ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

****

Cap. 9.

An Act for rebuilding the Tower of the Pariſh Church of *Saint Peter*, in the Borough and Liberty of *Saint Alban*, in the County of *Hertford*, together with the Chancel thereof; and for more effectually repairing the ſaid Pariſh Church.

[24th *March* 1803.]

WHEREAS the Pariſh Church of *Saint Peter*, in the Borough and Liberty of *Saint Alban*, in the County of *Hertford*, is a very ancient Structure, and the Tower thereof, being in Danger of falling, hath been taken down, together with the Chancel which was connected therewith: And whereas the Expence of rebuilding the ſaid Tower and Chancel upon a reduced Scale, and of the ſeveral other Repairs neceſſary to be done in and about the ſaid Church is eſtimated at the Sum of Four thouſand Pounds, or thereabouts, which ſaid Sum cannot be raiſed in the ſaid Pariſh without the Aid of Parliament, the Inhabitants being chiefly Tenants at Rack Rent: 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

Truſtees.

Authority of the ſame, That the Vicar and Churchwardens of the ſaid Pariſh for the Time being, together with *Thomas Baker* M. D., *John Barnett*, *William Baſſill*, *Robert Boome*, the Reverend *William Bowen*, *John Boys*, *James Brown*, *Joſeph Bunn*, *William Cannon*, *Ambroſe Clarke*, *William Dearman*, *John Emmett*, the Reverend *James Carpenter Gape*, *John Gough*, *William Harris*, *William Kendall*, *Thomas Kinder*, *John Kinder*, *William Kinder*, *Thomas Henry Lamb*, *Thomas Lewis*, *Samuel Marſton*, *John Munn*, *William Owen*, *John Parratt*, *William Patmore*, *William Pocock*, *James Read*, *Henry William Richardſon*, *Joſhua Saunders*, *Francis Carter Searancke*, *John Smith*, *Matthew Towgood*, *Joſeph Pomfret Vander Meulen*, and *George Wilſon*, ſhall be, and they and their Succeſſors to be elected in Manner herein-after mentioned, are hereby appointed Truſtees for putting this Act in Execution; and the ſaid Truſtees, and all Perſons to be by them appointed, are hereby empowered to receive and take the Monies ariſing by virtue of this Act, which Monies are hereby veſted in them the ſaid Truſtees for the Purpoſes of this Act, and ſhall be by them ordered, paid, and applied, to and for the Uſes and Purpoſes herein-after mentioned, and not otherwiſe.

For appointing new Truſtees in Caſes of Death, *etc.*

II. And be it further enacted, That when any Truſtee or Truſtees appointed or to be appointed in purſuance of this Act (except ſuch Perſons as are declared to be Truſtees by virtue of their Station or Office), ſhall die, or refuſe to act, or ſhall ceaſe to be rated to the Church and Poor of the ſaid Pariſh, it ſhall be lawful for the Inhabitants of the ſaid Pariſh, rated and paying to the Rate for Church and Poor, preſent at any Meeting or Veſtry called for that Purpoſe, to chuſe and elect any other Perſon or Perſons, being a Pariſhioner or Pariſhioners, to be a Truſtee or Truſtees in the room or ſtead of the Truſtee or Truſtees ſo dying, or refuſing to act, or ceaſing to be rated as aforeſaid; provided that ſuch Perſon or Perſons ſo to be choſen, ſhall be rated to the Church and Poor of the ſaid Pariſh at Twenty Pounds *per Annum* or upwards, and not otherwiſe; and that no Inhabitant ſhall be permitted to vote but ſuch as ſhall be named in the laſt Rate for the Relief of the Poor of the ſaid Pariſh, made previouſly to ſuch Election, and who ſhall have paid or tendered to pay the ſame; and every Perſon ſo to be choſen, ſhall be and is hereby inveſted with the ſeveral Powers by this Act veſted in each Truſtee hereby appointed: Provided alſo, that if any Perſon or Perſons appointed a Truſtee or Truſtees for the Execution of this Act, ſhall have any Share or be anyways 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 or enjoy any beneficial Employment under or by virtue of this Act, every ſuch Perſon ſhall, during the Exiſtence of ſuch Contract, or during his Continuance in ſuch Employment, be utterly diſabled and diſqualified from acting as a Truſtee or Truſtees under this Act; and if any ſuch Truſtee as aforeſaid, ſhall preſume to act during ſuch Diſability or Incapacity as aforeſaid, every ſuch Perſon ſo preſuming to act ſhall forfeit the Sum of Ten Pounds for every Day in which he ſhall ſo act as aforeſaid, to any Perſon or Perſons who ſhall ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, and the Money ſo forfeited ſhall be recovered by the Perſon or Perſons ſo ſuing, with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in which no Eſſoign, Privilege, Protection, Wager of Law, or more than One Imparlance, ſhall be allowed.

Truſtees not to act where intereſted.

Under a Penalty for ſo doing.

III. And

Truſtees may act as Juſtices.

III. And be it further enacted, That all ſuch Truſtees as are or ſhall be Juſtices of the Peace, may act as Juſtices notwithſtanding their being Truſtees, except in Caſes where they may be intereſted; and that in all Caſes where any Juſtice or Juſtices of the Peace is or are authorized by this Act to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Juſtice or Juſtices, and he and they is and are hereby required to adminiſter ſuch Oath, or to take ſuch Affirmation; provided that all the Powers and Authorities by this Act granted to or veſted in, and all Matters and Things directed to be done or performed by the ſaid Truſtees, ſhall and may be exerciſed and executed, done and performed by the major Part of them, who ſhall attend at any publick Meeting to be held under or according to this Act, the Number of the Truſtees preſent at any ſuch Meeting not being leſs than Five; and all the Acts, Orders, Reſolutions, and Proceedings of ſuch major Part ſo preſent, ſhall have the ſame Force and Effect as if done or made by all the Truſtees; and that where the Number of Voices ſhall be equal, the Chairman to be appointed at each Meeting ſhall have the deciſive or caſting Vote.

Powers of the Act to be executed by the Majority of Truſtees preſent, where the Number is not leſs than Five.

Proceedings to be entered in a Book.

IV. And be it further enacted, That all Acts, Orders, Reſolutions, and Proceedings of the ſaid Truſtees, ſhall be entered in the Veſtry Book or Books of the ſaid Pariſh, and ſigned by them, or the major Part of them, preſent at the doing or making ſuch Acts, Orders, Reſolutions, or Proceedings; which Book or Books may be produced and read in Evidence in all Courts and Places whatſoever.

For appointing Meetings.

V. And be it further enacted, That the ſaid Truſtees ſhall and may meet together in the ſaid Pariſh Church, or in ſuch Place as ſhall be uſed as a Veſtry Room of the ſaid Pariſh for the Time being, within One Calendar Month after the paſſing of this Act, or as ſoon after as conveniently may be, between the Hours of Nine of the Clock in the Forenoon and One of the Clock in the Afternoon, and proceed to put this Act in Execution, and then, and from Time to Time afterwards, adjourn themſelves to meet, or may meet, according to ſuch Summons as is herein-after directed to be given, at ſuch Time or Times, Place or Places, within the ſaid Pariſh, as the ſaid Truſtees ſhall think proper and convenient, and of which Adjournment Notice in Writing, ſigned by the Treaſurer hereinafter mentioned to be appointed, or Veſtry Clerk for the Time being, ſhall be given to or left for the Truſtees reſident within the ſaid Pariſh, at their laſt or uſual Place or Places of Abode, Two Days at leaſt previous to ſuch intended Meeting; and if there ſhall not appear at any Meeting to be appointed by the ſaid Truſtees, Five or more of ſuch Truſtees to act at ſuch Meeting, and to adjourn to another Day, then and in ſuch Caſe the ſaid Veſtry Clerk, ſhall and is hereby required to ſummon ſuch Truſtees, to meet at the Place where the laſt Meeting was appointed to be held, within Fourteen Days next after the Day on which ſuch Meeting was to have been held as aforeſaid, ſuch Summons to be ſigned by the ſaid Churchwardens, Treaſurer, or Veſtry Clerk, or any One of them, and to be delivered at the laſt or uſual Place of Abode of ſuch Truſtees, at leaſt Two Days before ſuch Meeting; and that the Truſtees at all ſuch Meetings ſhall pay their own Expences.

VI. And

Empowering the Truſtees to cauſe the Tower of the Church and the Chancel to be rebuilt.

VI And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to cauſe the Tower of the ſaid Church, and the Chancel thereof, to be rebuilt according to the Plan propoſed by the Surveyor employed by the ſaid Pariſhioners, and agreed to at a Veſtry holden in the ſaid Pariſh, on the Thirty-firſt Day of *March* One thouſand eight hundred and two, and ſince confirmed and agreed to by the Appropriator the Lord Biſhop of *Ely*, and to make ſuch other Alterations and Repairs to the ſaid Church as may be deemed proper and neceſſary.

For appointing Officers.

VII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, from Time to Time to appoint a Treaſurer, without any Salary or Allowance for his Trouble in ſuch Truſt, and a Collector or Collectors of the Monies to be raiſed by virtue of this Act, and alſo One or more fit and able Perſon or Perſons, if they ſhall judge it neceſſary, as a Surveyor or Surveyors to ſuperintend the Buildings and Works to be carried on in purſuance of this Act, and ſhall and may take ſuch Security as they the ſaid Truſtees ſhall think proper from ſuch Treaſurer and Collectors; and ſhall and may from Time to Time remove ſuch Treaſurer, Collectors, or Surveyors, and appoint in like Manner another or others in the Room and Stead of ſuch of them as ſhall be ſo removed, or ſhall die, or may diſcontinue or reſign his or their Office or Employment; and that ſuch Truſtees ſhall and may, out of the Monies ariſing out of this Act, pay or cauſe to be paid to ſuch Veſtry Clerk, Collector or Collectors, and Surveyor or Surveyors, ſuch Salaries or other Allowances as they the ſaid Truſtees ſhall judge a reaſonable Compenſation for his or their reſpective Trouble and Services, provided that the Salary of any ſuch Collector or Collectors ſhall not exceed the Sum of Three-pence in the Pound, upon the Monies which he or they ſhall receive and account for.

Empowering the Truſtees to contract for the ſeveral Works;

VIII. And be it further enacted, That the ſaid Truſtees may contract with any Perſon or Perſons for building the ſaid Tower and Chancel, and doing ſuch other Work and Repairs as may be deemed neceſſary by the ſaid Truſtees, and may contract with ſuch Perſon or Perſons for providing proper Materials for the Purpoſes aforeſaid, or otherwiſe; and all Contracts and Agreements made or entered into by or between the ſaid Truſtees, at any of their Meetings to be held in purſuance of this Act, and any Perſon or Perſons whomſoever, relating to any Act, Matter, or Thing to be done or performed in Execution of any of the Powers hereby granted, ſhall be reduced into Writing, and ſigned by the Parties thereto, and ſhall be good, valid, and binding, as well upon the ſaid Truſtees as upon all other Parties thereto, his, her, and their Executors, Adminiſtrators, Succeſſors, and Aſſigns; and in caſe of Breach thereof, Actions and Suits may be brought, maintained, and defended, and Damages and Coſts recovered thereon, againſt the Party or Parties refuſing or neglecting to perform the ſame; provided, that it ſhall be lawful for the ſaid Truſtees to compound and agree with any Perſon or Perſons againſt whom they ſhall bring or cauſe to be brought any Action or Actions, Suit or Suits, for the Recovery of any Penalty or Penalties, Sum or Sums of Money, contained in any Contract or Contracts, which ſhall or may be made or entered into in purſuance of this Act, for or on Account of any Breach or Non-performance of ſuch Contract or Contracts,

and to compound for Penalties incurred by Contractors.

or

or any Part or Parts thereof, or in anywiſe relating thereto, for ſuch Sum or Sums of Money as they ſhall think proper; and all and every the Sum and Sums which ſhall be received in conſequence of ſuch Compoſition, ſhall be applied to the Purpoſes of this Act, in the ſame Manner as ſuch whole Penalty or Penalties, Sum or Sums of Money, if paid or recovered, would be applicable.

Truſtees not to be concerned in Contracts.

IX. And be it further enacted, That in every Contract or Agreement to be made or entered into with the ſaid Truſtees, in purſuance or by virtue of this Act, there ſhall be inſerted an expreſs Clauſe or Condition, that no Truſtee be admitted to any Share of ſuch Contract or Agreement, or to any Intereſt therein or Benefit therefrom; and in caſe any Perſon or Perſons who may enter into any ſuch Contract or Agreement with the ſaid Truſtees, ſhall admit any ſuch Truſtee to any Share thereof or Intereſt therein, or to receive any Benefit therefrom; all and every ſuch Perſon and Perſons ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, to be recovered, with Coſts of Suit, in any of His Majeſty's Courts of Record at *Weſtminſter*, by any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in which no Eſſoign, Privilege, Protection, Wager of Law, or more than One Imparlance, ſhall be allowed.

Truſtees to ſue and be ſued in the Name of their Treaſurer;

X. And be it further enacted, That the ſaid Truſtees ſhall ſue and be ſued in the Name of the Treaſurer, for the Time being, to be appointed under this Act; and that no Action that may be brought by or againſt the ſaid Truſtees, or any of them, in relation to this Act, in the Name of their Treaſurer, ſhall abate or be diſcontinued by the Death or Removal of ſuch Treaſurer, or by the Act of him or them, without the Conſent of the ſaid Truſtees, but that the Treaſurer, for the Time being, ſhall always be deemed Plaintiff or Defendant in every ſuch Action, as the Caſe may be; nevertheleſs the ſaid Action or Actions, Suit or Suits, ſhall be under the Management and Direction of the ſaid Truſtees: Provided always, that ſuch Treaſurer ſhall be reimburſed out of the Monies to be raiſed by virtue of this Act, all ſuch Coſts and Damages as by the Event of any ſuch Actions or Proceedings he ſhall be put unto, or become charged or chargeable with, by reaſon of his being ſo made Plaintiff or Defendant therein.

who is to be reimburſed Coſts and Damages.

Empowering the Truſtees to raiſe Money by Annuities, or on Loan, &c.

XI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to raiſe, either by Annuities on ſingle Lives or on ſeveral Lives, with Survivorſhip, or on Annuities to be granted for a certain Term of Years, or by Way of Loan upon Bond or other Security, to be entered into or given by or by the Order and Direction of the ſaid Truſtees, any Sum or Sums of Money not exceeding in the Whole the Sum of Four thouſand Pounds, and for the ſeveral Purpoſes aforeſaid, that it ſhall and may be lawful to and for any Perſon or Perſons whatſoever to contribute, advance, and pay into the Hands of the ſaid Truſtees, or into the Hands of their Treaſurer, for the Time being, or of ſuch other Perſon or Perſons as they the ſaid Truſtees ſhall, by any Writing under their Hands and Seals, authorize to receive the ſame for the Uſes and Purpoſes before mentioned (ſuch Treaſurer or other Perſon or Perſons, firſt giving ſufficient Security, if required, to the ſaid Truſtees as aforeſaid), any Sum or Sums of Money, not exceeding in

the Whole the Sum of Four thouſand Pounds, for the abſolute Purchaſe of Annuities, or by Way of Loan, as herein-before is mentioned, the ſaid Annuities, if granted on a Life or Lives, to be paid and payable for and during the natural Life or Lives of the Contributor or Contributors, or for and during the natural Life or Lives of ſuch Perſon or Perſons as he, ſhe, or they ſhall nominate reſpectively, from the Time of Payment of their reſpective Contribution Money, and ſuch Annuities ſhall and may be granted with or without Benefit of Survivorſhip, and upon ſuch Terms and Conditions as the ſaid Truſtees ſhall think proper; and the ſaid Annuities, if granted for a Term of Years, to be granted for ſuch Term of Years, and on ſuch Terms and Conditions, as the ſaid Truſtees ſhall think fit; all which Annuities, and alſo the Principal and Intereſt of the Money to be borrowed and taken up as aforeſaid, ſhall be paid and payable by the ſaid Truſtees in the Veſtry Room of the ſaid Pariſh, or in ſuch other Place as the ſaid Truſtees ſhall appoint for that Purpoſe; and the Principal of ſuch Money to be borrowed and taken up by the ſaid Truſtees on Intereſt as aforeſaid, on the Credit of this Act, ſhall be repaid to the Perſon or Perſons lending or advancing the ſame, out of the ſaid Rates, as often as the ſame ſhall amount to a ſufficient Sum to diſcharge any One Bond, upon giving the Lender Six Months Notice in Writing for that Purpoſe, at the End of which Time all Intereſt on the ſaid Bonds ſhall ceaſe.

And directing how the ſame ſhall be repaid.

Money borrowed to be charged on the Rates directed to be raiſed.

XII. And be it further enacted, That all and every of the Annuities ſo to be purchaſed under or by virtue of this Act as aforeſaid, and all and every Sum and Sums of Money to be borrowed and taken up on the Credit of this Act, and the Intereſt thereof, ſhall be and the ſame are and is hereby charged upon and made payable, from Time to Time, out of the Monies ariſing by the Rates and Aſſeſſments by this Act directed to be raiſed and aſſeſſed as herein-after is mentioned; and that all and every the Contributor and Contributors, or Lender or Lenders, of any Money upon the Credit of this Act, duly paying the Conſideration or Purchaſe Money for any ſuch Annuity or Annuities, or otherwiſe advancing the Money as aforeſaid, or ſuch Perſon or Perſons as he, ſhe, or they ſhall appoint, his, her, or their reſpective Executors, Adminiſtrators, or Aſſigns, ſhall receive and enjoy, and be entitled by virtue of this Act, to have, receive, and enjoy the reſpective Annuity or Annuities ſo to be purchaſed, and the Principal and Intereſt of the other Monies ſo to be advanced as aforeſaid, out of the ſaid Rates or Aſſeſſments by this Act appropriated or appointed for Payment thereof; and all and every ſuch Purchaſer or Purchaſers of ſuch Annuity or Annuities, and other Perſon or Perſons advancing Money as aforeſaid, and his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, ſhall have a good, ſure, abſolute, and indefeaſible Eſtate, Right, and Intereſt in and to the ſaid Annuities, ſo to be by them reſpectively purchaſed, and in and to the ſaid other Monies ſo to be advanced as aforeſaid, according to the Tenor and true Meaning of this Act.

Terms of Security and Bond.

XIII. And be it further enacted, That every Contributor for the Purchaſe of any ſuch Annuity or Annuities as aforeſaid, under and by virtue of this Act, upon the Payment of the Conſideration or Purchaſe Money for the ſame, or any Part thereof, or upon Payment of any Money advanced by Way of Loan, ſhall receive a Receipt or Receipts for ſo much Money

Money as ſhall be ſo paid; and upon Payment of all the Purchaſe Money for any ſuch Annuity or Annuities, or of any Sum or Sums of Money by Way of Loan, every ſuch Contributor or Lender, his or her Aſſigns reſpectively, ſhall have a Grant or Security in Writing for Payment of the ſaid Annuity or Annuities, for and during the natural Life or Lives of ſuch Contributor or Contributors as aforeſaid, or ſuch Perſon or Perſons as ſhall be nominated by him, her, or them, or for the Payment of ſuch Sum or Sums of Money ſo lent, which Grants or Securities ſhall be ſigned by the Treaſurer herein directed to be appointed, for the Time being, with the Conſent of the ſaid Truſtees, to be teſtified by their Signature thereto, and ſhall reſpectively be in the Words or to the Effect following; that is to ſay,

Form of Grant of Annuity.

'KNOW all Men by theſe Preſents, That the Truſtees appointed by and acting under an Act, paſſed in the Forty-third Year of the Reign of King *George* the Third, intituled, [*ſet forth the Title of this Act*], do, by virtue of the ſaid Act, and in Conſideration of the Sum of [*inſert here the Conſideration*], paid to them by [*deſcribe here the Purchaſer or Purchaſers*], before the Sealing and Delivery of theſe Preſents (as appears by the Receipt indorſed hereon), grant and ſecure unto the ſaid [*name the Purchaſer or Purchaſers*, or, *his, her, or their Appointee or Appointees, as the Caſe may be*], his, [her, *or* their], Executors, Adminiſtrators, and Aſſigns, an Annuity of [*inſert the Amount of the Annuity*], payable out of the Rates and Aſſeſſments made and aſſeſſed, and to be made and aſſeſſed by the Truſtees of or acting under the ſaid Act, for the Purpoſes therein mentioned, which ſaid Annuity ſhall be paid to the ſaid [*name here the Purchaſer or Purchaſers, his,* or *her*, or *their Appointee or Appointees*], his, [*or*, her, *or*, their], Executors, Adminiſtrators, and Aſſigns, at [*here inſert ſuch Place as the Truſtees ſhall think fit to appoint*], upon the Day of and the Day of in every Year, by equal Half-yearly Payments, during the natural Life, and proportionally up to the Day of the Death of [*or*, during the natural Lives and Life of and the Survivor of them, and proportionally up to the Day of the Death of ſuch Survivor; *or*, during the natural Lives and Life of and the Survivors and Survivor of them, and proportionally up to the Day of the Death of ſuch Survivor; or during the Term of Years now next enſuing, *as the Caſe may be*], the firſt Payment thereof to be made upon the Day of now next enſuing. In Witneſs whereof, the Treaſurer appointed by virtue of the ſaid Act hath hereunto ſet his Hand and Seal, the Day of in the Year of our Lord

'Signed and ſealed by the ſaid
'the Treaſurer appointed by virtue of the ſaid
'Act, with the Conſent of us the Majority of
'the Truſtees, preſent at a Meeting holden the
'Day and Year laſt above mentioned.'

And alſo that all and every the Sum and Sums of Money to be advanced, lent, and paid to or to the Order of the ſaid Truſtees, upon the Credit of this Act, on Bond, ſhall be ſecured by a Bond under the Hand and Seal of the Treaſurer hereby directed to be appointed, for the Time being, with

with the Conſent of Three of ſuch Truſtees, teſtified as aforeſaid, in the Words or to the Effect following; that is to ſay,

Form of Bond.

'KNOW all Men by theſe Preſents, That the Truſtees appointed by and acting under an Act, paſſed in the Forty-third Year of the Reign of King *George* the Third, intituled, [*here ſet forth the Title of this Act*], and their Succeſſors, are held and firmly bound to in the Sum of to be paid to him [*or*, her, *or*, them] the ſaid or to his [*or*, her, *or*, their], certain Attorney, Executors, Adminiſtrators, or Aſſigns. In Witneſs whereof the Treaſurer appointed by virtue of the ſaid Act, hath hereunto ſet his Hand and Seal, this Day of in the Year of our Lord .'

'THE Condition of the above written Obligation is ſuch, That if the above named his [*or*, her, *or*, their], Executors, Adminiſtrators, or Aſſigns, ſhall, under and according to the true Intent and Meaning of the above mentioned Act of Parliament, be well and truly paid the full and juſt Sum of this Day advanced and lent by him [*or*, her, *or*, them], the ſaid upon the Credit of the ſaid Act, together with Intereſt for ſuch Sum of whilſt the ſame ſhall remain unpaid, after the Rate of *per Centum per Annum*, by equal Half-yearly Portions or Payments, then this Obligation ſhall be void.

'Signed and ſealed by the ſaid
'the Treaſurer appointed by virtue of the ſaid
'Act, with the Conſent of us the Majority of
'the Truſtees, preſent at a Meeting holden the
'Day and Year above mentioned.'

Form of Aſſignment and Transfer.

XIV. And be it further enacted, That all and every Perſon and Perſons, to whom any ſuch Annuity or Annuities ſhall be ſo granted and ſecured as aforeſaid, and his, her, and their Executors, Adminiſtrators, and Aſſigns, ſhall and may, by Indorſement on his, her, or their reſpective Securities, and executed in the Preſence of any One of the ſaid Truſtees, or of the Treaſurer by this Act directed to be appointed, or the officiating Clergyman of the Pariſh or Place where the Party making ſuch Aſſignment ſhall reſide at the Time of making ſuch Aſſignment, aſſign or transfer his, her, or their Right to the Annuities thereby reſpectively ſecured, in the Words or to the Effect following; that is to ſay,

'IN Conſideration of the Sum of of lawful Money of *Great Britain*, this Day paid by I, [*or*, we, *as the Caſe may be*], do hereby transfer the within written Security, and the Annuities [*or*, Annuity], thereby granted or ſecured, unto Executors, Adminiſtrators, or Aſſigns. Witneſs my Hand and Seal [*or*, our Hands and Seals], this Day of in the Year of our Lord

'Witneſs'

And the Lender or Lenders of ſuch other Monies as aforeſaid, and his, her, and their Executors, Adminiſtrators, and Aſſigns, ſhall and may, by Aſſignment under their reſpective Hands and Seals, atteſted as aforeſaid,

ſaid, and to be indorſed on their reſpective Bonds, alſo aſſign and tranſfer any of ſuch Bonds, and the Monies thereby reſpectively ſecured, to any Perſon or Perſons whomſoever, in the Words or to the Effect following; that is to ſay,

'IN Conſideration of the Sum of of
'lawful Money of *Great Britain*, this Day paid by
'I do hereby transfer the within written Bond, with all
'my Right and Title to the Principal and Intereſt thereby ſecured, unto
'Executors, Adminiſtrators, and Aſſigns. Witneſs
'my Hand and Seal, this Day of in the
'Year of our Lord .'
'Witneſs,

Directing Entries to be made of Annuities.

XV. And be it further enacted, That there ſhall be provided by the ſaid Truſtees, and kept by the Veſtry Clerk, a Book or Books, in which ſhall be fairly written in Words at Length, the Names and Additions of all ſuch Perſons as ſhall be Purchaſers of any of the Annuities aforeſaid, or as ſhall lend any Sum or Sums of Money on Bond or other Security, and the Names of the Perſons into whoſe Hands the ſaid Purchaſers or Lenders ſhall pay any Sum or Sums of Money upon the Credit of this Act, and alſo the Sum or Sums of Money ſo paid for the Purchaſe of Annuities, or lent on Bonds or other Security, and the reſpective Days of Payment thereof; and all ſuch Aſſignments or Transfers reſpectively ſhall be produced and notified to the Veſtry Clerk, within Twenty-one Days after the Date thereof, and ſhall be by him entered in the ſaid Book or Books, for which the ſaid Clerk ſhall be paid the Sum of Two Shillings and Sixpence, and no more; and after ſuch Entry ſhall be made every ſuch Aſſignment or Transfer ſhall be deemed to paſs the legal Property of and in ſuch Annuity, or Bond, or other Security, as ſhall be thereby aſſigned, and ſuch Aſſignee or Aſſignees may in like Manner aſſign and transfer again, and ſo *toties quoties*; to which Book or Books the ſaid Purchaſers, and Lenders, their Executors, Adminiſtrators, and Aſſigns, and any Perſon or Perſons who ſhall be liable to pay any Rates, or Aſſeſſments to be made by virtue of this Act, may at all reaſonable Times have Recourſe, and may inſpect the ſame without Fee or Reward.

Empowering the Truſtees to make Aſſeſſments and Rates for the Purpoſes of this Act.

XVI. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, and they are hereby authorized and required, from Time to Time, by Writing under their Hands, to make an Aſſeſſment or Aſſeſſments, Rate or Rates, according to the laſt Poors' Rate or Rates of the ſaid Pariſh (the rating of Stock in Trade excepted), on all and every Perſon and Perſons who do or ſhall inhabit or occupy any Meſſuages, Lands, Tenements, or Hereditaments within the ſaid Pariſh, and who are liable, in reſpect thereof, to be rated and pay to the Church Rate of the ſaid Pariſh, as to the ſaid Truſtees ſhall appear neceſſary for the Purpoſes of this Act, and to order and direct the Collector or Collectors to be appointed in purſuance of this Act, to collect and receive from ſuch Occupiers of ſuch Meſſuages, Lands, Tenements, or Hereditaments as aforeſaid, ſuch Rates and Sums of Money as ſhall be ſo 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 applied by them as well in Satisfaction and Diſcharge of the aforeſaid Debt, as for the other Purpoſes of this Act, the ſame to take Place

from the Twenty-fifth Day of *March* One thouſand eight hundred and three, and to continue for and during ſuch Time as any of the Monies to be borrowed upon Bond, or raiſed by Way of Annuity or Annuities upon the Credit of this Act, ſhall remain owing or have Continuance, and nó longer: Provided always, that it ſhall and may be lawful to and for the ſaid Truſtees, or for ſuch Perſon or Perſons as they ſhall appoint, at all convenient Times, to inſpect the Poors' Rates of the ſaid Pariſh, in order to aſcertain the Rates to be made by virtue of this Act, and to take Copies thereof *gratis*.

And for that Purpoſe to inſpect the Poor Rates.

Veſtry Clerk to enter Proceedings in a Book.

XVII. And be it further enacted, That the ſaid Veſtry Clerk for the Time being, ſhall, and he is hereby required to make proper Entries in a Book or Books to be kept for that Purpoſe, and ſigned by the ſaid Truſtees, who ſhall have made ſuch Rates and Aſſeſſments reſpectively, of all and ſingular the Rates and Aſſeſſments which they ſhall make in purſuance of this Act; to which Book or Books every Perſon liable to pay the ſaid Rates or Aſſeſſments ſhall and may have free Acceſs at all convenient Times, and be permitted to inſpect the ſame without Fee or Reward.

Rates veſted in the Truſtees.

XVIII. And be it further enacted, That the ſaid ſeveral Rates ſhall be and the ſame are hereby veſted in the ſaid Truſtees for the Purpoſes herein mentioned, and ſhall be by them ordered, paid, and applied to and for the ſeveral Uſes and Purpoſes, and in ſuch Manner as is herein alſo mentioned, all Charges and Expences being thereout firſt paid, ſatisfied, and deducted; and the ſaid Truſtees ſhall and may cauſe the ſaid Rates or Aſſeſſments to be recovered in like Manner as the Poors' Rates are by Law recoverable; and all Juſtices of the Peace and other Perſons are hereby authorized and directed to proceed and act therein, in like Manner as they may by Law proceed and act for the Recovery of the Poors' Rates.

Collectors to Account on Oath:

XIX. And be it further enacted, That the Collector or Collectors to be appointed under and by virtue of this Act, ſhall from Time to Time when required, give in a particular, true, and perfect Account in Writing under his or their Hand or reſpective Hands, to the ſaid Truſtees on Oath, if required, (which Oath the ſaid Truſtees are hereby authorized to adminiſter), of all Monies which they ſhall have reſpectively received, collected, or levied by virtue of this Act, or by Reaſon or Means of the ſaid Office; and ſhall alſo from Time to Time, when thereunto required by the ſaid Truſtees, pay all ſuch Monies as ſhall be in his or their or any of their Hands to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall, by any Writing or Writings under their Hands, authorize and empower to receive the ſame; and which ſaid Truſtees and Treaſurer ſhall annually account to the Pariſhioners in Veſtry aſſembled, at their annual Meeting for the Choice of Churchwardens.

Truſtees and Treaſurer to account annually to the Pariſhioners.

Or in caſe of Neglect in either Caſe Complaint may be made to Juſtices, who are empowered to commit the Perſon offending.

XX. And be it further enacted, That in caſe any Collector or Collectors, Truſtees or Treaſurer, ſhall neglect or refuſe to render and make ſuch Accounts and Payments as are required to be made by them reſpectively, by this Act, then any Two Juſtices of the Peace of the ſaid Borough or Liberty of *Saint Alban*, ſhall and may, upon Complaint thereof, make Enquiry of and concerning ſuch Neglect or Refuſal, as well by the Confeſſion of the Parties themſelves, as by the Oath or Oaths of One or more

more credible Witneſs or Witneſſes; and if any ſuch Collector or Collectors, Truſtees or Truſtee, or Treaſurer, ſhall be convicted of ſuch Neglect or Refuſal before ſuch Juſtices of the Peace, then the ſaid Juſtices ſhall, upon Conviction, commit the Perſon or Perſons ſo offending to the Common Gaol of the ſaid Borough or Liberty, there to remain, without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment as aforeſaid.

Inhabitants may be Witneſſes.

XXI. And be it further enacted, That every Inhabitant of the ſaid Pariſh of *Saint Peter*, ſhall and may and is hereby declared to be a competent Witneſs in any Action, Suit, Information, Complaint, Proſecution, or Proceeding to be had, made, proſecuted, or carried on under the Authority of this Act, in ſuch and the ſame Manner as ſuch Perſon could or might have been in caſe he had been reſident in any other Pariſh or Place.

For recovering Money due from Officers in Caſes of Death, *etc.*

XXII. And be it further enacted, That if any Treaſurer, Collector, or other Perſon to be appointed by virtue of this Act, ſhall happen to die, or become Bankrupt, before he or they ſhall fully have paid and ſatisfied all the Money by him or them received under this Act, then, in ſuch caſe of Death, the legal perſonal Repreſentative or Repreſentatives of ſuch Treaſurer, Collector, or other Perſon or Perſons, ſhall in the firſt Place, out of the Eſtate and Effects of the deceaſed, pay unto the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, all ſuch Sums of Money as were in the Hands of ſuch Treaſurer, Collector, or Perſon at the Time of his or their Death, or ſo much thereof as the Aſſets of the deceaſed will extend to pay and ſatisfy; and in caſe of Bankruptcy, the Aſſignee or Aſſignees of the Eſtate and Effects of ſuch Bankrupt ſhall, after paying to the petitioning Creditor or Creditors his, her, or their Coſts of ſuing and proſecuting the Commiſſion againſt ſuch Bankrupt, in the next place pay unto the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, all ſuch Sum or Sums of Money as were in the Hands of ſuch Bankrupt at the Time of ſuing out ſuch Commiſſion of Bankrupt, or ſo much thereof as the ſaid Eſtate and Effects will extend to pay, and the Receipt of ſuch Truſtees, or of ſuch Perſon or Perſons, ſhall be a good Diſcharge for the ſaid Money; and every ſuch Repreſentative or Aſſignee may, to any Suit or Action brought againſt him, plead or give in Evidence the Payment of the ſame, and ſhall be allowed ſuch Payment prior to any Debt or Demand whatſoever; and in caſe of Non-payment of the ſame by the Space of Four Days after the ſame ſhall have been demanded, in Writing, left at the uſual Place of Abode of ſuch Repreſentative or Aſſignee, it ſhall be lawful for the ſaid Truſtees to recover the ſame by Action in any of His Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Repreſentative or Aſſignee, in Preference to any ſuch other Debt or Demand as aforeſaid.

Rates charged with the Payment of Money borrowed.

XXIII. And be it further enacted, That the ſeveral Rates or Aſſeſſments hereby directed to be made, collected, levied, and paid, ſhall be charged and chargeable with and for the Payment of all and every ſuch Annuity and Annuities as aforeſaid, and all Arrears thereof reſpectively; and all Sums of Money to be advanced, lent, or paid as aforeſaid, and the Intereſt thereof reſpectively, from Time to Time, and ſhall veſt in the Annuitant or Annuitants, or other Perſon or Perſons advancing, lending,

lending, or paying Money as aforeſaid, upon Default of Payment of ſuch Annuity or Annuities, or other Monies ſo to be advanced, lent, or paid, or the Intereſt thereof, or any Part thereof reſpectively, for the Space of Six Months after the ſame ſhall become due, until the ſame ſhall be fully paid and ſatisfied, together with Intereſt for ſuch Arrears of Annuity from the Time the ſame ought to have been paid until Payment and Satisfaction thereof, and of the Coſts and Charges occaſioned by the Non-payment of the ſame; and ſuch Annuitant or Annuitants in caſe there ſhall be any Arrear of ſuch Annuity or Annuities, and until full Payment thereof reſpectively, with ſuch Intereſt and Charges as aforeſaid, and ſuch other Perſon or Perſons, until Re-payment of their Money advanced, and Intereſt, according to the Stipulation for Payment thereof, ſhall, upon giving Twenty Days Notice in Writing, and Default of Payment at or before the End of ſuch Twenty Days, have the ſame Powers, Rights, and Privileges of aſſeſſing, collecting, diſtraining, and levying the ſaid Rates and Aſſeſſments payable by virtue of this Act, as the ſaid Truſtees would have had in caſe the ſaid Annuity or Annuities, or other Money to be advanced as aforeſaid, and the Intereſt thereof, had been regularly and fully paid and ſatisfied; and for that Purpoſe the Truſtees ſhall deliver or cauſe to be delivered over to ſuch Perſon or Perſons as aforeſaid, the then exiſting Rates, and all Monies then in Hand and collected on Account thereof.

After the Deaths of Annuitants, and Payment of Monies borrowed, the Rates ſhall ceaſe.

XXIV. And be it further enacted, That, from and after 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 as herein-before is mentioned, and from and after 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 Expences and Charges of applying for and paſſing this Act, and putting the ſame into effectual Execution, and all Matters relating thereto, the Rates or Aſſeſſments hereby directed to be raiſed and paid ſhall abſolutely ceaſe and determine.

For paying the Expences of the Act.

XXV. And be it further enacted, That all the Coſts, Charges, and Expences of paſſing this Act, and all other Charges incident to the applying for and obtaining thereof, or incurred in relation thereto, and in putting the ſame into Execution, ſhall be borne, paid, and defrayed, out of the firſt Monies which ſhall be raiſed by virtue of this Act.

Diſtreſs not to be deemed unlawful.

XXVI. And be it further enacted, That when any Diſtreſs ſhall be made for any Money 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 Default or Want of Form in any 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 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

wrongful Proceedings, before 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 Judgement 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 relating to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed or removeable by *Certiorari*, or other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Proceedings not to be vacated for Want of Form.

XXVII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved or over-rated by any Rate or Assessment to be made under or in pursuance of this Act, he, she, or they may appeal and complain thereof to the said Trustees, who may examine the Appellant or Appellants, or any Witness or Witnesses, upon Oath, touching or concerning the Matter of such Appeal, and relieve the Person or Persons appealing, or not, and make such Order therein as to them shall seem meet.

Persons aggrieved may appeal to the Trustees:

XXVIII. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Trustees, or by Means of any Rate or Assessment to be made under or in pursuance of this Act, or any Order or Conviction of One or more Justice or Justices of the Peace, it shall and may be lawful to and for such Person or Persons to appeal to a General Quarter Sessions of the Peace to be held in and for the said Liberty or Borough of *Saint Alban*, before the Justices then and there assembled; and such Justices are hereby authorized and empowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of the said Appeal, and make such Order therein as to them shall seem meet; which Order shall be final and conclusive to and upon all Parties, but so as that such Appeal shall be made within Four Calendar Months next after the Cause of Complaint shall have arisen; and that the Person or Persons so appealing shall give, or cause to be given, Eight Days Notice in Writing at the least of his or her Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the said Treasurer or Vestry Clerk, for the Time being, and within Four Days after such Notice enter into a Recognizance, before some Justice of the Peace for the said Liberty or Borough, with Two sufficient Sureties conditioned to try such Appeal, at the then next General Quarter Sessions, and to abide the Order of, and pay such Costs as shall be awarded by the Justices at such Quarter Sessions, or any Adjournment thereof; and such Justices, upon hearing and finally determining the Matter of such Appeal, shall and may, and they are hereby directed and required to award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination in or concerning the Premises, shall be conclusive and binding upon all Parties, to all Intents and Purposes whatsoever.

Or to the Quarter Sessions.

Limitation of Actions.

XXIX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of or under Colour of this Act, until Twenty-one Days Notice shall be given thereof in Writing to the said Treasurer or Vestry Clerk, nor after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Four Calendar Months 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 of *Hertford*, and not in any other County or Place; and the Defendant or Defendants in such Actions and Suits may plead the General Issue, or give this Act and every 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 as 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 Juries 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, Judgement 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 Cases by Law.

Preserving the Rights of the Appropriator.

XXX. Provided always, and it is hereby enacted, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to affect or prejudice the Right or Interest of the Appropriator and Patron of the said Parish.

Publick Act.

XXXI. And be it further enacted, That this Act shall be taken and allowed in all Courts of Justice as a publick Act, and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without the same being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1803.