

ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

****

CAP. LX.

An Act for the better Regulation of Vestries, and for the Appointment of Auditors of Accounts, in certain Parishes of *England* and *Wales*.

[20th *October* 1831.]

WHEREAS it is expedient to provide for the Election of Vestries, and of Auditors of Parish Accounts, in certain Parishes of *England* and *Wales;* be it therefore 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 this Act and the several Provisions thereof shall apply to and may be adopted, under and subject to the Regulations herein contained, by any Parish or Parishes in *England* and *Wales*.

Act may be adopted by any Parish.

II. And be it further enacted, That when in any Parish certain of the Rate-payers thereof may desire that the said Parish should come under the Operation of this Act, then and in that Case any Number of Rate-payers amounting at least to One Fifth of the Rate-payers of such Parish, or any Number of Rate-payers amounting at least to Fifty Parishioners, may, on some Day between the First Day of *December* and the First Day of *March*, deliver a Requisition, by them signed, and describing their Places of Residence, to the Churchwardens, or to One of them, serving for the said Parish, requiring

Manner of adopting it in Parishes where Inhabitants do not assemble in open Vestry.

of the said Churchwardens to ascertain according to the Manner herein-after mentioned whether or not a Majority of the Rate-payers of the said Parish do wish and require that this Act and the Provisions thereof should be adopted therein; and which Requisition may be in the Form or to the Tenor and Effect following; (that is to say,)

Form of Requisition.

'To the Churchwardens of the Parish of [*insert here the Name of the Parish*].

'WE, whose Names are hereunto subscribed, being Rate-payers 'resident in the said Parish, and respectively rated or assessed to 'the Relief of the Poor thereof, do hereby require you the said Churchwardens to ascertain and determine the Adoption or Non-adoption 'of an Act of the Second Year of the Reign of King *William* the 'Fourth, Chapter , intituled *An Act* [*here insert the 'Title of the Act*].

'Dated this Day of in the Year of our 'Lord .'

Upon Receipt of Requisition, Churchwarden to give Notice of Time and Place for receiving Votes.

III. And be it further enacted, That the said Churchwardens of the said Parish shall on the first *Sunday* in the Month of *March* next after the Receipt of such Requisition affix or cause to be affixed a Notice to the principal Doors of every Church and Chapel within the said Parish, specifying some Day not earlier than Ten Days and not later than Twenty-one Days after such *Sunday*, and at what Place or Places within the said Parish, the Rate-payers are required to signify their Votes for or against the Adoption of this Act; which Votes shall be received on Three successive Days, commencing at Eight of the Clock in the Forenoon and ending at Four of the Clock in the Afternoon of each Day; and the said Notice shall be to the following Effect:

Form of Notice.

'THE Churchwardens of this Parish [*insert here the Name of the Parish*] having received a Requisition duly signed according 'to the Provisions of an Act of the Second Year of the Reign of '*William* the Fourth, Chapter , for the better Regulation 'of Vestries, the Rate-payers of this Parish of [*insert here the Name 'of the Parish*] are hereby required, all and each of them, on the 'Day of next, and the Two following Days, 'to signify to the said Churchwardens by a Declaration, either 'printed or written, or partly printed or partly written, addressed 'and delivered to One of the Churchwardens at '[*insert here the Place*], their Votes for or against the Adoption of 'the aforesaid Act for the better Regulation of Vestries by the 'Rate-payers of this Parish.

'(Signed) Churchwardens.'

Form of Declaration.

IV. And be it further enacted, That the said Declaration shall be to the following Effect:

'I *A.B.* of Street [*or* Place *or* House] in this 'Parish of vote [for *or* against, *as the Case may be*,] 'the Adoption of the Act of the Second Year of the Reign of '*William* the Fourth, Chapter , for the better Regulation 'of Vestries by this Parish.'

Churchwardens to declare whether the Votes are in favour of adopting this Act.

V. And be it further enacted, That the said Churchwardens shall carefully examine the Votes to them delivered as aforesaid, and shall compare them with the last Rate made for the Relief of the Poor of the said Parish, and shall be empowered to call before them and examine any Parish Officer touching the said Votes, or any Rate-payer so giving his Vote, and after a full and fair Summing-up of the said Votes shall, by public Notice according to the Form and Manner herein-after prescribed, declare whether or not Two Thirds of the Votes given have been given in favour of the Adoption of the said Act: Provided always, that the whole Number of Persons voting shall be a clear Majority of the Rate-payers of the Parish: Provided also, that the Adoption or Non-adoption of this Act shall be decided by such Number of Votes as aforesaid.

Rate-payers may inspect Votes.

VI. Provided always, and be it further enacted, That any of the Rate-payers of the aforesaid Parish, not exceeding Five together, may inspect, at or in the Vestry Room, or in some convenient Place within the same Parish, and they are hereby empowered to inspect the Votes so given for and against the Adoption of this Act, at all seasonable Times within One Month after such Notice shall have been given; and the Churchwardens of the said Parish are hereby required carefully to preserve the said Votes, and freely to permit and allow the Examination thereof by the aforesaid Rate-payers of the said Parish at such seasonable Times within the Period aforesaid.

No Person to vote unless he has been rated One Year.

VII. Provided always, and be it enacted, That no Person shall be deemed a Rate-payer, or be entitled to vote, or do any other Act, Matter, or Thing as such under the Provisions of this Act, unless he or she shall have been rated to the Relief of the Poor for the whole Year immediately preceding his so voting or otherwise acting as such Rate-payer, and shall have paid all the Parochial Rates, Taxes, and Assessments due from him or her at the Time of so voting or acting, except such as have been made or become due within the Six Months immediately preceding such voting.

Notice of Adoption of the Act.

VIII. And be it further enacted, That Notice of the Adoption of this Act by any Parish shall be forthwith given by the Churchwardens for the Time being of the said Parish in the *London Gazette* and in One or more of the public Newspapers circulating in the County in which the said Parish may be situated, and by affixing a Notice of the same to the principal Doors of every Church and Chapel within the said Parish; which Notice shall be to the following Effect:

'Parish of [*here insert Name of Parish*].

'NOTICE is hereby given, That the above-named Parish has 'adopted the Act of the Second Year of the Reign of King 'William the Fourth, Chapter , intituled *An Act* [*here insert* 'the Title of the Act]; and that the Numbers of the Majority and 'Minority of Votes given for and against the Adoption of the said

'Act

'Act are as follows; that is to say, Votes for the Adoption 'thereof, and Votes against the Adoption thereof.

'Dated this Day of in the Year of our 'Lord

'(Signed) Churchwardens.'

No similar Requisition to be made within Three Years.

IX. Provided always, and be it further enacted, That if the Rate-payers shall determine, in the Manner as aforesaid, against the Adoption of this Act, then and in that Case it shall not be lawful to make another Requisition for the same Purposes within Three Years after such Determination.

This Act to take effect in all Parishes in which its Adoption has been notified.

X. And be it further enacted, That in any Parish in which public Notice of the Adoption of this Act in the Manner as aforesaid shall be so made and given, this Act shall immediately become the Law for electing Vestrymen and Auditors of Accounts of the said Parish in manner herein-after mentioned.

Penalties on Churchwardens and others refusing to call Meetings, &c.

XI. And be it further enacted, That if any Churchwarden, Rate-collector, Overseer, or other Parish Officer shall refuse to call Meetings according to the Provisions of this Act, or shall refuse or neglect to make and give the Declarations and Notices directed to be made and given by this Act, or to receive the Vote of any Rate-payer as aforesaid, or shall in any Manner whatsoever alter, falsify, conceal, or suppress any Vote or Votes as aforesaid, such Churchwarden, Rate-collector, Overseer, or other Parish Officer shall be deemed and taken to be guilty of a Misdemeanor.

Notices of Election to be given,

XII. And be it further enacted, That on some *Sunday* at least Twenty-one Days previously to the Day of annual Election of Vestrymen, Notice of Election, pursuant to this Act, signed by the Churchwardens, shall be affixed to the principal Doors of every Church and Chapel of the said Parish, and at other usual Places, in the following Terms:

'Parish of [*here insert Name of Parish*].

'THE Parishioners duly qualified according to the Provisions of 'the Act of the Second Year of the Reign of King *William* 'the Fourth, intituled *An Act* [*here insert the Title of the Act*] 'are hereby required to meet at on the Day of 'conformably to the Provisions of the said Act, and 'then and there to consider of and elect fit and proper Persons to be 'Vestrymen and Auditors of Accounts of the Parish of 'for the ensuing Year; that is to say,

'Members of the Vestry.

'Auditors of Accounts.'

Rate-collectors, &c. may be summoned to assist at the Election.

XIII. And be it further enacted, That the Churchwardens may summon the Rate-collectors to attend them on the said Day of annual Election, in order to assist them in ascertaining that the Persons presenting themselves to vote are Parishioners rated to the

Relief of the Poor of the said Parish, and duly qualified to vote at the said Election.

Form of proceeding at annual Elections.

XIV. And be it further enacted, That on the Day of annual Election for Vestrymen and Auditors in any Parish adopting this Act, each Parishioner then rated, and having been rated to the Relief of the Poor One Year, desirous of voting, do meet at the Place appointed for such Election, then and there to nominate Eight Rate-payers of the said Parish as fit and proper Persons to be Inspectors of Votes, Four of such Eight to be nominated by the Churchwardens, and the other Four to be nominated by the Meeting; and after such Nomination the said Parishioners shall elect such Parishioners duly qualified as may be there proposed for the Offices of Vestrymen and Auditors; and the Chairman shall at such Meeting declare the Names of the Parishioners who have been elected by a Majority of Votes at such Meeting.

A Ballot may be demanded.

XV. Provided always, and be it further enacted, That any Five Rate-payers may then and there, in Writing or otherwise, demand a Poll, which shall be taken by Ballot, each Rate-payer delivering to the aforesaid Inspectors Two folded Papers, one of which Papers shall contain the Names of the Persons for whom such Parishioner may vote as fit and proper to be Members of the Vestry, and the other shall contain the Names of the Persons for whom such Parishioner may vote as fit and proper to be Auditors of Accounts: Provided always, that each Rate-payer shall have One Vote and no more for the Members of the Vestry, and One Vote and no more for the Auditors of Accounts to be chosen in the said Parish.

Mode of voting.

XVI. And be it further enacted, That the Inspectors of Votes shall deposit the said folded Lists, without previously opening the same, in Two separate Sets of balloting Glasses or Boxes, one Set for the Vestry Lists, and another for the Auditors Lists; and that the said balloting Glasses or Boxes shall be closed at the Time fixed for the Termination of the voting, that is, at Four of the Clock of the Afternoon of the last Day of Election.

Duty of Inspectors.

XVII. And be it further enacted, That after the Close of the said Ballot the aforesaid Inspectors shall proceed to examine the said Votes, and if necessary shall continue the Examination by Adjournments from Day to Day, not exceeding Four Days, *Sunday* excepted, until they shall have decided upon the Persons duly qualified according to the Provisions of this Act who may have been chosen to fill the aforesaid Offices.

In case of Equality of Votes.

XVIII. And be it further enacted, That if an Equality of Votes should appear to the aforesaid Inspectors to be given for any Two or more Persons to fill any or either of the said Offices, in that Case the Inspectors shall decide by Lot upon the Person or Persons so to be chosen.

Penalty for forging or falsifying any

XIX. And be it further enacted, That if any Person do forge or in any way falsify any Name or Writing in any Paper or List purporting

voting List, or obstructing the Election.

to contain the Vote or Votes of any Parishioner as aforesaid so voting for Vestrymen or Auditors, or do by any Contrivance attempt to obstruct or prevent the Purposes of such Mode of Election, the Persons so offending shall, upon Information laid, and Conviction before any Two or more Justices of the Peace having Jurisdiction in the Parish so adopting this Act, be liable to a Penalty of not less than Ten and not more than Fifty Pounds, and in default of Payment thereof shall be imprisoned for a Term not exceeding Six nor less than Three Months; and any Fine so levied shall be given, Half to the Informer who shall have informed against the Person so offending, and the other Half to the Poor of the Parish in which the said Offence shall have been committed.

Public Notice to be given of Vestrymen and Auditors chosen by Parishioners.

XX. And be it further enacted, That the aforesaid Inspectors shall, immediately after they shall have decided upon whom the aforesaid Elections have fallen, deliver to the Churchwardens, or to one of them, serving for the Parish so adopting this Act, a List of the Persons chosen by the Parishioners to act as Vestrymen and Auditors of Accounts; and the said List, or a Copy thereof, shall be affixed to the Doors of the Churches and Chapels or other Places chosen for the Purposes of public Notice in the said Parish.

Penalty on Inspector for making incorrect Return.

XXI. And be it further enacted, That if any Inspector as aforesaid shall wilfully make or cause to be made an incorrect Return of the said Votes, every such Offender shall, upon Information laid by any Person before Two or more Justices of the Peace having Jurisdiction in the said Parish, and upon Conviction for such Offence, be liable to a Penalty of not less than Twenty-five Pounds and not exceeding Fifty Pounds.

Elections to be annual.

XXII. And be it further enacted, That in all Parishes adopting this Act the Meeting of Parishioners for the Election of the Vestrymen and Auditors of Accounts by the Parishioners shall take place in the Month of *May* in every Year: Provided always, that when a Ballot is demanded at such Election the same shall commence on the following Day, and continue for Three successive Days, commencing at Eight of the Clock in the Forenoon and closing at Four of the Clock in the Afternoon on each Day: Provided also, that the Day on which such Elections shall commence shall in the first instance be appointed by the Churchwardens of the Parishes adopting this Act, but in every subsequent Year shall be appointed by the Vestry: Provided always, that when by reason of the Populousness of any Parish the said Parish shall have been or shall be divided into Districts for Ecclesiastical or other Purposes, then and in that Case the said Votes shall be taken, according to the aforesaid Mode of Election, in some convenient Place, at the Discretion of the Churchwardens, in each of the several Districts of the said Parish.

Vestry to consist of not less than 12 nor more than 120 Householders.

XXIII. And be it further enacted, That in all Parishes adopting this Act the Vestry appointed and elected as herein-before mentioned shall, when the said Act shall come into full Effect, consist of a certain Number of resident Householders; that is to say, Twelve Vestrymen for every Parish in which the Number of rated House-

 holders

holders shall not exceed One thousand; and Twelve other additional Vestrymen, that is, Twenty-four Vestrymen, for every Parish in which the rated Householders shall exceed One thousand; and Twelve other additional Vestrymen, that is, Thirty-six Vestrymen, for every Parish in which the Number of rated Householders shall exceed Two thousand; and so on at the Proportion of Twelve additional Vestrymen for every Thousand rated Householders: Provided always that in no Case the Number of Vestrymen shall exceed One hundred and twenty: Provided always, that in any Parish wherein the Number of Vestrymen are given by special Act of Parliament than the Proportions aforesaid will amount to, that then the Number of Vestrymen shall remain the same as given by such Act of Parliament; and provided always, that the Rector, District Rectors, Vicar, Perpetual Curate, and Churchwardens of the said Parish shall constitute a Part of the said Vestry, and shall vote therein, in addition to the Vestrymen as aforesaid elected under this Act: Provided always, that no more than One such Rector or other such Minister as aforesaid, from any One Parish or Ecclesiastical District as aforesaid, shall *ex officio* be a Part of or vote at any Vestry Meeting.

Proportion of existing Vestry to go out of Office at each of Three first Elections under this Act.

XXIV. And be it further enacted, That at the first Election for Vestrymen after the Adoption of this Act, in any Parish, One Third of the then existing Vestry, or the nearest Number thereto, but not exceeding the same, shall retire from Office, (such Portion to be determined by Lot,) and the Parishioners duly qualified shall elect a Number of Vestrymen equal to One Third of the Vestry, to be chosen according to the Provisions of this Act; and that on the next ensuing annual Election for Vestrymen One Half, or as nearly as may be One Half, of the remaining Part of the first aforesaid Vestry shall retire from Office, (such Portion to be determined by Lot,) and the Parishioners duly qualified shall again elect a Number of Vestrymen equal to One Third of the Vestry, to be chosen according to the Provisions of this Act; and that on the next, that is to say, the third annual Election for Vestrymen, the last remaining Portion of the Vestry as aforesaid shall retire from Office, and the Parishioners duly qualified shall elect Vestrymen in like Manner and Number as at the Two preceding Elections, so as to fill up the Vestry to the exact Number of Vestrymen prescribed by this Act.

Vestrymen to quit Office after Three Years, and One Third of the whole Number to be elected annually.

XXV. And be it further enacted, That at every subsequent annual Election those Vestrymen who have been Three Years in Office shall go out of Office, and the Parishioners shall elect, according to the Provisions of this Act, other Vestrymen, to the Number of One Third of the total Number of which such Vestry shall consist, as also fill up any Vacancies which may have occurred from Death or other Causes: Provided always, that any or all of the Vestrymen so going out by Rotation may be immediately eligible for Re-election.

Qualifications of Vestrymen.

XXVI. And be it further enacted, That the Vestry elected under this Act in any Parish not within the Metropolitan Police District or the City of *London* shall consist of resident Householders rated or assessed to the Relief of the Poor upon a Rental of not less than

than Ten Pounds; and no Person shall be capable of acting as one of the said Vestry unless he shall be the Occupier of a House, Lands, Tenements, or Hereditaments rated or assessed upon the aforementioned Amount of Rental within the Parish for which he is to serve: Provided always, that if the Parish adopting this Act should be within the Metropolitan Police District or the City of *London*, or if the resident Householders therein should amount to more than Three thousand, then and in that Case the Vestry elected under this Act shall consist of resident Householders rated or assessed to the Relief of the Poor of such Parish upon a Rental of not less than Forty Pounds *per Annum*.

Vestries appointed after the Adoption of this Act to exercise the Authority of former Vestries.

XXVII. And be it further enacted, That from and after the Adoption of this Act in any Parish, the Vestry shall exercise the Powers and Privileges held by any Vestry now existing in such Parish, and the Authority of such Vestry may be pleaded before any Justice or Justices of the Peace, or in any Court of Law, in regard to all Parochial Property, or Monies due, or Holdings or Contracts, or other Documents of the like Nature, formerly under the Controul or in the Keeping of the said Vestry of the said Parish; and all Parish Officers or Boards shall account to them in like Manner as they have accounted to the said Vestry: Provided always, that nothing in this Act shall be deemed, construed, or taken to repeal, alter, or invalidate any Local Act for the Government of any Parish by Vestries, or for the Management of the Poor by any Board of Directors and Guardians, or for the due Provision for Divine Worship within the Parish, and the Maintenance of the Clergy officiating therein, otherwise than is by this Act expressly enacted regarding the Election of Vestrymen and Auditors of Accounts.

Not to affect Local Acts regarding Vestries, Divine Worship, &c. except as herein expressed.

The Acts of a Quorum of the Vestry at any Meeting to be considered as the Acts of the Vestry.

XXVIII. And be it further enacted, That all Powers or Duties to be performed by the Vestry of any Parish adopting this Act may be exercised and performed respectively by the major Part of such Vestry assembled at any Meeting, there not being less than Five Vestrymen present at a Meeting of a Vestry which consists of Twelve or more elected Vestrymen and not exceeding Twenty-three, and not being less than Seven Vestrymen present at a Meeting of a Vestry which consists of Twenty-four or more elected Vestrymen and not exceeding Thirty-five, and not being less than Nine Vestrymen present at a Meeting of a Vestry which consists of Thirty-six elected Vestrymen or upwards; and all Orders and Directions given and all Contracts and Engagements entered into by the Vestrymen present at any such Meeting, or the major Part of them then assembled, shall be as valid and effectual as if the same were done by all the said Vestrymen for the Time being, and shall be binding and conclusive on all such Vestrymen, provided that the same is confirmed at the next subsequent Meeting of the Vestry.

Meetings not to be held in the Church.

XXIX. And be it further enacted, That in any Case in which the Vestry Room of any Parish in any City or Town shall not be sufficiently large and commodious for any Vestry Meeting, such Meeting shall be held elsewhere within the said Parish or Place, but not in the Church or Chapel thereof.

XXX. And

XXX. And be it further enacted, That at every Meeting of any Vestry, in the Absence of the Persons authorized by Law or Custom to take the Chair, the Members present shall elect a Chairman for the Occasion before proceeding to other Business. Meeting to elect a Chairman.

XXXI. And be it further enacted, That the Vestry of every Parish adopting this Act shall cause to be provided and kept a proper Book or Books, and proper Entries to be made therein of the Names of the several Vestrymen who shall attend the respective Meetings of the Vestry, and of all Orders and Proceedings made or taken at such Meetings; and all such Books shall at all reasonable Times be open to the Inspection of the said Vestrymen, and of any Person rated or assessed to the Relief of the Poor of the said Parish, and of any Creditor on the Rates of the said Parish, without Fee or Reward; and the said Vestrymen, Persons, and Creditors, or any of them, shall and may take Copies of or Extracts from such Books respectively, without paying any thing for the same; and in case the Clerk to the said Vestry, or other Person having the Care of such Books, shall refuse to permit or shall not permit the said Vestrymen or such Persons or Creditors to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk or other Person shall forfeit and pay any Sum of Money not exceeding Ten Pounds for every such Offence. Proceedings to be entered in Books, to be open to Inspection.

XXXII. And be it further enacted, That the said Vestry shall and they are hereby required to cause a Book or Books to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received and disbursed for or on account of Parochial Purposes, and of the several Articles, Matters, and Things for which such Sums of Money shall have been so received and disbursed; which Book or Books shall at all seasonable Times be open to the Inspection of the said Vestrymen, and of any Person or Persons rated to the Relief of the Poor of the said Parish, and of any Creditor or Creditors on the same, without Fee or Reward; and the said Vestrymen and Persons and Creditors as aforesaid, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the Clerk to the said Vestrymen or other Person with whom such Books shall [illegible] shall on any reasonable Demand refuse to permit or shall not permit the said Vestrymen, Persons, or Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or other Person as aforesaid shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence. Account Books to be kept, and be open to Inspection.

XXXIII. And be it further enacted, That in any and every Parish adopting this Act the Parishioners duly qualified to vote for Vestrymen as aforesaid shall elect Five Rate-payers of the said Parish who shall have signified in Writing their Assent to serve to be Auditors of Accounts, which Auditors shall be so elected on the first Day on which the Vestrymen shall be chosen after such Parish shall have adopted this Act, and according to the same Forms of voting as are herein-before prescribed for the Election of the said Vestry: Provided always, that no Person shall be eligible to fill the said Office of Auditors to be chosen annually. Qualification

Auditor of Accounts who shall not be qualified according to the Provisions of this Act, as herein-before stated, to fill the Office of Vestryman for the said Parish; and provided always, that no Person shall be eligible to fill the said Office of Auditor of Accounts who shall be one of the Vestry for the said Parish; and if any Person on the Day of annual Election shall be chosen to be both a Member of the Vestry and an Auditor of Accounts, the said Vestry at their first Meeting after such Election shall declare the said Person incapable of acting as Vestryman: Provided also, that no Person shall be eligible to fill the said Office of Auditor of Accounts who shall be interested, either directly or indirectly, in any Contract, Office, Business, or Employ, or in providing or supplying any Materials or Articles for the Parish for which he is to serve; and any Person who shall be discovered, after his Election, to be so interested, shall cease to be an Auditor.

Further Qualifications of Auditors.

Disqualification.

Mode of Audit.

XXXIV. And be it further enacted, That the aforesaid Auditors of Accounts shall meet Twice at least in each Year, at the Board Room of the Vestry, and (a Majority of the said Auditors being present at such Meetings) shall proceed to audit the Accounts of the said Vestry for the preceding Half Year, in Presence of the Vestry Clerk; and the said Vestry are hereby required, by their said 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 Sums of Money which may have come to the Hands of the said Vestry or of their Treasurer, and also of all Monies paid, laid out, or expended by them, or by any Churchwardens, Overseers, Surveyors, or other Persons by them employed, and responsible to the said Vestry, since the last Period up to which the Accounts of the said Vestry were audited; and in all Parishes in which other Boards shall have Controul over any Part of the Parochial Expenditure, the said Auditors shall have the same Power of examining the Accounts and Officers thereof as of examining the Accounts and Officers of the Vestry, and shall audit the Accounts of the said Boards in the same Manner as they audit the Accounts of the said Vestries.

Auditors may call for Persons and Books.

XXXV. And be it further enacted, That the said Auditors shall have Power to summon and call before them, by a Writing for that Purpose, signed by any one of them, or by the Clerk of the Vestry of any Parish adopting this Act, any Parish Officer or other Person or Persons whatsoever concerned in the said Accounts, and to require of him or her or them to attend the said Auditors at any Meeting or adjourned Meeting, and to bring with them all Books of Accounts, Writings, Papers, and Documents required, which may concern the said Accounts, and to give such Information as to the Particulars of such Accounts as he, she, or they shall be enabled to give; and any Parish Officer or other Person refusing so to attend, or otherwise wilfully obstructing the Purposes of such Inquiry, shall be deemed guilty of a Misdemeanor.

Accounts to be signed by Auditors.

XXXVI. And be it further enacted, That the said Accounts, when audited and approved by the said Auditors, or by the major Part of them,

them, shall be by them signed in the Presence of the Clerk of the aforesaid Vestry of any Parish adopting this Act, and the said Clerk of the Vestry shall also affix his Signature to the same; and it shall be lawful for the aforesaid Auditors to subjoin such Remarks thereto as to them shall seem meet.

Accounts, after Audit, to be open to Inspection.

XXXVII. And be it further enacted, That the said Accounts, when so audited and signed, shall remain at the Office of the Clerk of the said Vestry; and that the said Accounts shall after such Audit be open and accessible for the Examination, at all seasonable Times, of any Person rated to the Relief of the Poor of the said Parish, and of any Creditor on the Rates thereof: Provided always, that nothing in this Act contained relative to the Appointment and Duty of Auditors shall debar the Parishioners from any Remedy by them before possessed by the Law of the Land.

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XXXVIII. And be it further enacted, That an Abstract of the Accounts of all Monies received and disbursed by the Vestry in any Parish adopting this Act shall Twice in every Year, within Fourteen Days after the same shall have been audited in manner in this Act mentioned, be made out by the said Vestry, either in Writing or in Print, and a Copy of such Abstract shall be delivered to all Person applying for the same, and rated or assessed to the Relief of the Poor of the said Parish, such Person paying One Shilling for the same; and which Copies the said Clerk is hereby required to cause to be published either in Writing or Print, and distributed accordingly.

Vestr
make
publish ye
a List of
Estates,
Charities,
and Bequests,
&c., with the
Application
thereof.

XXXIX. And be it further enacted, That in any Parish adopting this Act the Vestry shall cause to be made out, once at least in every Year, a List of the several Freehold, Copyhold, and Leasehold Estates, and of all charitable Foundations and Bequests, if any, belonging to the said Parish, and under the Controul of the said Vestry, the said List to contain a true and detailed Account of the Place where such Estate or charitable Foundation may be situate, or in what Mode and Security such Bequest may be invested, specifying also the yearly Rental of each, and the particular Appropriation thereof, together with the Names of the Persons part[illegible] or their Benefit (except where such Bene[illegible] Poor of the Parish generally), and to what Amount in each Case, and also stating the Name and Description of the Persons in whom such Estates are vested, and the Names and Description of the Trustees for each Charity: Provided always, that the aforesaid List shall be open for the Inspection of the Rate-payers, at the Office of the Vestry Clerk, at the same Time with the Accounts, when audited according to the Provisions of this Act.

Saving of Ecclesiastical Jurisdiction.

XL. Provided always, and be it further enacted, That this Act or any thing therein contained shall not extend or be construed to extend to invalidate or avoid any Ecclesiastical Law or Constitution of the Church of *England*, save and except so far as concerns the Appointment of Vestries, or to destroy any of the Rights or Powers belonging to the Archbishops, Bishops, Deans, or other of the Clergy of the said Established Church, either as Individuals or as Corporate

Corporate Bodies, or in anywise to abridge or controul their ordinary Jurisdiction over or relating to any Matter or Thing respecting the Ministers thereof.

Meaning of Terms used in this Act.

XLI. And in order to remove Doubts as to the Meaning of certain Words in this Act, be it enacted, That the Word "Justice" shall be deemed to mean Justice of the Peace; and that the Words "Person" and "Party" shall be deemed to include any Number of Persons or Parties; and that the Words "Justices of the Peace of the County or City" shall be deemed to include Justices of the Peace of any Division of a County, Liberty, Division of a Liberty, Precinct, County of a City, County of a Town, Cinque Port, or Town Corporate; and that the Word "Parish" shall be deemed to include any Liberty, Precinct, Township, Hamlet, Tithing, Vill, Extra-parochial Place, or any Place maintaining its own Poor; and that the Word "Rate-payers" shall include "Ley-payers;" and that the Meaning of the several Words in this Act shall not be restricted, although the same may be subsequently referred to in the Singular Number or Masculine Gender only.

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XLII. And be it further enacted, That the Words "Church or Chapel," insomuch as regards the affixing of Notices as by this Act directed, shall be deemed to include all Places of Religious Worship according to the Forms of the Established Church; and that in any Parish or Place not having a Parish Church or Chapel as aforesaid the said Notices shall be affixed to some public Building within the Limits of the said Parish or Place.

ot to end to Parishes where not more than 800 Rate-payers, except in Cities or Towns.

XLIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to any Parish not being within or being Part of any City or Town, in which Parish there shall not be a greater Number than Eight hundred Persons rated as House-holders, and having paid the Rates for the Relief of the Poor within the Year preceding that in which the Provisions of this Act may be desired to be put in execution within such Parish.

Public Act.

XLIV. 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 the same being specially pleaded.

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