ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. xxvi.

An Act to equalize the Ecclesiastical Burthens of the Parish of *Saint Mary Islington* in the County of *Middlesex;* for partially altering the Application of the Rents and Profits of the *Stone Fields* Estate within the said Parish; for letting the Pews in the Parish Church of *Saint Mary Islington,* and the Chapel of Ease thereto; and for other Purposes connected therewith. [3d *April* 1832.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal several Acts for the Relief and* 5 G.4. c.125.
Employment of the Poor of the Parish of Saint Mary Islington *in the County of* Middlesex; *for lighting and watching and preventing Nuisances and Annoyances therein; for amending the Road from* Highgate *through* Maiden Lane, *and several other Roads in the said Parish; and for providing a Chapel of Ease and an additional Burial Ground for the same; and to make more effectual Provisions in lieu thereof;* and the Powers of the same Act are thereby directed to be carried into execution by certain Persons therein named, and their Successors, to be appointed in manner in the same Act mentioned, and to be called "The Trustees of the Parish of *Saint Mary Islington* in the County of *Middlesex;*" and by the same Act the Occupiers of Lands, Tenements, and Hereditaments of such rated annual Value

as therein mentioned, in Vestry assembled, are required to make and sign, once in every Year, or oftener if need be, Five several Pound Rates upon the Assessments of the same Parish, made and presented as therein mentioned, one of which said Rates is expressed to be for Payment of the Annuities and other Expences for the building, repairing, and Service of the Chapel of Ease, or of any other Chapel or Chapels or any Church or Churches which might thereafter be purchased, erected, or hired under the Provisions of that Act, which Rate should not exceed in any One Year Two Shillings and Sixpence in the Pound; and one other of which Rates is expressed to be for the Purpose of repairing and upholding and rebuilding the Parish Church in part or in whole, and in defraying the Expences incurred by the Churchwarden by virtue of his Office or by Order of Vestry; and it was by the same Act enacted, that the said last-mentioned Rate should be paid by the Trustees, or, by their Order, by the Collector or Collectors of the said Rate, to the senior Churchwarden for the Time being, and applied by him in such Manner as the Rates theretofore made for the said Purposes had been applied: And whereas since the passing of the said Act Three new Churches have been built within the said Parish, under the Provisions of an Act passed in the Fifty-eighth Year of the Reign of His late Majesty
58 G. 3. c. 45. King *George* the Third, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, and of several subsequent Acts for amending and rendering more effectual the said Act, towards the Expence of building which Churches, and for fitting up the same, the Sum of Twelve thousand Pounds was borrowed by the said Parish under the Powers of the said Act of the Fifth Year of the Reign of King *George* the Fourth: And whereas by an Order made by His Majesty in Council, and which appeared in the *London Gazette* of the Fourteenth of *September* One thousand eight hundred and thirty, Ecclesiastical Districts were, pursuant to the Powers of the said Acts for building and promoting the building of additional Churches, assigned to the said Three new Churches respectively, and named respectively "*Trinity* District," "*Saint Paul*'s District," and "*Saint John*'s District;" and the Residue of the Parish, wherein the Parish Church and the said Chapel of Ease are situated, was named "*Saint Mary*'s District:" And whereas by the said Act of the Fifty-eighth Year of His late Majesty King *George* the Third it is provided, that the Repairs of the District Churches should be made by the Districts to which they respectively belong, by Rates to be raised within the District, and that every such District should remain nevertheless subject for Twenty Years to the Repair of the original Parish Church: And whereas His Majesty's Commissioners for carrying into execution the said Acts for building additional Churches have, under the Provisions of the said Acts, appointed Select Vestries for the Management of the said Three District Churches, and have assigned the Pew Rents thereof respectively to the respective Churchwardens of the same Churches, for the Payment of the Stipends of the Ministers and Clerks thereof: And whereas a Plan or Scheme hath been proposed and approved of by the Parishioners of the said Parish in Vestry assembled, for equalizing the Ecclesiastical Burthens within the said Parish, in manner hereinafter expressed; but 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 said recited Act of the Fifth Year of the Reign of His late Majesty King *George* the Fourth, and all and every the Powers, Provisions, Directions, Matters, and Things therein contained, save and except so far as the same are altered or repealed by this Act, shall be extended to this Act, and shall be deemed Part thereof, and shall be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in this Act.

Powers of recited Act 5 G. 4. extended to this Act, except as hereby repealed.

II. And be it further enacted, That so much of the said recited Act as authorizes or requires the Vestry of the said Parish of *Saint Mary Islington* to make one other Rate for Payment of the Annuities and other Expences for the building, repairing, and Service of the Chapel of Ease, or of any other Chapel or Chapels or any Church or Churches which may hereafter be purchased, erected, or hired under the Provisions of the said Act, and to make one other Rate for the Purpose of repairing and upholding and rebuilding the Parish Church in part or in whole, and in defraying the Expences incurred by the Churchwarden by virtue of his Office or by Order of Vestry, shall be and the same is hereby repealed.

So much of 5 G. 4. c. 125. as relates to Church Rates repealed.

III. And be it further enacted, That in lieu of the said Two several Rates hereby repealed, the several Rates following shall and may be made and signed, as often as Occasion shall be or require, in the same Manner as the said Rates hereby repealed were to be made and signed (except as herein-after mentioned with respect to a District Rate); that is to say, one Rate for Payment of the Annuities heretofore granted on raising Monies for building the said Chapel of Ease, and for Payment of the Annuities and other Expences for the building, repairing, and Service of any Chapel or Chapels or any Church or Churches which may hereafter be purchased, erected, or hired under the Provisions of the said last-recited Act, and for Payment of the Monies heretofore borrowed towards the building the said District Churches, and for the Fittings of the same, and the Interest of the same Monies, which Rate shall not exceed in any One Year Two Shillings and Sixpence in the Pound; one other Rate, to be called "The Churchwardens Rate," for Payment of the Annuities heretofore granted for raising Monies for purchasing the new Burial Ground of the said Parish, and for defraying all Expences incurred or to be incurred by the Churchwardens of the said Parish for the Time being by virtue of their Office or by Order of Vestry (except such of the same Expences as are otherwise provided for under the Provisions hereafter contained); and one other Rate for repairing and upholding and rebuilding the said Parish Church and Chapel of Ease, and providing Furniture for the same respectively (except the ordinary or annual Repairs otherwise provided for under the Provisions herein-after contained); but such last-mentioned Rate shall be made only upon the Assessment of such of the several Lands, Houses, Tenements, Hereditaments, Canals, Rivers, and

Rates to be levied.

Premises

Premises authorized and required by the said last-mentioned Act to be assessed as are within the said District called the District of *Saint Mary's*, and shall be made and signed by the Occupiers of Lands, Tenements, and Hereditaments within the said District in Vestry assembled, pursuant (in all other respects) to the Provisions of the same Act, instead of being made and signed by the Occupiers of Lands, Tenements, and Hereditaments within the said Parish; and such Vestry shall, as far as relates to the said District, and the Matters concerning the same, possess all the Powers which by the said Act are given to Vestries of the said Parish; and all Rates hereby authorized or required to be made shall be made upon the last Assessment for the Time being under the said Act, or upon so much of the same Assessment as shall be applicable, if the same shall be a District Rate only; and that for the Purpose of such District Rate a District Assessment shall be made or extracted and presented by the Assessors appointed by the said Act, in the same Manner as is provided by the said Act with regard to Parish Assessments; but such Assessment as last mentioned shall, as far as the same shall extend, correspond with the Parish Assessment aforesaid.

Assignments now subsisting of the Rates repealed to be charged upon the Rate for the Payment of Annuities upon the Chapel of Ease.

IV. And be it further enacted, That all Assignments heretofore made of and now charged upon the Rates made under the Authority of so much of the said recited Act of the Fifth Year of the Reign of King *George* the Fourth as is hereby repealed, or either of them, to any Person or Persons advancing Monies on the Credit of the said last-mentioned Act, or any Act thereby repealed, shall be good, valid, and effectual, to all Intents and Purposes whatsoever, as Charges upon, and they are hereby charged upon, and shall be deemed and construed to be Assignments of, the Rate firstly herein-before mentioned and authorized or required to be made, in the same Manner, Order, and Form as they respectively were Charges upon or Assignments of the same first-mentioned Rates.

Publication of Notices respecting Rates.

V. And be it further enacted, That Notice of every Vestry for the Purpose of making such District Rate as aforesaid, and also Notice of the said Rate having been made upon the said District of *Saint Mary's* under and by virtue of this Act, and also any other Notice or Notices required by the said Act, the Matter of which shall relate only to the said District, shall, if given in or (as the Case may require) affixed upon the Doors of the said Parish Church and Chapel of Ease, be as good and valid to all Intents and Purposes as if given in all the Churches and Chapels of Ease within the said Parish; and all such Notices as aforesaid which are required by the said Act to be printed and circulated through the said Parish shall, if printed and circulated through the said District, be as valid and effectual as if printed and circulated through the said Parish; any thing in the said recited Act of the Fifth Year of King *George* the Fourth to the contrary notwithstanding.

Rates secondly and thirdly authorized to be made to be

VI. And be it further enacted, That the Churchwardens Rate, and the Rate for repairing and upholding and rebuilding the said Parish Church and Chapel of Ease, and providing Furniture for the same respectively, above authorized to be made, shall be paid by the said

said Trustees, or by the Collector or Collectors of the said Rates, upon the Order of the said Trustees, to the senior Churchwarden of the said Parish for the Time being, and be applied by him to the Purposes for which they shall be raised.

paid over to the senior Churchwarden.

VII. And whereas, under and by virtue of an Act passed in the Fifty-first Year of the Reign of King *George* the Third, intituled *An Act to enable the Trustees of certain Lands called the* Stone Fields, *situate in the Parish of* Saint Mary Islington *in the County of* Middlesex, *to grant Building Leases thereof*, the Trustees or Trustee for the Time being of the said Lands are authorized and empowered to apply and dispose of all the Rents, Issues, and Profits of the said Lands, as the same shall arise, (after Payment of Four Marks as therein mentioned,) in Payment of all Expences attending the repairing and keeping in repair and ornamenting the said Parish Church of *Saint Mary Islington*, and attending the Office of Churchwarden, in such and the like Manner as the same Rents and Profits had been or were then applied and disposed of at the passing of the said Act; and after such Payments, then to apply and dispose of the said Rents, Issues, and Profits in erecting and building and keeping in repair the said Chapel of Ease then about to be erected and built in the said Parish: And whereas it is Part of the Scheme so proposed and approved of by the Parishioners of the said Parish as aforesaid, that, instead of such Appropriation of the said Rents and Profits, the same should be applied in manner herein-after enacted; be it therefore enacted, That the clear Rents and Profits of the said Lands and Hereditaments called the *Stone Fields*, and the Erections and Buildings thereon, to become due from and after the Twenty-fifth Day of *December* One thousand eight hundred and thirty-one, shall from Time to Time, as and when they shall become due and be received, be divided by the Trustees or Trustee thereof for the Time being into Four equal Parts, one whereof shall be paid to the senior Churchwarden for the Time being of the Parish of *Saint Mary Islington*; one other thereof to the Churchwardens for the Time being of the said District Church called *Trinity Church*; one other thereof to the Churchwardens for the Time being of the said District Church called *Saint John's*; and one other thereof to the Churchwardens for the Time being of the said District Church called *Saint Paul's*; and that the said Churchwardens respectively shall apply and dispose of the Monies so paid to them in manner following; that is to say, as to the said senior Churchwarden for the Time being of the said Parish, in defraying the incidental Expences of carrying on Divine Worship in the same Chapel of Ease, and as to the Churchwardens of the said District Churches respectively, in defraying the incidental Expences of carrying on Divine Worship in the said District Churches respectively, such as Insurance, Wine, warming, lighting, the Salaries of Organists, Beadles, and Pew-openers, and other Incidents of the same or the like Nature, and, in the next place, in defraying the Expences of the ordinary or annual Repairs of the said Chapel of Ease or District Churches respectively; and the Surplus (if any) shall be respectively carried to the Credit of the like Items for the ensuing Year.

Recital of Act 51G.3. c.216. respecting Stone Fields Estate.

Appropriation of Rents arising from the Stone Fields Estate.

Limiting the Amount of the Stone Fields Rent to be applied to the Purposes of the Act.

VIII. Provided always, and be it further enacted, That if the clear Rents and Profits of the said Lands and Hereditaments shall at any Time or Times exceed the annual Sum of One thousand Pounds, then the Sum of One thousand Pounds only shall be divided and paid by the Trustees or Trustee for the Time being of the said Lands and Hereditaments in manner herein-before directed; and the Residue of the same Rents and Profits shall be paid and applied, in the first place, in lieu or aid of the Churchwardens Rate herein-before authorized to be raised, and in the next place, in lieu or aid of the Rate herein-before authorized to be raised throughout the said District of *Saint Mary*'s as aforesaid; and in case any Doubts, Disputes, or Difficulties shall arise touching the Application of the ultimate Residue or Surplus of the said Rents and Profits (if any), then and in every such Case it shall and may be lawful to and for the said Trustees or Trustee for the Time being of the said Lands and Hereditaments, without any Bill filed, to prefer a Petition or Petitions, from Time to Time as Occasion may require, to the High Court of Chancery, which Court is hereby authorized, in case it shall think proper, to cause the same to be heard in a summary Way, and to order and direct such ultimate Residue or Surplus to be applied and disposed of for the Benefit of the said Parish, and to make any other Order or Orders touching the Subject of such Petition or Petitions as the same Court shall judge proper; and such Order or Orders as the said Court of Chancery shall think fit to make therein or upon the hearing thereof shall be observed and obeyed by, and be final and conclusive on, all Persons whomsoever.

Pews to be let in the Church and Chapel of Ease, with certain Reservations of Free Seats.

IX. And be it further enacted, That it shall be lawful for the Churchwardens of the said Parish Church, and also for the Chapelwarden of the said Chapel of Ease, to be appointed in manner hereinafter mentioned, severally, from Time to Time and at all Times hereafter, to let the Pews or Seats within the said Parish Church and Chapel of Ease respectively (save and except such Pews or Seats in the said Parish Church as the Vicar for the Time being is now entitled to, and such as now are selected and appropriated for the gratuitous Use and Occupation of the Churchwardens and Overseers of the Poor for the Time being, and save and except such Pews or Seats in the said Chapel of Ease as now are appropriated for the gratuitous Use of the Trustees and Minister of the said Chapel respectively, and save and except such Free Sittings in the said Parish Church and Chapel of Ease respectively as are herein-after directed to be allotted for the Use of the Poor,) for any Period determining at *Lady Day* or *Michaelmas Day* next after such letting, and so on from *Lady Day* to *Michaelmas Day*, or from *Michaelmas Day* to *Lady Day*, or from any intermediate Day at which the same shall again be let to the then next *Lady Day* or *Michaelmas Day*, and so on from Time to Time, to such Persons as shall be Inhabitants within the said District of *St. Mary*'s, according to the List or Scale of Pew Rents herein-after mentioned: Provided always, that all such Pews or Seats as shall not be taken at the Rent respectively fixed thereon, within Twenty-eight Days next after the public Notice in the said Parish Church and Chapel of Ease respectively of the letting of the said Pews and Seats under or by virtue of this Act, or which, after having

having been let, shall remain vacant for Fourteen Days after the Expiration of such Letting, shall or may be let to any Inhabitant of any adjoining District or Parish, at the Rent respectively fixed upon such Pews or Seats, for any Period determining as aforesaid, and so on as aforesaid, but so that, at the Expiration of every such Period at the *Lady Day* or *Michaelmas Day* then next, such last-mentioned Pews or Seats shall be inserted in a List of vacant Pews or Seats for Fourteen Days next before such *Lady Day* or *Michaelmas Day*, and shall or may, during such Period of Fourteen Days, be taken in preference by the Inhabitants of the said District of *St. Mary*'s, in manner above mentioned; and all such Pews or Seats as may not be so taken by any Inhabitant of *St. Mary*'s within such Period of Fourteen Days shall or may again be let, and so on from Time to Time, to any Inhabitant of any adjoining District or Parish, in manner aforesaid.

Free Seats.

X. Provided always, and be it further enacted, That the said Churchwardens shall cause to be set out and appropriated such Seats or Sittings in the Galleries and also in the Body of the said Parish Church and Chapel respectively, as shall not amount to less than One Fifth of the whole Number of the Sittings in the said Church or Chapel respectively, to be for ever hereafter 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 who shall be willing to use and occupy the same, without any Payment, Appointment, or Permission whatsoever, and on which Seats the Words "Free Seats" shall be marked or written: Provided always, that it shall be also lawful for the said Churchwardens to set out and allot out of the said Free Seats in the Galleries, to or for the Use of all such Children as shall be receiving Education in any Charity School within the Parish of *Saint Mary Islington*, such a Number thereof as the said Churchwardens shall think proper, without receiving for the same any Payment or Emolument whatsoever.

Pews to be charged with the Rents marked upon them.

XI. And be it further enacted, That all the Pews or Seats in the said Parish Church and Chapel respectively (save and except the Pews or Seats herein-before excepted, and such Free Seats as aforesaid,) shall for ever be charged and chargeable with the several and respective yearly Rents or Sums set opposite to the Figures or Numbers marked upon each of the said Pews or Seats, not exceeding Sixteen Shillings *per Annum* for any One Sitting, as they shall be particularly numbered and set down in a List or Lists to be signed by the Bishop of the Diocese, the Incumbent, and Churchwardens, as far as relates to the said Parish Church, and with the additional Signature of the Minister of the said Chapel of Ease as far as regards the said Chapel; and all such Pew Rents shall be payable in advance, (that is to say,) One Half Year's Rent shall be paid on the Admission to the Pew or Seat, if such Admission shall be given at *Lady Day* or *Michaelmas*, or if at any intermediate Period, then the Proportion of the Half Year to *Lady Day* or *Michaelmas*, as the Case may be, and a Half Year's Rent over and above such Proportion, and thereafter half-yearly Payments shall be made in advance, commencing on the *Lady*

Lady Day or *Michaelmas* immediately following the taking of such Pew; and every such Pew and Seat shall be forfeited and become vacant by the Discontinuance of any such Payment in advance for Two following Half Years; and the said Churchwardens and Chapelwarden respectively may sue for and recover the said Rent so in arrear by Action of Debt or upon the Case, for the Use and Occupation of such Pew or Seat, to be brought against the Occupier or Occupiers thereof, in the Name of "The Churchwardens of the Church of *Saint Mary Islington*," or "The Chapelwarden of the Chapel of Ease of *Saint Mary Islington*," as the Case may be; and no such Action or Suit shall abate by reason of the Death, Removal, or going out of Office of any such Churchwarden or Chapelwarden.

Present Occupiers to have the Choice of Pews and Seats.

XII. And be it further enacted, That the present Occupiers of Pews or Seats in the said Parish Church and Chapel respectively shall have the Choice of such Pews or Seats in preference and priority to all other Persons whomsoever; but such Preference or Priority shall be exercisable only within Fourteen Days after Notice calling upon the said Occupiers to exercise the same shall have been publicly given in the said Parish Church and Chapel of Ease respectively during the Time of Divine Service; and at the Expiration of such Fourteen Days it shall be lawful for the said Churchwardens and Chapelwarden respectively to take possession of so many of the same Pews or Seats as shall not have been taken by the said present Occupiers at the Rents aforesaid, and to let the same to any such other Persons as the same are herein-before directed to be let unto: Provided always, that in the event of such Preference or Priority being exercised by any Person who shall not reside in the District of *Saint Mary*'s, it shall be lawful for such Person to enjoy his or her Sittings so long as he or she shall continue to pay the Rents for the same in manner herein-before mentioned, and reside in the said Parish of *Islington*, to the Exclusion of any other Person or Persons whomsoever; any thing herein contained to the contrary notwithstanding.

Power to alter Pew Rents.

XIII. And be it further enacted, That it shall be lawful for the said Churchwardens and Chapelwarden respectively, with the Concurrence of the Bishop of the Diocese and the Incumbent, as far as relates to the said Parish Church, and with the additional Consent of the Minister of the said Chapel of Ease as far as relates to the said Chapel, to make such Alteration in the said Pew Rents from Time to Time as shall be deemed expedient.

Application of Pew Rents of the Parish Church.

XIV. And be it further enacted, That the yearly and other Rents for the Seats and Pews in the said Parish Church shall be collected and received by the senior Churchwarden for the Time being, and the same shall be applied, in the first instance, in defraying the Expences of carrying on Divine Worship as the same is at present conducted in the same Church, including Wine, warming, lighting, the Salaries of Organist and Pew-openers, and other Incidents of the same or the like Nature; and, in the next place, in defraying the Expences of the ordinary or annual Repairs of the said Church; and the Surplus (if any) shall be carried to the Credit of the like Items for the ensuing Year.

XV. And

Chapelwarden to be appointed.

XV. And be it further enacted, That a fit and proper Person shall be from Time to Time appointed, by the Minister for the Time being of the said Chapel of Ease, to act as a Chapelwarden for the Purposes herein expressed; and that such Person, when so appointed, shall have the same Powers for keeping Order in the said Chapel as Churchwardens have by Law for keeping Order in Parish Churches.

Application of Pew Rents of the Chapel of Ease.

XVI. And be it further enacted, That the yearly and other Rents for the Seats and Pews in the said Chapel of Ease shall be collected and received by the said Chapelwarden, and the same shall be applied by him, in the first instance, in Payment of a Salary of Forty Pounds *per Annum* to the present Clerk of the said Chapel, so long as he shall continue to hold that Office, and from and after his Death, Deprivation, or Resignation, then in Payment of a Salary of Thirty Pounds *per Annum* to every succeeding Clerk, by half-yearly Payments; and all the Residue of the said Pew Rents shall from Time to Time be paid to the said Minister for the Time being of the said Chapel; but in case of the Death, Resignation, or Deprivation of the said Minister, a proportionate Part of so much of the said Rents, if any, as he shall have received in advance, computed to the Day of his Death, Removal, or Resignation, shall be forthwith paid and made good by such Minister, or his Executors or Administrators, to the succeeding Minister of the same Chapel: Provided always, that the said half-yearly Payments to the said present or other Clerk for the Time being shall not be made in advance, but shall be retained by the said Chapelwarden for the Time being till they are actually due; and that such Salary and Payments shall be accepted and taken by such Clerk and Minister for the Time being in lieu and satisfaction of the Stipends which have hitherto been paid to them out of the Rates raised under the said recited Act of the Fifth Year of the Reign of King *George* the Fourth, which Stipends shall cease from and after the Day on which this Act shall come into operation.

Application of Mortuary Money and Fees for Vaults, &c.

XVII. And be it further enacted, That the Mortuary Money arising from the Burial Grounds attached to the said Parish Church and Chapel of Ease, and the Fees and Dues for or in respect of any Vaults, Monuments, Tombs, or other Stones to be erected or placed in such Grounds, or in, upon, or under the said Parish Church and Chapel of Ease respectively, except such Parts thereof as the Vicar, Clerk, and Sexton of the said Parish shall be entitled to, shall, after paying thereout the Expences of insuring the said Church and Chapel of Ease from Damage by Fire, be carried to the Credit of the Rate to be made, and called the Churchwardens Rate as aforesaid.

Parish Accounts to be accommodated to the Provisions of this Act, as to the Mode of keeping them.

XVIII. And be it further enacted, That the Accounts directed to be kept by the said recited Act of the Fifth Year of the Reign of King *George* the Fourth, so far as the same shall relate to the said Parish Church and Chapel of Ease, shall be kept under such Heads as shall correspond with the Provisions hereby made, and so as to separate and distinguish the Accounts kept for the said District of *Saint Mary*'s from the Accounts kept for the whole Parish.

Directing in whom the Appointment of Officers to the Church and Chapel of Ease shall belong.

XIX. And be it further enacted, That the Beadle of the said Chapel of Ease, and the Organists and Pew-openers of the said Parish Church and Chapel of Ease respectively, shall, from and after *Easter Tuesday* One thousand eight hundred and thirty-two, be nominated and appointed by the Occupiers of Lands, Tenements, and Hereditaments, within the said District of *Saint Mary*'s, in Vestry assembled, at the usual Period of appointing Officers in the said Parish in every Year, or at such other Time or Times as may be required by the Death, Resignation, or Removal of such Officers respectively, instead of the Occupiers of Lands, Tenements, and Hereditaments within the said Parish, any thing in the said recited Act of the Fifth Year of the Reign of King *George* the Fourth to the contrary notwithstanding; and that every such Officer shall be removable from his, her, or their Office at the Pleasure of the said Vestry of *Saint Mary*'s District.

Indemnity to Churchwardens and Select Vestries of District Churches.

XX. And whereas the Select Vestries of the said Three Districts have lately made Rates upon their respective Districts for the Repairs of their respective Churches, and for the Expences of carrying on Divine Worship therein; and the said Rates have been in part collected, and the Amount expended accordingly; but it being since apprehended that the same Rates are illegal, the Collection of them has been suspended; be it therefore enacted and declared, That the Churchwardens of the said several District Churches, and the Select Vestries of the same, and all other Persons whomsoever acting under their Authority respectively, shall be, and they and each of them, and each of the Members of the same Vestries, is and are hereby indemnified and for ever discharged of and from all Errors and Irregularities or Illegalities in the making and collecting of the Rates herein-before mentioned to have been made and collected by them, and all Consequences thereof.

Arrears of Rates made under 5 Geo. 4. to be collected.

XXI. Provided always, and be it further enacted, That all Arrears (if any) now remaining uncollected of all or either of the Rates made under the Authority of so much of the said recited Act passed in the Fifth Year of the Reign of King *George* the Fourth as is herein-before repealed shall and may be collected, received, enforced, and applied in like Manner and with the same Powers, to all Intents and Purposes, as if this Act had not been passed.

Justices may proceed by Summons in the Recovery of Penalties.

XXII. And be it further enacted, That in all Cases in which by the said recited Act of the Fifth Year of His said late Majesty any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons, without such Information in Writing,

shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

Expences of Act.

XXIII. And be it further enacted, That the Costs, Charges, and Expences of passing this Act, and all other Charges incident to or attending the same, shall be borne, paid, and defrayed out of the first Monies to be levied, collected, and received by virtue of this Act in respect of the said Churchwardens Rate, or out of any Monies at the Time of passing this Act in the Hands or under the Controul of the said Trustees of the said Parish, and which shall have been raised, collected, or received by virtue of the said recited Act of the Fifth Year of the Reign of King *George* the Fourth.

Public Act.

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

Commencement of Act.

XXV. And be it further enacted, That this Act shall commence and take effect upon *Easter Tuesday* after the passing thereof, except as to any Matters or Things in relation to which any prior Day or Time is herein-before mentioned.

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