committed to the Common Gaol.

LXXIX. Provided always, and be it further enacted, That in case no Goods and Chattels, or no sufficient Goods and Chattels, of any Person or Persons so neglecting or refusing can be anywhere found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up, secured, or removed with a fraudulent Intention

tion to elude the Payment or Recovery of such Rates or Assessments, and so that they cannot be distrained, then and in any of such Cases, upon Information thereof given to any Two Justices of the Peace for the said County, it shall be lawful for any Two such Justices, if they shall think fit, to issue a Warrant under their Hands and Seals for the Apprehension of any such Person or Persons, and to commit such Person or Persons to the Common Gaol for the said County, there to be kept and confined in the same Manner as Persons imprisoned for Debt, and there to remain, without Bail or Mainprize, for any Time not exceeding the Space of Three Calendar Months, unless such Rates or Assessments, and all Arrears thereof, and all such Costs, Charges, and Expenses, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

Form of Warrant of Distress.

LXXX. And be it further enacted, That every Warrant of Distress for Nonpayment of any Rates or Assessments authorized and directed to be issued by virtue of this Act shall be in the Words or to the Effect following:

'Middlesex (to wit). } To One of the Collectors of the Rates for the several Purposes mentioned in an Act for building a new Church in the Parish of Saint Luke Chelsea in the County of Middlesex, and to all Constables, Headboroughs, Beadles, and Peace Officers to the County aforesaid.

'WHEREAS the under-mentioned Person (*or* Persons, *if more than One*) now or late was a Lessor, Landlord, Owner, or Occupier (*or* Lessors, Landlords, Owners, or Occupiers, *if more than One*) of the Tenement (*or* Tenements, *if more than One Person be included in the Warrant*) or other Hereditaments within the said Parish, and was and is, or were and are (*as the Case may be*) rated and assessed, or is or are (*as the Case may be*) liable to the Payment of the Sum or Sums of Money set opposite to his, her, or their respective Name or Names (*as the Case may be*) hereunder written, by virtue of a Rate or Rates duly made under and by virtue of a certain Act passed in the Fifty-ninth Year of the Reign of His Majesty King George the Third, intituled [*here set forth the Title of this Act*]: And whereas the said Person or Persons has or have (*as the Case may be*) refused or neglected to pay the Sum or the several Sums of Money set at and opposite his, her, or their Name or Names (*as the Case may be*) hereunder written, due from him, her, or them by virtue of such Rate or Rates (*as the Case may be*), and the said Sum or several Sum and Sums of Money is or are (*as the Case may be*) still remaining due and unpaid, as appeareth upon Oath to me, One of His Majesty's Justices of the Peace for the said County; and the said Person or several Persons (*as the Case may be*) having been summoned to appear to answer the Premises, as also appeareth to me, the said Justice, upon Oath, and neither he, she, or they, nor either of them, (*as the Case may be,*) having shown any sufficient Cause why such Sum or Sums of Money (*as the Case may be*) should not be paid by him, her, or them respectively (*as the Case may be*), as also appeareth to me upon Oath; now these are therefore in His Majesty's Name to will and require you or either of you forthwith to levy the said Sum or several Sums of Money (*as the Case may be*) due from the said Person or Persons (*as the Case may be*), and

'hereunder

'hereunder set opposite to his, her, or their Name or Names respectively '(*as the Case may be*), and also the Two several Sums of (*inserting the* 'Amount of the Costs and Charges for the Summons and for the 'Warrant, or for either of them, as the Case may be) for the Costs and 'Charges of the said Summons and of these Presents, by Distress and Sale 'of his, her, or their respective Goods and Chattels (*as the Case may be*), 'such Goods and Chattels being kept for the Space of Five Days before 'the same are sold, rendering to him, her, or them respectively (*as the Case* 'may be) the Overplus, if any, on Demand, and the reasonable Charges 'of such Distress, and of any Removal or keeping Possession, Appraisement 'or Sale thereof, being first deducted; and if no sufficient Distress can 'be had or taken, that then you certify the same to me, to the end such 'Proceedings may be had therein as to the Law doth appertain; and I 'do hereby strictly charge and command all and singular the Constables, 'Headboroughs, and other His Majesty's Peace Officers for the said 'County to be aiding and assisting in all Things relating to the Premises. 'Given under my Hand and Seal this Day of 'in the Year of our Lord

	£	s.	d.
'A. B. - - - - - - - -			
'C. D. - - - - - - - -			
'E. F. for a House offered to be let in separate Tenements			
'G. H. - - - - - - - -			
'I. K. for a House offered to be let ready furnished -			

Rates may be recovered by Actions;

LXXXI. Provided always, and be it further enacted, That it shall be lawful at any Time or Times hereafter for the said Trustees, if they shall think it expedient, in the Name or Names of their Clerk or Clerks for the Time being, to bring or cause to be brought any Action or Actions of Debt, or Special Action on the Case, or other Action or Actions, in any of His Majesty's Courts of Record at *Westminster*, against any Person or Persons liable to pay any Sum or Sums of Money for and in respect of any Rates or Assessments made by virtue of this Act, or against any Executors or Administrators of any Person or Persons liable as aforesaid, for the Recovery of the Sum or Sums of Money due from any such Person or Persons; and that in any such Action or Actions or other Proceedings it shall be sufficient for the Plaintiff or Complainant to declare or allege that the Person or Persons against whom such Action or Actions may be brought is indebted to such Plaintiff or Complainant in such Sum or Sums of Money as shall appear to be due by or on account of any such Rates or Assessments, and that it shall only be necessary for such Plaintiff or Complainant to produce any such Rate or Rates, Assessment or Assessments, and to prove that the Person or Persons against whom such Action or Actions shall be brought, or who shall be deceased, was or were the Person or Persons mentioned in such Rate or Assessment, or liable to the Payment thereof by virtue of this Act, to entitle such Plaintiff or Complainant to recover the whole of the Sum or Sums of Money for the Recovery whereof such Action or Actions shall be brought against such Person or Persons, or against such Executors or Administrators; or that if such Plaintiff or Complainant, by any such Action or Actions, shall recover such Sum or Sums of Money so intended to be recovered thereby, or any Part thereof, he shall have the full Costs of such Action, to be levied in the

the Manner in which all other Monies and Costs, recovered in any Court or Courts wherein such Action shall be brought, may be levied and obtained, and that in any such Action or Actions no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

and from Persons removing.

LXXXII. And be it further enacted, That in case at any Time or Times hereafter any Person or Persons who hath or have been rated and assessed to, or who is or are liable to the Payment of any Rates or Assessments which shall be made by virtue of this Act, shall quit his, her, or their Houses, Tenements, or Hereditaments within the said Parish for or in respect whereof he, she, or they shall be rated or assessed before he, she, or they shall have paid any such Rates or Assessments, then and in every such Case it shall be lawful for any Person or Persons appointed to collect or receive any such Rates or Assessments by the said Trustees (Oath being made by him or them that he or they doth or do suspect that such Person or Persons hath or have removed his, her, or their Goods and Chattels,) by Warrant under the Hand and Seal of any of His Majesty's Justices of the Peace for the said County of *Middlesex*, and which Warrant such Justice or Justices is and are hereby authorized and required to grant, (and in case such Person or Persons shall have removed into any other County, City, or Place, such Warrant being first backed and countersigned by some Magistrate of the County, City, or Place to which such Person or Persons shall have removed, and which Warrant every such Magistrate is hereby empowered and directed without Fee or Reward to back or countersign,) to distrain and appraise and sell the Goods and Chattels of such Person or Persons who shall have so quitted the said Messuages or Hereditaments before he or they have paid such Rates or Assessments, for the Sum or Sums of Money due from any such Person or Persons by virtue of such Rates or Assessments, or any of them, or any Part thereof, and for all Costs, Charges, and Expenses occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, City, or Place to which such Person or Persons shall have removed, in such and the same Manner as if the same Person or Persons had continued in the said Parish of *Saint Luke Chelsea*.

Rates recovered of Tenants of divided Tenements to be repaid by Landlords.

LXXXIII. And be it further enacted, That the Goods and Chattels of each and every Person and Persons renting and occupying any separate Part or Apartment of or in any House, Building, Tenements, or Hereditaments, and the Goods and Chattels in every House, Tenement, or Hereditament let ready furnished, although the Person or Persons occupying such House, Tenement, or Hereditament, or separate Part or Apartment, be not rated or assessed under or by virtue of this Act, shall be liable to be distrained and sold by virtue of any Warrant under the Hand and Seal of One of His Majesty's Justices of the Peace, which he is by this Act authorized and directed to grant, for any Rates or Assessments made by virtue of this Act, which have accrued or become due during the Term of the Occupancy by any such Person or Persons of any such Messuage or Hereditament, or separate Part or Apartment thereof, and for the Costs and Charges and Expenses of such Warrant, and of any Appraisement, Possession, Removal, or Sale of such Goods and Chattels, or attendant thereupon; but no such Person or Persons shall be required or compellable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, than the Amount of the Rent

actually due and payable by such Person or Persons to the Lessor or Lessors, Landlord or Landlords, Owner or Owners of such House, Tenement, or Hereditament, or other Person or Persons rated or assessed as the Occupier or Occupiers of the Houses, Tenements, or Hereditaments, so entirely or partly occupied by such Person or Persons; and that each and every Person or Persons who shall pay any such Rates or Assessments as ought to have been paid by the Lessor or Lessors, Landlord or Landlords, Owner or Owners of any such Tenement or Hereditament, or upon whose Goods or Chattels the same shall be levied in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable or to become due and payable to his or their Lessor or Lessors, Landlord or Landlords, so letting out the same House, Tenement, or Hereditament, or separate Part or Apartment, to him or them, (unless there shall be some Agreement to the contrary between the Landlord or Tenant,) and the Receipt and Receipts for such Payment or Payments shall be a sufficient Discharge to every such Person or Persons for so much as he or they shall have so paid, or which shall have been so levied on his or their Goods and Chattels in pursuance of this Act, and shall be repaid by such Lessor or Lessors, Landlord or Landlords, Owner or Owners or be allowed by him, her, or them, in part or full Payment (as the Case may be) for the Rent due or to become due to him, her, or them, from such Person or Persons as aforesaid, for or in respect of such Houses, Buildings, Tenements, or Hereditaments, or separate Part or Apartments thereof respectively.

Persons receiving Rents to be deemed Owners.

LXXXIV. And be it further enacted, That to prevent Disputes touching the Designation of the Lessor or Landlord or Owners of any Houses, Buildings, Tenements, or Hereditaments intended to be made liable to be rated and assessed by any Rates or Assessments to be made by virtue of this Act, that the Person or Persons legally authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect, the Rents of any Houses, Buildings, Tenements, or Hereditaments, from the Tenants or active Occupiers thereof, or any of them, may be deemed and taken to be the Lessor or Lessors, Landlord or Landlords, Owner or Owners of such Houses, Buildings, Tenements, or Hereditaments, and shall be liable to be rated and assessed, and shall be compellable to pay the Rates and Assessments, in respect to such Houses, Buildings, or Hereditaments, in all Cases in which either Lessors, Landlords, or Owners are made liable to be rated and assessed, and to the Payment of Rates and Assessments, by virtue of this Act, unless the real Lessor or Lessors, Landlord or Landlords, Owner or Owners thereof, shall be declared by himself, herself, or themselves to be the real Lessor or Lessors, Landlord or Landlords, Owner or Owners thereof, or shall be distinctly and certainly known by the said Trustees.

Rents may be apportioned.

LXXXV. And be it further enacted, That in case any Person or Persons now or hereafter occupying any Messuage or other Hereditament in the said Parish shall remove out of or from or quit the Possession of any such Messuage or Hereditament before any Rate or Assessment to be made by virtue of this Act shall be paid and discharged, or if any Person shall enter into the Occupation of any such Messuage or Hereditament, out of or from which any other Person shall have so removed, before any such Rate or Assessment shall have been paid and discharged, then and in every such

such Case the Person so removing out of and the Person entering into the Possession or Occupation of any such Messuage or Hereditament shall be respectively liable to the Payment of every such Rate or Assessment, in proportion to the Time that such Person or Persons possessed or occupied the same respectively, in like Manner as if the Person so removing or quitting as aforesaid had remained in the Possession or Occupation of such Messuage or Hereditament, or the Person or Persons so entering into the Occupation thereof had been rated or assessed in respect thereof in any such Rate or Assessment at the Time of the making thereof, and that the Amount of such Proportion (in case any Dispute should arise) may be ascertained and determined by the said Trustees, and that according to such Determination such Rates or Assessments shall be paid by each of such Persons in such Proportions, and may be levied and recovered from each of such Persons accordingly.

Trustees may relieve Persons from Payment of Rates, in part or in all, on account of Poverty.

LXXXVI. And be it further enacted, That it shall and may be lawful from Time to Time and at all Times hereafter for the said Trustees and they are hereby empowered, upon the Complaint or Request of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, who shall think himself, herself, or themselves aggrieved thereby, or incompetent to pay the same, to mitigate, reduce, or lessen the same as they in their Discretion shall think just and reasonable, and also to remit or excuse the Payment thereof for any Cause which they shall deem sufficient, or for or on account of the Poverty or Indigence of any Person or Persons liable to pay the same so complaining, or requesting the Remission or Reduction of any such Rates or Assessments.

Collectors to pay Money to the Treasurer;

LXXXVII. And be it further enacted, That all and every Collector and Collectors of the Pew Rents to be received and of the Rates and Assessments to be made by virtue of this Act shall and he and they is and are hereby required from Time to Time, when and as he and they shall respectively collect, recover, and receive the Monies to arise thereby, to pay the same into the Hands of the Treasurer or Treasurers of the said Trustees for the Time being, to be applied and paid by the said Treasurer or Treasurers for the Purposes of this Act, according to the Orders and Directions of the said Trustees herein mentioned.

not to keep above 50*l.* in their Hands.

LXXXVIII. And be it further enacted, That if the Collector or Collectors of such Pew Rent or Rents, Rate or Rates, Assessment or Assessments, shall at any Time keep and retain in his or their Hands more than the Sum of Fifty Pounds for any longer Space of Time than Fourteen Days (provided that the Treasurer or Treasurers to such Trustees shall within that Time be ready to receive the same), then and in such Case such Collector or Collectors shall forfeit and pay the Sum of Five Pounds for every Day that he or they shall retain any Sum, exceeding the said Sum of Fifty Pounds, beyond the said Fourteen Days.

Trustees empowered to lay out Money in Government Securities.

LXXXIX. And be it further enacted, That in the meantime and until such Monies shall be applied for carrying the Purposes of this Act into execution, it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, from Time to Time to lay out

or

or invest the same in or upon Government or other Public Funds or Securities at Interest, in such of their Names or in the Name of the Treasurer, as the said Trustees shall direct; and from Time to Time to sell and dispose of the Stocks, Funds, or Securities in which the same shall have been laid out and invested as aforesaid, and again to lay out the same in the like Stocks, Funds, or Securities, and so *toties quoties;* and from Time to Time to apply and dispose of the Dividends, Interest, or annual Produce thereof, for and towards carrying the several Purposes of this Act into execution.

When the Annuities granted under 50 G. 3. cease, the Burial Ground to vest in the Trustees under this Act.

XC. And be it further enacted, That all the Rest and Residue of the said Piece of Ground so purchased by virtue and in pursuance of the said Act of the Fiftieth Year of His present Majesty's Reign (not herein-before vested in the Trustees for executing this Act) shall, subject to the Proviso herein-after contained, from and immediately after the passing of this Act, be absolutely vested in the Trustees appointed by this Act, and their Successors, as fully and effectually to all Intents and Purposes whatsoever as the same Piece of Ground was vested in and holden by the said Trustees acting under the said Act of the Fiftieth Year of His present Majesty's Reign, at or immediately before the passing of this Act: Provided always, that nothing herein contained shall extend or be construed to extend in any respect to control, abridge, or interfere with the Trusts reposed in the Trustees acting under or with the Powers or Provisions contained in the said Act of the Fiftieth Year of His present Majesty's Reign, during such Time as any Part of the Monies borrowed, or any or either of the Annuities granted, by virtue of the said Act, shall be and remain due and payable.

After the Death of the Annuitants, and Payment of the Money borrowed, the Rates to cease.

XCI. And be it further enacted, That from and after the building the said Church, and the Deaths of the several Persons on whose Lives, or at the Expiration of such Term of Years for which Annuities shall or may be granted by virtue of this Act, and from and after the Payment of all Monies to be raised, borrowed, or taken up at Interest or otherwise, by virtue of this Act, on the Credit of the said Rates and Assessments, and also after Payment and Discharge of all Expenses and Charges of applying for and passing this Act, and of putting the same in effectual Execution, and all Matters relating thereto, the Rates or Assessments hereby directed to be raised and paid shall absolutely cease and determine.

Churchwardens to account with Trustees for Fees in respect of Burials in Catacombs and Vaults.

XCII. And be it further enacted, That the Churchwardens of the said Parish 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 of the Month of *June* 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 in respect of all Burials, not only in the Catacombs and Vaults under the said intended Church, but also in the present Church, Churchyard, and old Burial Ground of the said Parish; and shall also pay unto the said Trustees or their Treasurer, at the Time of rendering every such Account, all such Monies as should have so come into their Hands respectively, after deducting thereout the Expenses and Outgoings incident to the said Office of Churchwardens.

XCIII. And

All Sums received by virtue of the Act to be paid to the Treasurer.

XCIII. And be it further enacted, That all and every Sum and Sums of Money which shall be borrowed at Interest, or raised by way of Annuity as aforesaid, or otherwise received by any of the said Trustees, Collectors, or other Persons, by virtue or in pursuance of this Act, shall, when so received by them, be paid into the Hands of the Treasurer or Treasurers to the said Trustees for the Time being, to be applied by him or them in carrying the several Purposes of this Act into execution.

Accounts to be kept, and entered in a Book.

XCIV. And be it further enacted, That an Account shall be kept by the said Trustees of the Rates or Assessments to be made in pursuance of this Act; and the said Trustees are required to cause all Receipts, Payments, Debts, Credits, and Minutes of Contracts made with or by any Artificers or Workmen employed in any Works to be executed by virtue of this Act, or any Matter or Thing relating thereto, and all other their Proceedings, to be fairly written or entered into One or more Book or Books to be kept for that Purpose.

Treasurer's Accounts to be audited Twice in every Year.

XCV. And be it further enacted, That Twice at least in every Year during the Execution of this Act (such Year to be computed from the passing thereof) the Treasurer or Treasurers to the said Trustees for the Time being shall and he and they is and are hereby required to make a true and just Statement or Account of all Sums of Money by him or them received and expended; and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by the said Treasurer or Treasurers laid before the said Trustees at their Half-yearly Meetings in the Months of *January* and *July*, or within Fourteen Days afterwards in every Year, and at such other Times as they shall direct or require, to be by them examined and allowed, and the Balance of such Account shall by the said Trustees be fairly stated in the Book of Accounts to be kept in the Office of the Clerk; and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid in Law, unless the same shall have been duly allowed by the said Trustees at their respective Half-yearly Meetings as aforesaid.

Three Persons to be appointed by Vestry yearly on Easter Tuesday, to audit Trustees Accounts.

XCVI. And be it further enacted, That on the *Easter Tuesday* in the Year of our Lord One thousand eight hundred and twenty, and on *Easter Tuesday* in each and every ensuing Year during the Execution of this Act, it shall and may be lawful to and for the Inhabitants of the said Parish having a Right to assemble, and who shall be assembled in Vestry, to nominate Three fit and proper Persons to be Auditors of the Accounts of the said Trustees; and each and every Person so to be nominated shall be a resident Householder within the said Parish, and qualified in the same or the like Manner as the Trustees acting in the Execution of this Act are required to be qualified, and shall take and subscribe an Oath of the like Purport and Effect to that hereby required to be taken by Trustees before One of His Majesty's Justices of the Peace for the said County, which Oath any such Justice is hereby authorized to administer; but no Person so to be nominated shall be a Trustee in the Execution of this Act, neither shall any Person so to be nominated be interested, either directly or indirectly, in any Contract, Office, Business, or Employ, or in providing or supplying any Articles or Materials under the Provisions of this Act; and the Auditors so to be nominated shall meet on the Third *Wednesday* in

August in the said Year One thousand eight hundred and twenty at the Board-room of the Workhouse of the said Parish, and proceed to audit the Account of the said Trustees (in the Presence of their Clerk, in case he should desire to be present,) from the Time they shall have begun to act as Trustees up to the Thirty-first Day of *July* next preceding the Meeting of the Auditors; and on the Third *Wednesday* in *February* and on the Third *Wednesday* in *August* in every subsequent Year the Auditors to be nominated on the *Easter Tuesday* then next preceding shall meet at the Place aforesaid, and proceed, in the like Manner and in the like Presence, to audit the Accounts of the said Trustees for the Half Year ending respectively on the Thirty-first Day of *January* and the Thirty-first Day of *July* then last past; and the said Trustees are hereby required by their Clerk to produce and lay before the said Auditors, at every such Meeting, a true and just Statement or Account in Writing, accompanied with proper Vouchers, of all Sum and Sums of Money which have come to the Hands of the said Trustees or of their Treasurer by virtue of this Act; and also of all Monies paid, laid out, or expended by them during the said Period and in and about the obtaining and carrying the same into execution, and other Expenses incident thereto; and in case the said Auditors shall think there is just Cause to disapprove of any Parts of the Accounts so to be presented, it shall be lawful to and for the said Auditors or the major Part of them, if they shall think fit, to appeal against the same to such Person and Persons, within the Time and subject to the Regulations and Provisions herein-after mentioned in respect of Appeals against Rates to be made in pursuance of this Act: Provided always, that no Appeal against any such Accounts shall be made or proceeded in except the same be directed and agreed upon by the said Auditors, or the major Part of them, during such Time as they shall be engaged in auditing such Accounts; and all such Accounts shall be left at the said Board-room, for the Examination of the said Auditors only, for Three successive Days, and shall afterwards remain in the same Room for Seven successive Days, for the Inspection and Information of the Inhabitants of the said Parish.

Expenses of the Act to be paid out of the first Monies raised.

XCVII. And be it further enacted, That all the Costs, Charges, and Expenses of passing of this Act, and all other Charges necessarily incidental to the applying for and attending the obtaining and passing the same, shall be borne, paid, and defrayed out of the first Monies which shall arise and be received or which shall be raised by virtue of or under this Act.

Recovery of Penalties.

XCVIII. And be it further enacted, That all Penalties and Forfeitures by this Act incurred or imposed (for the Recovery whereof no other Method hath been directed by this Act) shall be levied by Distress and Sale of the Goods and Chattels of the Person or Persons offending, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the said County of *Middlesex* (which Warrant such Justice or Justices is and are hereby authorized and required to issue, upon Confession of the Party or Parties, or upon the Evidence of any credible Witness upon Oath (which Oath such Justice and Justices is and are hereby required and empowered to administer); and the Overplus of the Money (if any) after such Penalties and Forfeitures, and the Charges of such

such Distress and Sale (such Charges to be settled by the said Justice or Justices) are recovered and deducted, shall be returned, on Demand, to the Owner or Owners of such Goods and Chattels; and all such Penalties and Forfeitures, when so recovered or paid (if not otherwise directed to be applied by this Act), shall from Time to Time be paid to the said Trustees, or to their respective Treasurer or Clerk, to be applied for the Purposes of this Act, as the said Trustees shall order and direct; and in case sufficient Distress cannot be found, or such Costs, Charges, Penalties, and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Costs, Charges, Penalties, and Forfeitures shall be sooner paid and satisfied.

Persons aggrieved to appeal to the Trustees;

XCIX. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved or overrated by any Rate or Assessment to be made by virtue of this Act, or by any other Matter or Thing to be made or done under or in pursuance of this Act, he, she, or they shall, in the first place appeal and complain thereof to the said Trustees at one of their Meetings within Four Calendar Mouths next after such Rates or other Cause of Complaint shall have been made or have arisen, who may examine the Appellant or Appellants, on any Witness or Witnesses, upon Oath, touching or concerning the Matter of such Appeal; and the said Trustees are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises and make such Order therein as to them shall seem meet.

and if dissatisfied may appeal to the Sessions.

C. Provided always, and be it further enacted, That if any Person or Persons shall conceive himself, herself, or themselves aggrieved by or be dissatisfied by the Determination of the said Trustees upon any such Appeal, or by any Order or Conviction of any One or more Justice or Justices of the Peace, then and in every such Case it shall and may be lawful to and for such Person or Persons to appeal to the Justices of the Peace for the said County at the First General or General Quarter Sessions of the Peace to be holden in and for the County of *Middlesex* aforesaid, after the Expiration of One Calendar Month from the Time of such Determination of the said Trustees, or of the making of any such Order or Conviction, the Person or Persons appealing having first given Fourteen Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Matters thereof, to the Treasurer or Clerk to the said Trustees, or other the Respondent or Respondents, and within Five Days after such Notice entering into a Recognizance before the same Justice of the Peace of the said County, with sufficient Sureties, conditioned to try such Appeal, and abide the Order or Award of the said Court thereon; and the said Justices at such Session, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and to make such Order therein, and to award such Costs to either

either of the Parties or otherwise, as they the said Justices shall judge proper; and all such Orders and Determinations of the said Justices shall be final, binding, and conclusive to all Parties to all Intents and Purposes whatsoever.

Justices may amend without quashing the whole Assessments.

CI. Provided always, and be it further enacted, That upon any Appeal against the Determination of the said Trustees touching or concerning the said Rates or Assessments, or any of them, to be made for the Purposes of this Act, the Justices at such General or Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if, upon Appeal from the whole Rate or Assessments, it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Form of Conviction.

CII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn in the Form following, or in other Words to the same Effect:

'County of Middlesex (to wit). } BE it remembered, That on the Day of in the Year of the Reign of [*as the Case may be*], *A.B.* [is *or* are, *as the Case may require*,] duly convicted before me [*or* us, *as the Case may be*,] One [*or* Two] of His Majesty's Justices of the Peace acting in and for the said County of Middlesex, of having [*here specify the Offence, Time and Place when and where committed*,] contrary to the Statute in such Case made and provided, for which Offence I [*or* we, *as the Case shall be*] do adjudge the said *A.B.* to have forfeited the Sum of and also the Sum of for the Costs, Charges, and Expenses already incurred thereabouts. Given under my Hand and Seal [*or* our Hands and Seals, *as the Case may be*,] the Day and Year first above written.'

Rated Inhabitants deemed competent Witnesses.

CIII. And be it further enacted, That no Inhabitant of the said Parish of *Saint Luke Chelsea* shall be deemed an incompetent Witness in any Suit, Action, Information, Complaint, Appeal, Prosecution, or Proceeding to be had, made, prosecuted, or carried on under the Authorities of this Act, by reason of such Person being rated or assessed, or liable to be rated or assessed, under and by virtue of this Act.

Distress not to be deemed unlawful for Want of Form.

CIV. And be it further enacted, That when any Distress shall be made for any Money to be raised or levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case; provided that no Plaintiff or Plaintiffs shall recover

cover in any Action or Actions for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or other wrongful Proceeding before any such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Adjudications shall be made, had, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court; and that no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing done or transacted in or relative to the Execution of this Act shall be vacated or quashed for Want of Form, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Limitation of Actions.

CV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for anything done in pursuance of or under the Authority or Colour of this Act, unless Notice in Writing of such intended Action shall have been given to the Clerk or Clerks to the said Trustees Twenty-one Days before such Action shall be commenced, signed by the Attorney for the intended Plaintiff or Plaintiffs, specifying the Cause or Causes of such Action, nor after sufficient Satisfaction or Tender thereof has been made to the Party or Parties aggrieved, or after One Calendar Month next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried in the County where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in such Actions or Suits may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Jurors shall find a Verdict or Verdicts for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuit, or suffer a Discontinuance of such Action or Actions, or if, upon any Demurrer or Demurrers in such Action or Actions, Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Case by Law.

General Issue.

Treble Costs.

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

CVI. 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 control the ordinary Jurisdiction of the Lord Bishop of *London* for the Time being in and over the aforesaid Parish

Parish of *Saint Luke Chelsea* in the County of *Middlesex*, or over the Minister and Churchwardens thereof, or in, over, or relative to any Matter or Thing respecting the said Parish, Minister, and Churchwardens thereof.

Public Act.

CVII. 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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