



ANNO SEPTIMO & OCTAVO

GEORGIIV. REGIS.

Cap. cvii.

An Act for taking down and rebuilding the Parish Church of *Staines* in the County of *Middlesex*; for providing an additional Burial Ground; and for equalizing the Church Rates of the said Parish. [21st June 1827.]

WHEREAS the present Parish Church of *Staines* in the County of *Middlesex* is by Lapse of Time become ruinous and decayed, and the Tower thereof much impaired, and the said Church is not sufficiently large for the Accommodation of the Inhabitants of the Parish of *Staines* aforesaid (the Population having of late Years greatly increased), and the Cemetery or Burial Ground adjoining the said Church requires to be enlarged; and it is therefore expedient that the Body of the said Church should be taken down, and that in lieu thereof a new Church, on the present Site, of larger Dimensions should be erected, and that the present Tower should be repaired and altered, and the present Cemetery enlarged; And whereas the Rates or Assessments for repairing and maintaining the present Church, and for other Purposes relating thereto, have been and are unequally made and levied, and divers Messuages, Lands, Tenements, and Hereditaments within the said Parish have not been included in such Rates or Assessments, and it is expedient that such Rates should be equalized: And whereast the several Purposes before mentioned cannot be effected without

[Local.] 30 T the

Trustees.

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 Reverend *Robert Govett*, the Reverend *James Hearn*, the Vicar and Curate of the said Parish for the Time being, the Churchwardens of the said Parish for the Time being, Colonel *Carmichael*, *George Fournier*, *Charles Finch*, *Watson Seymour*, *Jenkin Jones*, *Joseph Smith*, *William Harris*, *Charles Reynolds*, *Richard Stevens*, *James Adams*, *William Bateman Byng*, *Charles Bennett*, *Joseph Tilly*, *Thomas South*, *William Henry Booker*, *William Holgate*, *Richard Denyer*, *William Dearle*, *William Murrell*, *Charles Barnes Wilkins*, and *James Wigley*, and their Successors, to be nominated and appointed by virtue of this Act, shall be and they are hereby declared to be Trustees for taking down and rebuilding the Body of the Parish Church of *Staines* aforesaid, and for carrying the several Purposes of this Act into Execution.

Trustees
Oath.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except in the Power of giving Notice of the first Meeting under this Act, and of administering the Oath herein-after mentioned, and which Oath any or either of the Trustees herein-before named are or is hereby empowered to administer,) until he shall have taken an Oath in the following Words, or in Words to the following Effect; and an Entry or Minute shall be made in the Book of Proceedings of the Trustees of the taking of such Oath, and of the Date of administering the same:

‘ I do swear, That I will faithfully,
 ‘ impartially, and honestly, according to the best of my Skill,
 ‘ Knowledge, and Judgment, execute the several Trusts and Powers
 ‘ reposed in me as a Trustee by virtue of an Act passed in the Eighth
 ‘ Year of the Reign of His Majesty King George the Fourth, in-
 ‘ titled *An Act [here set forth the Title of this Act]*.
 ‘ So help me GOD.’

Power to
appoint
additional
Trustees.

III. And be it further enacted, That it shall be lawful for the Trustees hereby nominated, or any Seven or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to
appoint new
Trustees
in case of
Death, &c.

IV. And be it further enacted, That if any One or more of the said Trustees hereby named and appointed, or who shall be appointed in pursuance of this Act (save and except such Persons as are hereby declared to be Trustees by virtue of their respective Offices), or their Successors, to be elected in manner herein-after mentioned,

mentioned, shall die or become incapable to act, or by Writing under their Hands, delivered to the Clerk to the said Trustees, shall refuse to act in the Execution of this Act, then and in every such Case it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, from Time to Time to elect and appoint One other Person (being an Inhabitant of the Parish of *Staines* aforesaid) to be a Trustee in the Room of each such Trustee so dying, or becoming incapable of acting, or refusing to act; and Notice of the Time and Place of the Meeting for every such Election (signed by the Clerk for the Time being to the said Trustees) shall be affixed on the principal Door of the said Church of *Staines*, and inserted in some Newspaper published in or near the Parish of *Staines*, Six Days at the least before such Meeting; and every Person so elected a new Trustee as aforesaid, after taking the Oath hereinbefore mentioned, shall be and is hereby empowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample a Manner as the Trustee in whose Room or Stead he shall have been so elected, or as if he had been herein named and appointed,

V. Provided always, and be it further enacted, That no Person who shall be elected a new or additional Trustee as aforesaid shall be capable of acting as a Trustee in the Execution of this Act, unless he shall in his own Right, or in the Right of his Wife, be in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, within the said Parish of *Staines*, of the clear yearly Value of One hundred Pounds above all Reprizes, or shall be possessed of a Personal Estate of One thousand Pounds, nor until he shall have taken and subscribed, before any One or more of the said Trustees, an Oath in the Words or to the Effect following, and which Oath any Trustee (previously sworn) shall be and is hereby authorized and empowered to administer; and an Entry or Minute shall be made in the Book of Proceedings of the said Trustees of the taking of such Oath, and the Date of administering the same:

Qualification
of new and
additional
Trustees.

‘ I do swear, That I am truly and bonâ Oath.
 ‘ fide in my own Right [*or* in the Right of my Wife] in the actual
 ‘ Possession and Enjoyment or Receipt of the Rents and Profits of
 ‘ Lands, Tenements, or Hereditaments within the Parish of *Staines*,
 ‘ in the County of Middlesex, of the clear yearly Value of One
 ‘ hundred Pounds above Reprizes [*or*, am possessed of a Personal
 ‘ Estate of the Value of One thousand Pounds]; and that I
 ‘ will faithfully, impartially, and honestly, according to the best of
 ‘ my Skill, Knowledge, and Judgment, execute the several Trusts
 ‘ and Powers reposed in me as a Trustee by virtue of an Act passed
 ‘ in the Eighth Year of the Reign of His Majesty King George the
 ‘ Fourth, intituled *An Act* [*here set forth the Title of this Act*].
 ‘ So help me GOD.’

VI. Provided also, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act during the Time he shall be interested in any Contract, or shall hold any Employment or Place of Profit under this Act; and if any Person

Contractors
not to act as
Trustees.

not

Penalty on Trustees acting if not qualified.

not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, shall presume to act in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same; to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance shall be allowed; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecution than that such Person has acted as a Trustee in the Execution of this Act.

Acts of unqualified Trustees before Conviction valid.

VII. Provided nevertheless, and be it further enacted, That all such Acts and Proceedings as shall have been done and performed by any such Person, touching the Execution of this Act, previous to his being convicted of such Offence, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Trustees who are Justices may act as such.

VIII. Provided also nevertheless, and be it further enacted, That such of the said Trustees as are or shall be Justices of the Peace may act as such within their respective Jurisdictions in the Execution of this Act, notwithstanding their being Trustees, except in such Cases where they shall be personally interested.

Proceedings of Trustees to be at Meetings.

IX. And be it further enacted, That no Act of the said Trustees shall be or be deemed to be good, valid, or effectual, unless the same be done at a public Meeting to be holden in pursuance of this Act (except as herein otherwise particularly expressed); and that all the Powers and Authorities by this Act granted to the said Trustees shall and may be exercised from Time to Time by the major Part of them who shall be present at any Meeting to be holden in pursuance of this Act, the Number of Trustees present at every such Meeting not being less than Seven; and all the Orders and Proceedings of the major Part of the Trustees present at such their several Meetings shall have the same Force and Effect as if the same were made or done by all the Trustees for the Time being (save and except as herein-after excepted); and at every Meeting of the said Trustees the Vicar of the said Parish shall be Chairman, and in his Absence a Chairman shall be appointed; and when and as often as it shall so happen that there shall be an Equality of Votes at any such Meeting upon any Question (including the Vote of the Chairman), then and in every such Case it shall be lawful for such Chairman to give the decisive or casting Vote; and the said Trustees shall at all their Meetings pay and bear their own Expenses.

Trustees to pay their own Expenses.

First Meeting of Trustees.

X. And be it further enacted, That the said Trustees shall meet at the *Bush Inn*, or some other convenient Place in *Staines* aforesaid, on the Third *Tuesday* next after the passing of this Act, between the Hours of Four and Six of the Clock in the Afternoon, and proceed to put this Act into execution; and the said Trustees shall and may at such Meeting,

Meeting, and at their several Meetings to be holden for the Purpose of carrying this Act into execution, from Time to Time adjourn the same, and appoint their next Meeting to be holden there, or at any other Place in the said Town of *Staines* that to the said Trustees shall seem convenient, and at such Time as to them shall seem proper; and if it shall so happen that there shall not appear at or within One Hour after the Time appointed for holding any such Meeting any of the said Trustees, or if there shall not appear a sufficient Number of Trustees to act in the Execution of this Act, the Trustees or any One Trustee (if there shall be but One Trustee) then present, or the Clerk to the said Trustees, shall from Time to Time, as often as the Case may happen, adjourn such Meeting to some other Day within Twenty-one Days then next following, to be holden at the same Place; and the said Clerk shall cause Notice thereof to be given in manner aforesaid at least Ten Days before the Day to which such Meeting shall be adjourned.

XI. And be it further enacted, That if after any Adjournment of any Meeting as aforesaid it shall at any Time be thought necessary that a Meeting of the Trustees should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Clerk to the said Trustees shall (in pursuance of an Order in Writing, signed by any Three or more Trustees, mentioning the Time and Place and Purposes of such earlier Meeting being given to him or them, or left at his or their Office, or last or usual Place of Abode,) forthwith give, in manner in this Act directed, Notice of the Meeting to be holden on such earlier Day, and of the Time and Place and Purposes of the Meeting which shall be mentioned in the Order of the said Trustees, such Time not being less than Ten Days after such Notice; and all Proceedings of such Trustees at such earlier Meeting, whether relating to the particular Subject on which such Meeting shall be called or not, shall be as good and valid as they would have been in case such Trustees had met in pursuance of an Adjournment, or otherwise by virtue of this Act; and such Meeting may be adjourned or be appointed to be again held in such Manner as other Meetings under this Act are herein-before directed to be adjourned or appointed to be held, notwithstanding any former Adjournment to the contrary.

Meetings
on Emer-
gencies.

XII. And be it further enacted, That no Order, Appointment, or Proceeding made at any Meeting of the Trustees holden in pursuance of this Act shall be revoked or altered at any subsequent Meeting, unless Notice, specifying the Revocation or Alteration intended to be proposed, signed by Five or more of the said Trustees, shall be given in manner aforesaid at least Ten Days before such subsequent Meeting, nor unless a Majority of the Trustees present at such subsequent Meeting shall decide in favour of such Revocation or Alteration, nor unless as great a Number of Trustees shall be present at such subsequent Meeting as were present at the Meeting when such Order, Appointment, or Proceeding was had or made.

No Order to
be revoked
unless at a
Meeting for
the Purpose,
nor unless a
Majority of
the Trustees
at such
Meeting
concur.

XIII. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book or Books, and fair and regular

Proceedings
to be entered
in a Book.

[*Local.*]

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Entries

Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all the Trustees appointed or to be appointed by or in pursuance of this Act, and of all such Trustees as shall be present at their several Meetings, and all Entries in such Book or Books shall be signed by the Trustees making the same; and the said Book or Books, and also the Book or Books herein-after directed to be kept for registering Mortgages and Assignments, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all the Orders and Proceedings of the said Trustees which shall be entered in such Book or Books shall be deemed to have been regularly and legally made and had; and the Meeting or Meetings at which such Orders and Proceedings shall be made and had shall be deemed to have been regularly and legally held, without any other Evidence than such Book or Books, unless such Orders or Proceedings, Meeting or Meetings, shall on the Face of such Book or Books appear to be irregular or illegal.

Minute Books to be kept of Proceedings of Trustees, and of Accounts of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

XIV. And be it further enacted, That the said Trustees shall and they are hereby required also to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended under the Powers and Provisions of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Parishioners, and any Creditor or Creditors of the Rates, without Fee or Reward; and the said Trustees, Parishioners, and Creditors, and any of them, shall and may take Copies of or Extracts from such Book or Books, or any Part or Parts thereof respectively, without paying anything for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees and Parishioners, or such Creditors, or any or either of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay for each and every Offence any Sum of Money not exceeding Ten Pounds, to be levied and recovered, apportioned and applied, in manner herein-after mentioned.

Trustees to appoint Officers.

XV. And be it further enacted, That the said Trustees may and they are hereby empowered, by Writing under their Hands, to appoint a Treasurer or Treasurers, and a Clerk, and such other Officers and Persons, for the Execution of this Act, as the said Trustees shall think proper, and also a Collector or Collectors of the Rates herein-after mentioned, and from Time to Time to remove such Officers and Persons respectively as the said Trustees shall see Occasion; and in appointing such Treasurer, Clerk, Collector, and other Officers the said Trustees shall and they are hereby required to vote by way of Ballot, and out of the Monies to be received by virtue of this Act to allow and pay such Salaries, Wages, and Allowances to such Treasurer or Treasurers, Clerk and other Officers, and Persons and Person, as the said Trustees shall think reasonable; and all such Treasurers, Clerks, and other Officers and Persons so to be

Officers to account.

be appointed shall, under their Hands, at such Time or Times and in such Manner as the said Trustees shall direct, deliver to the Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officers respectively received by virtue and for the Purposes of this Act, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Trustees, or to such Person or Persons as they shall appoint to receive the same; and every such Treasurer shall, when thereunto required by the said Trustees, lay his Accounts before the said Trustees, in order that the same may be audited, passed, and allowed by them, if approved of; and if any such Officer shall refuse or neglect to make and render any such Account as aforesaid, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, within Ten Days after having been thereunto required by the said Trustees by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same, then and in any such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, Riding, City, or Place wherein such Officer so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant under his Hand and Seal for the Officer so refusing or neglecting to appear before him; and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected or received by virtue of this Act shall remain due from such Officer, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels of such Officer can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer shall have refused or wilfully neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, Riding, City, or Place where such Offender shall

shall be or reside, there to remain, without Bail or Mainprise, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees for such Money, and shall have paid such Composition, in such Manner as they shall appoint, (which Composition the said Trustees are hereby empowered to make and receive,) and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof, to the said Trustees; but no such Officer shall be detained or kept in such Common Gaol or House of Correction for Want of such sufficient Distress by virtue of this Act for any longer Space of Time than Three Calendar Months.

Security to
be taken
from the
Treasurer.

XVI. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to take sufficient Security from every Treasurer to be appointed for the Purposes of this Act, for the due and faithful Execution of his Office, and, if they shall think proper, may also take such Security from any Clerk, Collector, or other Officer to be appointed under or by virtue or for the Purposes of this Act.

Clerk not to
act as Treas-
urer, and
vice versa.

XVII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his or their Partner, the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer or of his Partner, the Clerk to the said Trustees; and if any Person shall accept the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk, or shall act as Deputy of the Clerk, or in any Manner officiate for the Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Trust or Profit under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

Actions to
be brought
in the Name
of the Clerk,
or One of
the Trustees.

XVIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning anything relating to the Execution of this Act in the Name of their Clerk, or in the Name of any One of the said Trustees, on behalf of the said Trustees; and no Action or Suit which shall be so brought shall abate or be discontinued by the Death or Removal of the Person in whose Name the same shall be brought

brought or defended, or by this Act; but the Clerk for the Time being of the said Trustees, or the Successor of the Trustee in whose Name any Action or Suit shall be so brought, shall always be deemed the Plaintiff or Defendant in any such Action.

XIX. Provided always, and be it further enacted, That all and every the Trustees herein-before named, and the additional Trustees herein-before authorized to be appointed, and their respective Successors to be appointed as herein-before mentioned, and the respective Officers of the said Trustees, shall from Time to Time and at all Times hereafter be fully indemnified, from and out of the Monies to be raised under this Act, of and from all Costs, Charges, Damages, and Expenses, which they or any of them shall and may sustain or be put unto for or by reason of any Action, Suit, or other Proceedings which may be had, sued, commenced, or prosecuted by or against them, any or either of them, for or in respect of any Matter or Thing relating to the Execution of this Act, or the Trusts reposed in them under the same.

Indemnity to Trustees and Officers for Expenses of Suits.

XX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to take and pull down, or order and cause to be taken and pulled down, the Body of the present Church of *Staines*, or such Part or Parts thereof as they shall think proper.

Church to be taken down.

XXI. And be it further enacted, That the said Trustees shall and they are hereby empowered and required to enlarge the Site of the Body of the Church of *Staines* aforesaid and to rebuild the Whole thereof of larger Dimensions, with additional Galleries, in the Situation of the present Church, as the said Trustees shall (with the Consent and Approbation of the Lord Bishop of the Diocese, for the Time being) think proper; and also to alter or repair, or cause to be altered or repaired, the said Tower; and the Body of the said Church shall be erected and built of such Size and Dimensions so as conveniently to accommodate with Seats at the least One thousand Persons, or of such larger Size or Dimensions, and of such Materials, and after such Specification and Model, as to the said Trustees, with the Approbation of the Lord Bishop of the Diocese, shall seem right and proper; and the said Trustees shall make, erect, and set up, or cause to be provided and made or erected and set up, in such Body of the said Church, such Pews, Seats, Galleries, Organ, Communion Table, Pulpit, Desks, Ornaments, and Conveniences, and a Clock, Bells, and other Requisites in the Tower, as to the said Trustees, with such Approbation as aforesaid, shall seem right and proper.

Church to be enlarged and rebuilt.

Church to accommodate 1,000 Persons at the least.

XXII. And be it further enacted, That all and every the Timber, Stones, Bricks, Iron, Lead, and other Materials of the present Body of the said Church, and all such Articles, Matters, and Things so to be erected, made, or provided, and all the Stones, Bricks, Timber, Iron, Lead, and other Materials which shall be purchased or procured by Order of the said Trustees for rebuilding the Body of the said Church, and for repairing or rebuilding such

Materials, &c. to be vested in the Trustees, who may bring Actions or prefer Indictments,

[*Local.*]

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Tower

Tower thereto, and also the Fences, Gates, Stiles, or other Articles, Matters, and Things of which the Fences to the present Churchyard, Cemetery, or Burial Ground consist, and all other Appurtenances to the said Churchyard, Cemetery, or Burial Ground belonging, and also all Articles, Matters, and Things which shall be purchased, collected, or provided by the said Trustees for making new Fences or Appurtenances thereto, or to the additional or new Cemetery or Burial Ground to be made or provided by virtue of this Act, shall belong to and be the Property of, and the same and each and every of them, and every Part and Parcel thereof, are and is hereby vested in the said Trustees; and it shall be lawful for the said Trustees to bring or cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Case may require), against any Person or Persons who shall spoil, injure, or destroy the said Church and Tower, or any Part or Parts thereof, or who shall steal, take, remove, or carry away the Stones, Timber, Iron, and other Materials thereof, respectively vested in the said Trustees by virtue of this Act, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the said Church, Tower, Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Trustees for taking down and rebuilding the Body of the Church of *Staines* aforesaid, for providing additional Burial Ground, and for equalizing the Church Rates, and other Purposes, without particularly stating or specifying the Names of all or any of the said Trustees.

Materials of present Church may be sold, or applied in rebuilding, &c.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees to sell and dispose of all and every the Timber, Stones, Bricks, Iron, Lead, and other Materials of the Body of the present Church, or any Part or Parts thereof, to any Person or Persons whomsoever, either by public Auction or private Contract, as to them shall seem meet, and the Money arising by such Sale or Sales shall be applied to the Purposes of this Act; or it shall be lawful for the said Trustees, if they shall think fit, and they are hereby empowered to employ or apply such Timber, Stones, Bricks, Iron, Lead, and other Materials, or any Part or Parts thereof, as to them shall seem right, in the rebuilding the Body of the said Church, or in altering, raising, repairing, or rebuilding the said Tower, in such Manner as they shall think proper.

Rights of Vicar and Patron preserved.

XXIV. And be it further enacted, That *Robert Govett*, the present Vicar, and his Successors, Vicars for the Time being of the Parish of *Staines*, shall continue to be the Vicars of the said Church to be rebuilt or erected by virtue of this Act, in like Manner as in the old or present Church; and the Person or Persons who for the Time being has or have a Right of presenting, nominating, or appointing a Vicar to the said old or present Church, or in whom such Right would hereafter be in case the Body thereof had not been taken down by virtue of this Act, shall have the Right of Presentation, Nomination, or Appointment to the Body of the said Church to be rebuilt

rebuilt or erected by virtue of this Act, upon every future Vacancy or Avoidance; and every such Person so to be presented, nominated, or appointed as aforesaid, being duly instituted and inducted, shall be the Vicar of such Church to be rebuilt or erected by virtue of this Act, and shall have and enjoy such and the same Profits, Privileges, Commodities, and other ecclesiastical Dues and Duties arising within the said Parish Church of *Staines*, as the present Vicar of the said Parish of Right has or ought to have and enjoy.

XXV. And be it further enacted, That Divine Service, Baptisms, Churchings, Burials, and all other Matters and Things which were or used to be celebrated, solemnized, administered, had, done, and performed by the Vicar or Curate for the Time being in the said Church and the Churchyard belonging thereto, shall and may be celebrated, solemnized, administered, had, done, and performed in the like Manner in the Chancel of and belonging to the said Church, or within or under the Tower thereof, or in any other Part of the said Church that shall remain or be standing, until such Time as the Body of the said Church shall be rebuilt, completed, and finished, and rendered fit for the Celebration of Divine Service therein, and until the new Cemetery or Burial Ground shall be consecrated; and that all Publications of Banns of Marriage, and the Solemnization of Matrimony, which by Law are required or allowed, published and solemnized in the said Church, may be published and solemnized in the Chancel, in the same Manner and at the same Times as the same should or might or ought to have been published or solemnized in the said present Church of *Staines* if the same had been standing and fit for Divine Service, until such Time as the Body of the Church to be rebuilt or erected by virtue of this Act shall be completed, finished, and rendered fit for Divine Service as herein directed; and all Publications of such Banns of Marriage so made and published, and all Baptisms celebrated or administered as herein-before authorized, and all Registers thereof, and all Marriages solemnized as aforesaid, shall be as good, valid, and effectual in the Law, to all Intents and Purposes whatsoever, as if such Banns had been made and published, and such Baptisms had been celebrated or administered, and such Marriages had been solemnized, in the present Church of *Staines* aforesaid, any Law, Statute, or Ordinance to the contrary thereof in anywise notwithstanding; and all Baptisms, Churchings, and Burials which shall be solemnized, celebrated, administered, or performed as aforesaid, and all Marriages which shall be solemnized, shall be entered and registered in the Register or Registers kept for and belonging to the said Church, in the same Manner as if the same had been solemnized, celebrated, administered, or performed in the same Church.

Where
Divine Ser-
vice and
Banns to be
performed
and pub-
lished
during the
rebuild-
ing of the
Church.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to contract and agree with any Person or Persons for the taking down, enlarging, and rebuilding the Body of the said Church, and for repairing the Tower of the said Church, and for providing Materials for rebuilding, erecting, finishing, and completing the Body of the said Church and the Walls or Fences of the said Cemetery

Trustees
empowered
to contract
for building
the new
Church, &c.

or

or Burial Ground, or for altering or repairing the said Tower; and the said Trustees shall take good and sufficient Security for the Execution of such Contract, and generally to make and do all such Orders, Matters, and Things as they shall think proper and necessary fully and effectually to carry this Act into Execution; and all such Contracts and Agreements, when made and entered into by or between the said Trustees and any other Person or Persons shall be reduced into Writing by or by the Order of the said Trustees, and signed by the Parties thereto, and shall be good, valid, and binding, as well upon the Trustees for executing this Act as upon all other Parties thereto, his, her, and their Executors, Administrators, and Assigns; and the said Trustees shall and may pay or order Payment to be made of the Monies due upon any such Contract or Contracts, Agreement or Agreements, to the Person or Persons entitled to receive the same, out of the Monies to arise by virtue of this Act.

Church to be completed in Two Years.

XXVII. And be it further enacted, That the said Trustees shall and they are hereby required to complete the building of the said Church within the Space of Two Years from the passing of this Act, unless prevented by inevitable Accident.

New Church to be the parochial Church of Staines.

XXVIII. And be it further enacted, That the Body of the Church to be rebuilt by virtue of this Act shall, when the same shall be built and completed, be from thenceforth for ever called and known by the Name of, and to all Intents and Purposes be the Church of the Parish of *Staines*, and that Divine Service, the Solemnization of Matrimony, Baptisms, the Burial of the Dead, and all other Rites and Ceremonies, Matters and Things whatsoever, which were or of Right have been used to be celebrated, solemnized, administered, had, done, or performed by the Vicar or Minister of the present Church, shall and may be celebrated, solemnized, administered, had, done, and performed in such and the like Manner by the said Vicar or Minister of the said Parish, and his Successors, Vicars or Ministers of the said Parish for the Time being, in the Body of the said Church to be rebuilt by virtue of this Act; any Law, Statute, Custom, or Usage to the contrary notwithstanding.

Gravestones and Monuments to be preserved and replaced.

XXIX. And be it further enacted, That the several Monuments, Gravestones, and monumental Inscriptions which shall be removed in taking down and rebuilding the Body of the present Church, shall be preserved and kept by or by the Order of the said Trustees in such Place or Places as to them shall seem proper; and when and as soon as the Body of the said Church shall be rebuilt, or as soon after as conveniently may be, all such Monuments, Gravestones, and monumental Inscriptions shall be replaced and fixed in the Body of the said Church to be rebuilt by virtue of this Act, in or as near to the Place or Places from whence they shall have been respectively removed as may be.

No new Grave or Vault to be made in the

XXX. And be it further enacted, That after the Body of the said Church shall by virtue of this Act be rebuilt and completed, no new Grave or Vault shall at any Time thereafter be made or allowed, for
the

the Interment or Burial of any Person or Persons whomsoever, in or under the Site of the said Church, without the Consent in Writing of the Vicar of such Church for the Time being, nor unless such Grave or Vault shall be built on all Sides thereof respectively with Bricks or Stone, and arched over with the same or the like Materials, and the Coffin inclosed in Lead; and no such new Vault or Grave shall be sunk or made within the Distance of Three Feet from the Walls, or any of the Pillars or Columns within the said Church, and no such Vault or Grave shall exceed the Depth of Ten Feet from the Floor of the Church; and that no Grave shall be opened or made in the Churchyard or Cemetery within Six Feet of the exterior Walls of the Body of the said Church; and that no Vault or Grave, which shall be made in the said Churchyard or Cemetery within Six Feet of such exterior Walls, shall exceed the Depth of Fifteen Feet.

Church,
unless built
with Bricks
and arched.

XXXI. And be it further enacted, That the said Trustees shall and they are hereby authorized and required to set out and appropriate, in the Body of the said Church, such a Number of Seats as shall afford ample Provision for the decent and suitable Accommodation of all Persons, of what Rank or Degree soever, who may be entitled to resort to the same, and whose Circumstances may render them unable to pay for such Accommodation; and the Remainder of the Pews or Seats to be erected or made by virtue of this Act shall or may be leased or demised, sold or disposed of, by the said Trustees, in manner herein-after mentioned.

Seats to be
allotted for
gratuitous
Accommo-
dation.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, either by public Auction or Private Contract, to lease or demise such or so many of the said Pews or Seats in the Body of the said Church (not otherwise appropriated) and in the Galleries thereof, not exceeding One Third in the whole of the Number of Pews or Seats in the said Parish Church, as to them shall seem meet, for any Term or Number of Years not exceeding Fourteen Years, to any Person or Persons being Inhabitants of or Residents within the said Parish of *Staines* willing to take the same Pews or Seats respectively, and at any Time or Times (subject to any such Lease or Demise) to sell and dispose of the Fee Simple and Inheritance of the same Pews or Seats, or any of them; and also to sell and dispose of the Fee Simple and Inheritance of such or so many of the said Pews or Seats in the Body of the said Church as shall not be leased or demised, as they the said Trustees shall think fit, unto any Person or Persons, being Inhabitants of or Residents within the said Parish of *Staines*, willing to take or become the Purchaser or Purchasers of the same Pews or Seats respectively; and every such Lease or Demise as shall be made in pursuance of this Act, being signed by Seven or more of the said Trustees, and by the Lessee or Lessees of such Pews or Seats, shall be good, valid, and effectual to lease and demise such Pews or Seats respectively to such Inhabitants or Residents, without any Faculty or other Instrument whatsoever, and shall be received as Evidence in all Causes, Suits, and Actions touching or concerning any such Lease or Demise; and from and immediately after the Execution of such Conveyance

Pews may be
let or sold.

as is herein-after directed, of such Pews or Seats as shall be sold as aforesaid, all and every such Pews or Seats shall be vested in the Purchaser or Purchasers thereof, and his, her, or their Heirs and Assigns for ever, and shall and may thereafter be sold, conveyed, devised, or otherwise parted with or disposed of, by the Proprietor or Proprietors thereof for the Time being, unto any other Person or Persons being Inhabitants of or Residents within the said Parish of *Staines*, subject only to the Payment of the Rent or Rents reserved or made payable for or in respect of such Pew or Seat, Pews or Seats, and to the Rules, Regulations, Rates, or Impositions to which the same Pew or Seat, Pews or Seats, or the Owner or Proprietor, Owners or Proprietors thereof for the Time being shall or may be or become subject or liable in pursuance of this Act; and it shall not be lawful for any Purchaser or Purchasers, or any Owner or Owners of any such Pews or Seats so to be sold by virtue of this Act, to sell, convey, let, assign, devise, dispose of, or bequeath the same to or for any Person or Persons not being an Inhabitant of or resident within the said Parish of *Staines*, but all such last-mentioned Sales, Conveyances, Leases, Assignments, Devises, and Bequests, if any, shall be null and void; and when any Purchaser or Owner of any such Pew or Seat, sold or conveyed, assigned or leased, or demised by virtue of this Act as aforesaid, shall die, and such Pew or Seat shall not thereupon descend or go to some Person being an Inhabitant or Resident within the said Parish, then every such last-mentioned Pew or Seat shall in such Case descend or go to the Trustees acting in the Execution of this Act, and be vested in them, and shall and may be let or sold by them in manner herein provided respecting the Leasing and Sale of Pews; or in case the Functions of the said Trustees for executing this Act shall have ceased, then such Pew or Seat shall descend or go to the Churchwardens of the said Parish, and shall be vested in them, and shall and may be by them let or sold and conveyed to any such Inhabitants or Residents aforesaid, and subject to the same or the like Provisions as are herein made relative to the Letting and Sale of Pews; provided that no Person shall by virtue of this Act be allowed to purchase or hold, either by himself or by any Person in trust for him, more than One of the said Pews, or in any Manner become possessed of the same; and the aforesaid respective yearly Rents shall be reserved and made payable by equal half-yearly Payments, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in each and every Year, the First of such Payments for every such Pew or Seat to commence and become due and payable on such of the said Days as shall first happen after the Time of taking Possession thereof; and all the Monies to arise by or from such Leases, Demises, Sales, and Conveyances, shall be applied for the Purposes of this Act; and in case the Rent reserved upon any such Lease or Demise shall be behind or unpaid after the same shall become due, and shall have been demanded at the last known Place of Residence of the Lessee or Occupier thereof, it shall be lawful for the Churchwardens for the Time being of the said Parish, and they are hereby authorized and required, to enter upon and take possession of such Pew or Seat for and on Behalf of the said Trustees, and the said Trustees may let or sell the same to any other Person or Persons being Inhabitants of or Residents within the said Parish of *Staines*;
and

and all Monies to be received by the said Churchwardens as aforesaid shall be by them applied for or towards the same Purposes as the Church Rates for the said Parish are applied, and such Churchwardens shall be accountable for the same in like Manner as they are by Law accountable for any Church Rates which shall come to their Hands; and such Rent shall and may be recovered by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment thereof, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*, returning the Overplus (if any), upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

XXXIII. And be it further enacted, That all Conveyances to be executed by the said Trustees of Pews or Seats in the said Church shall be made in the Form or to the Effect following, or as near and conformable thereto as Circumstances will admit of; *videlicet*,

Form of
Conveyance
of Pews or
Seats.

‘ WE, Seven of the Trustees authorized by an Act passed
 ‘ in the Eighth Year of the Reign of His Majesty King George
 ‘ the Fourth, intituled [*here insert the Title of this Act,*] in con-
 ‘ sideration of the Sum of _____ paid to the Treasurer
 ‘ of the said Trustees by _____ do hereby
 ‘ grant, release, and convey unto the said _____ his
 ‘ Heirs, and Assigns, all [*here describe the Pew sold,*] and all the
 ‘ Right, Title, and Interest of the said Trustees to and in the same;
 ‘ to hold the same (subject to any Lease or Demise which may
 ‘ have been made thereof by the said Trustees or any
 ‘ of them, if any such there be,) unto the said
 ‘ his Heirs and Assigns, for ever. In witness whereof we have here-
 ‘ unto set our Hands and Seals, this _____ Day of
 ‘ _____ in the Year of our Lord _____ .’

And every such Conveyance and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, and against all and every Person and Persons whomsoever.

XXXIV. And be it further enacted, That it shall be lawful for the said Trustees to purchase any Plot of Land adjoining the North Side of the present Churchyard of *Staines* aforesaid, not exceeding an Acre in Quantity, as and for an additional Cemetery or Burial Ground, and to pay for the same out of the Monies to arise by virtue of this Act; and such new or additional Cemetery or Burial Ground shall be consecrated by the Lord Bishop of the Diocese aforesaid for the Time being; and it shall be lawful for the said Trustees to alter, repair, pull down, and rebuild, and to erect, build, and make, or order and direct to be altered, repaired, pulled down, and rebuilt, or to be built, erected, or made, the Walls or Fences of the present Churchyard or Burial Ground, and of the said new or additional Cemetery or Burial Ground, and the Gates or Entrances into the same respectively, and to alter or vary such of the Entrances and Gates now leading into the present Churchyard or Burial Ground, and of the Ways, Paths, or Passages into, through,
 or

Trustees
empowered
to complete
the Purchase
of a Plot of
Land for
enlarging the
Churchyard.

or over the same Churchyard or Burial Ground, as to them shall appear useless or unnecessary, or as they shall think fit to alter or vary; provided that the same be done with the Approbation of the Lord Bishop of the Diocese aforesaid, and by and with the Consent of any Two Justices of the Peace for the said County of *Middlesex*.

Rate to be made.

XXXV. And in order to raise Money towards carrying the several Purposes of this Act into execution, be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, in each and every Year until the said Church shall be rebuilt and completed, and the additional Burial Ground provided and inclosed, and all the Monies hereby authorized to be borrowed or raised for the Purposes of this Act shall be paid off and discharged, and the several other Purposes of this Act shall be carried into complete Execution, to make (at some Meeting or Meetings to be holden for that Purpose, of which Meeting or Meetings, and of the Purposes thereof, Notice in Writing signed by the Clerk to the said Trustees shall be fixed on the Church Door of *Staines* aforesaid, if such Church in which Divine Service shall be performed shall then be standing, but if there shall be no such Church, then on the Door of the Market House, and published by Advertisement in some Newspaper printed or circulated in *Staines* aforesaid, Ten Days at least immediately preceding the same respectively,) a Rate or Rates, Assessment or Assessments, on all and every House and Houses, Building and Buildings, Lands, Tenements, and Hereditaments, within the Parish of *Staines*, (save and except on the Tithes and ecclesiastical Profits arising, growing, or remaining within the said Parish,) not exceeding One Shilling in the Pound in any One Year on the full annual Rent or Value of all and every of such Houses, Buildings, Lands, Tenements, and Hereditaments; and such Rate or Rates, Assessment or Assessments, shall be made at any Time after the passing of this Act, and shall be paid by the Tenant or Occupier or Holder of the Premises to, and raised and levied and collected by any Collector or Collectors to be appointed by the said Trustees, and shall when collected be applied by the said Trustees for the Purposes of this Act; and for the Purpose of making an equal and fair Rate it shall be lawful for the said Trustees to call in One or more Surveyor or Surveyors, and to cause the whole of the said Parish of *Staines*, or such Part or Parts thereof as to them shall seem necessary, to be surveyed and valued, and to pay the Expenses thereof out of the Money to be raised for the Purposes of this Act; and it shall be lawful for the said Trustees or for such Person or Persons as they shall appoint, at all convenient Times, to inspect the Poor's Rate and Valuation, in order the better to ascertain such Rent or Value, and to take Copies of such Rate and Valuation *gratis*: Provided always, that the Sum to be raised for the Purposes of this Act by any such Rate or Assessment as aforesaid shall not in the whole exceed the Sum of Five thousand Pounds, exclusive of such further Sum as may be necessary for Payment of the Interest upon the said Sum of Five thousand Pounds, or such Part thereof as hath been or shall be borrowed, and also exclusive of such Sum as hath been or shall be expended in the applying for, obtaining, and passing of this Act, and incident thereto,
and

and Interest upon such Part of such said Sum as hath been or shall be advanced or lent by any Person or Persons for or towards such last-mentioned Purposes.

XXXVI. And be it further enacted, That the Rate or Assessment to be made as aforesaid in or for any Year shall be and continue in force and shall be collected and recovered in or for every following or subsequent Year until the said Trustees shall make a new Rate or Assessment by virtue of this Act, (or until the Money to be borrowed by virtue of this Act, with all Interest for the same, and all other Debts under this Act, shall be paid off and discharged,) in like Manner as if they had made such Rate or Assessment in and for every following or subsequent Year: Provided always, that no Rate or Assessment which shall be made by virtue of this Act shall be reduced below the Sum of Sixpence in the Pound in any One Year; until all and every the Sum and Sums of Money which shall be borrowed by virtue of this Act at Interest shall be paid off and discharged, without the Consent of the Creditor or Creditors entitled to Four Fifth Parts of the Money so due and owing.

Rates to continue in force until altered, and not to be reduced below a certain Sum without Consent of Creditors.

XXXVII. And be it further enacted, That the said Rate or Rates, Assessment or Assessments, shall be payable half-yearly, on such Days as shall be appointed by the said Trustees, the First Day of Payment not being earlier than Thirty Days after making the First Rate or Assessment herein-before authorized; and the same shall be payable and paid to the Collector or Collectors to be appointed by virtue of this Act; and that it shall be lawful for the Person or Persons to be appointed by the said Trustees Collector or Collectors of the said Rate or Rates, Assessment or Assessments, and he and they is and are hereby authorized and empowered, to receive, levy, and collect the same accordingly.

Rates how payable.

XXXVIII. And be it further enacted, That the several Tenants or Occupiers of such Houses, Buildings, or Premises, Lands, Tenements, and Hereditaments, so to be rated or assessed as aforesaid, shall and they are hereby required to pay the whole of such Rate or Assessment on the Premises in his, her, or their Occupation; and every such Tenant or Occupier (except as herein-after mentioned with respect to Leases for a Life or Lives, and for Twenty-one or more Years,) shall and may deduct out of his or her Rent payable to his or her Landlord One Half Part of such Rate or Assessment, and such Landlord is hereby required and directed to allow every such Tenant such Payments and Allowances accordingly; and every Tenant and Occupier paying such Part of the said Rate or Assessment for or upon account of the Landlord, and producing a Receipt or Receipts for the same, shall be acquitted and discharged of and from so much of his, her, or their Rent due to his, her, or their Landlord, as fully and effectually as if the same had been paid to such Landlord, or to the Person or Persons to whom his, her, or their Rent should have been paid or was payable: Provided always, that no Tenant or Occupier of Houses, Buildings, Lands, Tenements or Hereditaments, for his or her own Life, or for the Life or Lives of any other Person or Persons, shall be entitled to deduct out

Tenants to pay the Whole, and deduct Part of the Rates out of the Rents.

of his or her Rent any Part of such Rate or Assessment; and provided, also, that it shall be lawful for the said Trustees, at any of their Meetings, to apportion the Payment or Amount of the said Rates or Assessments between Landlords and Tenants, in all Cases of Leases or Contracts for Terms of Twenty-one or more Years from the Commencement thereof, or according to the Number of Years which shall at the Time be unexpired, and to order and direct what Proportion of the Rates shall be retained by the Tenant in such Cases out of the Rent; and such Apportionment and Order shall be as valid and binding upon such Landlords and Tenants respectively as if the same had been expressly enacted or mentioned in this Act.

Landlords of Houses let in Apartments, or ready furnished, to be deemed the Occupiers.

Tenants of such Houses to pay Rates, and deduct out of Rent.

Act not to affect Agreements between Landlord and Tenant.

Persons liable to Payment of Rates in proportion to

XXXIX. And be it further enacted, That the several Lessors, Landlords, Owners, and Proprietors of all Houses, Buildings or Tenements within the said Parish, let or which shall hereafter be let out in Parts or separate Apartments, or ready furnished, shall respectively, for the Purposes of this Act, be deemed and taken to be Occupiers thereof, and shall be liable and subject to the Payment of all the Rates or Assessments by this Act directed to be raised, levied, and received: Provided always, that each and every Person renting or occupying any such Part or separate Apartment, or any ready-furnished House, or any other Building or Tenement as aforesaid, shall in the first place be liable to the Payment of the said Rates or Assessments, and all Arrears thereof, to be recovered in manner herein-after directed; and the respective Persons so renting and occupying any such Part or separate Apartment, or ready-furnished House, or other Building or Tenement, who shall pay such Rates or Assessments, or any Arrears thereof, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable by him, her, or them to such respective Lessors or Landlords, Owners or Proprietors of such Houses, Buildings or Tenements; and the Receipt of the Collector or Receiver of the said Rates for such Payment shall be a sufficient Discharge for and to all and every such Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay, or as shall be recovered on his, her, or their Goods and Chattels respectively by virtue of this Act; but no such Person so renting or occupying any such Part or separate Apartment, or ready-furnished House, or other Building or Tenement, shall be subject or liable or required to pay, for or in respect of any such Rates or Assessments, any Sum or Sums of Money beyond the Amount of the Rent which shall be then actually due in respect of the said Premises from him, her, or them respectively: Provided always, that nothing in this Act contained shall extend or be construed to extend to affect or make void any Contract, Covenant, or Agreement, made between any Landlord and Tenant, touching or concerning the Payment of the Rates or Assessments to be made, raised, levied, and received by virtue of this Act, or in any other respect whatsoever.

XL. And be it further enacted, That whenever any Person or Persons shall come into or occupy any House, Building, Land, Tenement, or Hereditament, out of or from which any other Person or Persons assessed by virtue of this Act shall be removed, or which at the

the Time of making any such Rate or Assessment was empty or unoccupied, then and in every such Case every Person so removing from, and every Person so coming into or occupying the same, shall be liable to pay such Rate or Assessment in proportion to the Time only during which such Person or Persons occupied the same respectively; and the Proportion of the said Rate or Assessment shall be levied and recovered in the same Manner as if such Person had not removed, or such Person so coming in or occupying had been originally rated and assessed to such Rate or Assessment; which said Proportion, in case of Dispute, shall be ascertained by any One or more of the Justices of the Peace for the said County of *Middlesex*.

XLI. And be it further enacted, That in case any Person or Persons charged with any such Rate or Assessment to be made or assessed by virtue of this Act shall refuse or neglect to pay the Money rated or assessed upon him, her, or them respectively, after Demand thereof made, by Notice left at his, her, or their House or other Premises within the said Parish, it shall be lawful for any One or more of His Majesty's Justices of the Peace for the said County, and he and they is and are hereby authorized and required to summon, by Writing under his or their Hand or Hands, all and every Person and Persons so charged, and who shall have so refused or neglected as aforesaid, (on Oath being made before such Justice or Justices, by the Collector or Collectors for the Time being, of his, her, or their having attended upon and at the Place or Places of Abode of such Person or Persons then intended to be summoned, and having so as aforesaid demanded the Rate or Rates, and of the same being unpaid,) to appear before such Justice or Justices; or before any other Justice or Justices of the Peace for the said County, at a Time and Place to be mentioned in such Summons (Service of every such Summons, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his, her, or their last or most usual Place of Abode, to be deemed good Service); and if any Person or Persons so summoned shall refuse or neglect, without sufficient Cause, to attend at the Time and Place mentioned in such Summons, or if he, she, or they do or shall attend, and shall not make it appear to such Justice or Justices that he, she, or they is or are not chargeable with such Rate or Rates according to this Act, then all and every the Person and Persons who shall have been so summoned shall pay, as well such Rate as the reasonable Costs and Charges of such Summons, Service, and Attendance before such Justice or Justices; and in all Cases where the said Rate or Assessment, Costs and Charges, shall not be paid upon the Return of such Summons, it shall be lawful to and for the said Justice or Justices who shall have issued the same, or before whom the same shall be made returnable, or for any One or more of them, and he and they is and are hereby authorized and required (on Oath being made before him or them of the due Service of such Summons as aforesaid, which Oath he or they is and are hereby empowered to administer,) to grant a Warrant or Warrants, under his or their Hand and Seal or Hands and Seals, authorizing and directing such Collector or Collectors, or the Constable or Constables of the said Parish, or any other Person or Persons specially appointed by such Justice or Justices, to levy all such Rates or Assessments,

ments, and all Arrears thereof, and the Expenses of the Summons and Warrant, and of the Service and Execution thereof respectively, by Distress of the Goods and Chattels of the Party liable to pay the same; and if on Demand by such Collector or Collectors, Constable or Constables, or other Person or Persons, after such Warrant or Warrants shall be granted, the said Rate or Rates, Assessment or Assessments, and Arrears so due and payable and unpaid, and the Costs and Charges of the said Summons and Warrant, and of such Distress, and of taking and keeping such Goods and Chattels, shall not be paid and satisfied, it shall be lawful for such Collector or Collectors, Constable or Constables, or other Person or Persons, to cause the said Goods and Chattels, or so much thereof as shall be sufficient, to be sold, to pay the said Rate or Rates, Assessment or Assessments, together with such Costs, Charges, and Expenses as aforesaid, returning the Overplus of the Money arising by such Sale (if any) to the Owner or Owners of the Goods or Chattels respectively, on Demand thereof made by him, her or them; which Costs, Charges, and Expenses, in case of Dispute, shall be settled and ascertained by any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*.

Form of
Warrant of
Distress.

XLII. And be it further enacted, That every Warrant of Distress for Nonpayment of any Rate or Assessment to be made by virtue of this Act shall be in the Words or to the Effect following:

‘ *Middlesex* } To the Collector of the Church Rate of the Town of
‘ to wit. } Staines in the County of *Middlesex* [or To the Con-
‘ stables of the Township of _____, or to such Person or Persons
‘ by Name as may be specially appointed, as the Case may be,] and to
‘ all Constables and others His Majesty's Officers of the Peace for the
‘ said County:

‘ **WHEREAS** the under-mentioned Persons, now or late Inhabit-
‘ ants, Householders, Tenants, Occupiers, or Enjoyers of Lands,
‘ Houses, Shops, Warehouses, Yards, Coach-houses, Stables, Cellars,
‘ Vaults, or other Buildings, Tenements, or Hereditaments, or Part
‘ of some Building or Tenement, within the Parish of Staines in the
‘ County of *Middlesex*, were and are rated and assessed or liable to
‘ the Rate or Rates duly made for the Purposes of an Act passed in
‘ the Eighth Year of the Reign of King George the Fourth, intituled
‘ [here set forth the Title of this Act]: And whereas the said Persons
‘ have refused or neglected to pay the said several Sums of Money at
‘ and against their Names hereunder respectively set down, for Money
‘ due from them for or towards the Purposes in the said Act men-
‘ tioned; and the said several Sum and Sums are still remaining due,
‘ in arrear, and unpaid, as appeareth upon Oath to Two of His
‘ Majesty's Justices of the Peace for the said County of *Middle-*
‘ *sex*; and the said several Persons having been summoned to appear
‘ before _____ to answer the Premises, as also
‘ appeareth to _____ the said Justice [or Justices]
‘ upon Oath, and _____ nor any or either of them
‘ having shown any sufficient Cause why such Sum or Sums of
‘ Money should not be paid; These are therefore in His Majesty's
‘ Name to will and require you, or either of you, forthwith to levy
‘ the

the said several Sums due from the said Persons, and hereunder joined to or set against their Names respectively, by Distress and Sale of their respective Goods and Chattels, rendering to them respectively the Overplus (if any, and the reasonable Charges of such Summons, Distress, Sale, and Keeping, and obtaining this Warrant, being first deducted); and if no sufficient Distress can be had or taken, that then you are to certify the same to
 to the end such further Proceedings may be had therein as to Law doth appertain: And do hereby strictly charge and command all and singular the Constables and other His Majesty's Officers of the Peace for the said County to be aiding and assisting in all Things relating to the Execution of this Warrant. Given under my Hand and Seal [or our Hands and Seals] this _____ Day of _____ in the Year of our Lord _____

A.B.	-	-	-	-	-	£	s.	d.
C.D.	-	-	-	-	-			
E.F.	-	-	-	-	-			
G.H.	-	-	-	-	-			
I.K.	-	-	-	-	-			

XLIII. And be it further enacted, That in case any Person or Persons who shall be rated or assessed by virtue of this Act shall quit his, her, or their Land or Lands, House or Houses, Shop or Shops, Warehouse or Warehouses, Coach-house or Coach-houses, Stable or Stables, Cellar or Cellars, or other Hereditaments whereon any Rate or Assessment shall be made by virtue of this Act, before he, she, or they shall have paid such Rate, and shall afterwards refuse or neglect to pay the same when demanded of such Person or Persons, or at his or their Place or Places of Abode, by the said Collector or Collectors, then and in every such Case it shall be lawful for any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, and he and they is and are hereby required, to grant a Warrant or Warrants of Distress, under his or their Hand and Seal or Hands and Seals, (on Oath being made before him or them by the said Collector or Collectors of the Person or Persons having been so rated, and of his, her, or their having so quitted the Premises as aforesaid, and of the said Rate or Assessment having been demanded of or from or at the then Place of Abode of such Person or Persons, and which Oath such Justice or Justices is and are hereby authorized and empowered to administer,) authorizing and directing any Constable or Constables of the said Parish of *Staines*, or of any other Parish or Place in the same County, or in any other County, Riding, City, or Liberty where such Person or Persons shall then reside, or other Person or Persons to whom such Warrant or Warrants shall be specially directed, to distrain the Goods and Chattels of the Person or Persons so refusing or neglecting to pay, and to sell the same; and (such Warrant being countersigned or backed by some Magistrate for the County, Riding, City, or Liberty where the Person or Persons shall then reside, or such Goods and Chattels shall be found, and which such Magistrate is hereby required to countersign and back,) it shall be lawful for such Constable or Constables, or other Person or Persons, to distrain and sell the

For Recovery of Rates from Persons quitting the Premises rated in the Parish.

Goods and Chattels of the Person or Persons so quitting the said Premises without having paid his, her, or their Rate or Assessment as aforesaid, in any Parish, City, Liberty, County, Riding, or Place where such Goods and Chattels shall be found, rendering the Overplus (if any), after having retained the Rate or Assessment, and all Arrears thereof, and all the Costs and Charges of such Summons and Warrant of Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively.

Trustees
may rectify
Omissions
in Rates.

XLIV. Provided always, and be it further enacted, That if it shall appear to the said Trustees at any Time after making any Rate or Assessment to be made under the Authority of this Act, that the Name of any Person or Persons liable to be included in such Rate or Assessment hath been omitted therein, it shall be lawful for the said Trustees to add or cause to be added to such Rate or Assessment the Name or Names of any Person or Persons so omitted, together with the Sum or Sums for which he, she, or they ought to be so rated, and the Amount of such Rate or Assessment in respect thereof; and every such Addition made to any of the said Rates shall be as valid and effectual in Law to all Intents and Purposes as if the same had been inserted in the Rate at the Time the same was first made out.

Trustees
may com-
pound for
Rates.

XLV. Provided always, and be it further enacted, That the said Trustees may, if they think proper, compound or agree to accept less than the full Amount of the Rates imposed on any Dwelling House, Cottage, or Tenement, or other Premises within the said Parish, the annual Value whereof respectively, in their Judgment, shall not exceed Ten Pounds.

Collectors to
account for
Rates.

XLVI. And be it further enacted, That every Person or Persons appointed Collector or Collectors by the said Trustees, who shall collect or receive any of the Monies arising by any such Rate or Assessment, shall, as often as thereunto required by the said Trustees, deliver in Writing under his or their Hand or Hands to the said Trustees, or unto such Person or Persons as they shall appoint, a true and perfect Account in Writing of all Monies which he or they shall have collected and received by such Rate or Assessment, and shall pay all the Money collected by such Rate or Assessment in his or their Hands, Custody, or Power, unto the Treasurer of the said Trustees; and if any such Collector or Collectors shall refuse or neglect to receive the Sums to be rated and assessed by virtue of this Act, or to account for such Money in his or their Hands, Custody, or Power, every such Collector or Collectors so offending shall for every such Refusal or Neglect forfeit and pay any Sum not exceeding Fifty Pounds; which Penalty, and also all the Money in the Hands, Custody, or Power of such Collector or Collectors, so due and owing from such Collector or Collectors to the said Trustees for or on account of such Rate or Assessment, shall and may be levied and recovered by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*; which Warrant such Justice is hereby required to give on Proof of any such Refusal or Neglect, or that
any

any Sum or Sums of Money is or are due and owing from such Collector or Collectors to the said Trustees for or on account of such Rate or Assessment, on the Oath or Oaths (which Oath or Oaths such Justice is hereby empowered to administer) of any credible Witness or Witnesses, directed to any Person or Persons whomsoever, by Distress and Sale of the Goods and Chattels of the Collector or Collectors so refusing or neglecting, or from whom any Sum or Sums of Money shall be so due and owing for or on account of such Rate or Assessment as aforesaid, rendering the Overplus (if any), upon Demand, to the Owner of such Goods and Chattels, after deducting such Penalty, and such Sum or Sums of Money as shall appear to be so due and owing to the said Trustees for or on account of such Rate or Assessment, and the Costs and Charges of such Distress and Sale; or the Sum or Sums of Money so due and owing from such Collector or Collectors shall be paid by the Surety or Sureties for such Collector or Collectors; or in case of Refusal or Neglect of Payment by such Surety or Sureties, shall be recovered from such Surety or Sureties by the said Trustees by an Action or Actions of Debt, to be commenced and prosecuted agreeably to the Directions of this Act.

XLVII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to borrow and take up, at legal or less Interest, such Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds, as they shall judge necessary for the several Purposes of this Act, upon the Credit of the said Rate or Rates, Assessment or Assessments, to be made, levied, and collected by virtue of this Act, and by Writing under their Hands and Seals, or the Hands and Seals of any Seven or more of them, to assign all or any Part of the said Rates or Assessments to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same; and the Charges and Expenses of such Assignments thereof (to be made as hereinafter mentioned) shall be from Time to Time defrayed by the said Trustees out of the Monies so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say,)

Power to
borrow
Money.

‘ WE, Seven of the Trustees appointed by or in pursuance
 ‘ of an Act passed in the Eighth Year of the Reign of
 ‘ King George the Fourth, intituled [*here set forth the Title of this*
 ‘ *Act*], in consideration of the Sum of
 ‘ advanced and lent by _____ upon the Credit and
 ‘ for the Purposes of the said Act, do hereby grant and assign unto
 ‘ the said _____ [or to his [or her] Trustee or
 ‘ Trustees, *as the Case may require,*] his [or her] Executors, Ad-
 ‘ ministrators, and Assigns, such Proportion of the Rates or Assess-
 ‘ ments to be raised, levied, and collected by virtue of the said Act,
 ‘ as the said Sum of _____ doth or shall bear to
 ‘ the whole Sum which may at any Time be borrowed, or become
 ‘ due and owing, or be charged upon the Credit of the said Rates
 ‘ or Assessments to be had and holden from this

Form of
Assignment.

‘ Day

entitled to and receive a proportional Part of the said Annuity from
 the last of the said Days of Payment up to the Day of the Death
 of the said . In Witness whereof we the said
 Trustees have hereunto set our Hands and Seals, the
 Day of in the Year of our Lord

And every such Grant shall be good, valid, and effectual in Law;
 and every Annuity so to be granted as aforesaid shall be and is
 hereby charged upon and shall be payable and paid out of the said
 Rates or Assessments according to the Grant of such Annuity.

XLIX. And for preventing any improvident Grants of Annuities, be
 it further enacted, That the Amount of every Annuity to be granted
 by virtue of this Act shall be regulated according to the Prices of
 the Three Pounds *per Centum* Consolidated Bank Annuities at the
 Time of granting the same, in the Manner and at a Rate not ex-
 ceeding by more than One Fifth the Rate prescribed by Two several
 Acts, One passed in the Forty-eighth Year of the Reign of His late
 Majesty King George the Third, intituled *An Act to enable the Com-
 missioners for the Reduction of the National Debt to grant Life An-
 nuities*, and the other passed in the Fifty-second Year of the Reign
 of His said late Majesty, intituled *An Act for amending Two Acts,
 passed in the Forty-eighth and Forty-ninth Years of His present
 Majesty, for enabling the Commissioners for the Reduction of the
 National Debt to grant Life Annuities.*

Restrictions
 as to Grants
 of Annuities.

L. And be it further enacted, That it shall be lawful for the Per-
 sons entitled to any of the Securities for the Monies to be borrowed
 upon Interest or by Annuities as aforesaid, and their respective Ex-
 ecutors, Administrators, or Assigns, at any Time, by Writing under
 their Hands and Seals, to transfer such Securities to any Person or
 Persons whomsoever; and every such Transfer may be in the Words
 or to the Effect following; (that is to say,)

Power to
 transfer
 Securities.

I being entitled to the Sum of
 [or an Annuity of] secured to me, my Executors, Ad-
 ministrators, and Assigns, by virtue of an Assignment [or Grant
 of an Annuity] bearing Date the Day of under
 the Hands and Seals of Seven of the Trustees acting in the Exe-
 cution of an Act passed in the Eighth Year of the Reign of
 King George the Fourth, intituled [*here set forth the Title of this
 Act*], upon the Credit of the Rates or Assessments granted or made
 payable by the said Act, do hereby transfer all my Right and Title
 in and to the same, and all Interest and other Money now due
 and owing thereon, unto his Executors,
 Administrators, and Assigns. Dated the Day of
 in the Year of our Lord

Form of
 Transfer.

And a Copy of every Security, Assignment, or Grant, together with the
 Number or Numbers thereof, which shall be made in pursuance of this
 Act, and an Extract or Memorial of every Transfer thereof respec-
 tively, shall be entered in a Book or Books to be kept for that Purpose
 by the Clerk to the said Trustees (which Extract or Memorial shall

[Local.]

31 B

specify

specify or contain the Date, Names of the Parties, and Sums of Money thereby transferred, and to which Book or Books any Person interested shall at all reasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward); and for the entering of every such Transfer the said Clerk shall be paid by the Person or Persons to whom such Transfer shall be made the Sum of Five Shillings, and no more; and every such Transfer, after such Entry thereof as aforesaid made, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Provision for
Payment of
Creditors by
Ballot.

LI. And, in order that no Preference may be given to any of the Persons who shall have advanced Money upon the Credit of the Rates or Assessments to be raised, levied, or collected by virtue of this Act, be it further enacted, That the said Trustees (if there shall be more Creditors than One) shall cause the Numbers of all Assignments or Securities granted and then in force for securing the Principal Monies lent and advanced upon the Credit of the said Rates or Assessments, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper, of an equal Size; and all such Papers shall be rolled up in the same Form as near as may be, and put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Trustees, in the Presence of the said Trustees, and the First Number or Numbers to be so drawn shall be the Security or Securities to be then paid off in the Order in which they shall be so drawn; and after such Ballot the said Trustees shall cause Notice, signed by their Clerk, to be given to or left at the last or usual Place or Places of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot; and where there shall be only One Creditor, to give Notice to such Creditor of the Intention of the said Trustees to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off, with the Interest due thereon, and that the same will be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money so to be paid off shall from and after the Day to be so specified cease, and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day to be so specified, shall nevertheless be payable on Demand: Provided always, that it shall and may be lawful to and for the said Trustees, with the Consent of all the Creditors, to pay off and discharge the Sum or Sums of Money, or any Part thereof, with the Interest thereof, due to any particular Creditor or Creditors, without any such Ballot as aforesaid.

Power to
borrow
Money

LII. Provided always, and be it further enacted, That in case the said Trustees can at any Time borrow or take up any Sum or Sums of Money at any lower Rate of Interest than the Assignments or Securities

rities which shall be then in force shall bear, it shall be lawful for the said Trustees from Time to Time to charge the said Rates or Assessments in Manner aforesaid with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, and to pay off and discharge the Assignments or Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

at a lower Interest, to discharge Securities at a higher Rate.

LIII. And be it further enacted, That the several Rates and Assessments to be made by or under the Authority of this Act, and all the Money which shall be borrowed, advanced, or lent as aforesaid on the Credit of the said Rates or Assessments, or which shall arise or be received under any of the Powers or Provisions of this Act, shall be paid to the Treasurer or Treasurers to the said Trustees, and the same shall be applied and disposed of in Manner following; that is to say, in the First Place, in paying and defraying the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act; and then for rebuilding the Body of the said Church, and in furnishing, finishing, and completing the same, and in altering or repairing the Tower thereto, and in purchasing Lands for enlarging the present Burial Ground, and in otherwise carrying this Act into Execution, and in defraying the ordinary Expenses of the said Church, and which have heretofore been defrayed out of the ancient and accustomed Church Rate of the said Parish; and, lastly, in payment of the Principal and Interest of the Money to be borrowed by virtue of this Act; and that when and as soon as all the Monies authorized to be raised or to be borrowed by virtue of this Act, and the Interest of such Money so to be borrowed shall be paid off and discharged, and the several Purposes of this Act shall be carried into Execution, the Rates and Assessments granted by this Act shall cease, and be no longer paid or payable: Provided always, that all such Persons as shall have advanced and lent or paid any Money for or towards defraying the Expenses of applying for and obtaining this Act shall be severally repaid such Money, with Interest for the same, from the respective Times of advancing and lending, out of the Money which shall be first raised under and by virtue of this Act; and after the Principal and Interest due thereon are paid off, then the said Trustees shall produce or cause to be produced a printed Account of all Monies received and paid for the Purposes of this Act, to circulate the same within the said Parish of *Staines*.

Application of Money borrowed or received.

LIV. And whereas the Rates or Assessments for repairing and maintaining the present Church, and for other Purposes relating thereto, now are and for many Years have been unequally made and levied within the said Parish of *Staines*, and it is expedient that the same should be equalized; be it therefore further enacted, That after the said Church shall be rebuilt and completed, and the Rates and Assessments granted by this Act shall have ceased, such future Rates or Assessments as shall be made by the Churchwardens of the said Parish for the Time being, for repairing and maintaining the said Church, and for other Purposes relating thereto, shall from Time to

Future Rates for repairing the new Church to be laid equally on all rateable Property.

Time

Time be made, and the said Churchwardens are hereby authorized and empowered to make such Rates or Assessments upon all and every Inhabitant or Occupier of any House or Houses, Building or Buildings, Lands, Tenements, or Hereditaments within the said Parish of *Staines*, on the full annual Rent or Value of all and each of such Houses, Buildings, Lands, Tenements, and Hereditaments, to be payable and paid by the Person and Persons who do or shall inhabit, occupy, or hold any such Premises, (save and except the Tithes and ecclesiastical Profits arising, growing, or renewing within the said Parish,) subject nevertheless to such Right of Appeal against the same as is herein-after given; and the Sum or Sums of Money which shall be rated or assessed as last aforesaid shall be recovered in such and the same Manner as the Rates or Assessments hereby authorized and directed to be recovered; and it shall be lawful for the said Churchwardens, or for such Person or Persons as they shall appoint, at all convenient Times to inspect the Poor's Rate and Valuation of the said Parish of *Staines*, in order the better to ascertain the Rates to be so made, and to take Copies of such Poor's Rate and Valuation *gratis*.

Penalty on Nuisances near the Church or Churchyard.

LV. And be it further enacted, That if any Person or Persons shall place or lay any Rubbish, Stones, Soil, Manure, Litter, Compost, or Dung, or other similar Nuisance, Matter, or Thing, in or against the said Church when rebuilt, or in or against the Walls, Rails, or Fences surrounding the same, or in or upon the Churchyard or Burial Ground thereto belonging, or the Walls, Rails, or Fences surrounding the same, or shall permit or suffer the same Rubbish, Stones, Soil, Manure, Litter, Compost, or Dung, or other similar Nuisance, to remain near such Church or Burial Ground, or the Fences or Fence thereof, longer than shall be necessary for the housing or removing the same therefrom, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Persons damaging Monuments.

LVI. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or otherwise damage any Tomb or Monument, or any Gravestone, or any Head or Foot Stone to any Grave, erected, placed, or set up, or to be erected, placed, or set up in the said Churchyard, or any Rails thereto affixed, or the Rails, Doors, Gates, Walls, or Fences of or belonging to the said Churchyard, it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Middlesex*, or of the County, City, or Place wherein such Person or Persons so offending shall reside or be, and such Justice or Justices is and are hereby required, upon Oath being made by One or more credible Witness or Witnesses before him or them of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Person or Persons accused thereof; or it shall be lawful for any Person or Persons who shall see any such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending such Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before any such Justice of the Peace for the said County of *Middlesex*, or to deliver him, her, or them

them into the Custody of any Constable or other Peace Officer, in order to be secured and conveyed before such Justice of the Peace, to be dealt with as herein-after is directed; and the Person or Persons so accused being brought before any such Justice or Justices, or who being duly summoned to appear shall neglect so to do, the said Justice or Justices shall and may, either on the Confession of the Person or Persons so offending, or on Proof of such Offence by the Oath of One or more credible Witness or Witnesses, convict such Offender or Offenders of the said Offence or Offences, and order and adjudge him, her, or them to forfeit and pay any Sum of Money not exceeding Ten Pounds for each and every such Offence, together with the Expenses and Charges of repairing and making good the Damage by him, her, or them occasioned or committed, and the Costs and Expenses of the Proceedings and Conviction against such Offender or Offenders; and One Moiety of the said Forfeiture to be paid to the Informer or Informers, and the other Moiety, together with the said Expenses and Charges, to be paid to the Overseers of the Poor of the said Parish, and applied to the Relief and Maintenance of the Poor of the said Parish; and the said Expenses and Charges shall go to the repairing and making good such Damages as shall by such Offender or Offenders have been occasioned or committed; and in case such Offender or Offenders shall not upon Conviction pay such Forfeiture, together with the Expenses and Charges so adjudged, such Justice or Justices is and are hereby required to commit such Offender or Offenders to the House of Correction, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months, unless such Forfeiture, Expenses, and Charges shall be sooner paid.

LVII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant of the said Parish shall be deemed an incompetent Witness on account of his or her being charged with or liable to pay, or having paid, any Rate or Assessment to be raised, levied, and collected by virtue of this Act.

Inhabitants
may be Wit-
nesses.

LVIII. And be it further enacted, That all Penalties or Forfeitures, or any Penalty or Forfeiture by virtue of this Act or by virtue of the Powers thereof imposed (the Manner of levying and recovering whereof is not otherwise particularly directed), shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace of the County of *Middlesex* (which Warrant such Justice is hereby empowered to grant), upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath (which Oath such Justice is hereby empowered to administer), and the Overplus (if any) of the Monies arising by such Distress and Sale shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures when recovered (if not herein-before directed to be otherwise applied) shall be paid to the Treasurer of the said Trustees, to be applied

Recovery of
Penalties.

[*Local.*]

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towards

at least of their Intention to bring such Appeal, and of the particular Matter or Matters, Cause or Causes thereof, to the Party or Parties interested therein, and such other Person or Persons appealing (not being the said Trustees), having first given Ten Days Notice at the least of his, her, or their Intention to bring such Appeal, and of the particular Matter or Matters, Cause or Causes thereof, to the Clerk to the said Trustees, or other the Person or Persons against whose Act, Judgment or Judgments, Determination or Determinations, such Appeal is made, and such last-mentioned Person or Persons, within Five Days after such last-mentioned Notice, entering into a Recognizance before some Justice of the Peace of such County or Place, with Two sufficient Sureties, conditioned to try such Appeal and abide the Order or Award of the said Court thereon; and the said Justices at such Sessions, upon due Proof of such Notice or Notices and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Cause and Matter of such Appeal in a summary Way, and to make such Order therein, and to award such Costs to either of the Parties, or otherwise, as they the said Justices shall judge proper, and the said Justices may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable; and all such Orders and Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

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

Justices may relieve on an Appeal against Rates, without quashing the whole Assessment.

LXII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity that shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Cases.

Distress not unlawful for Want of Form.

LXIII. And be it further enacted, That no Order, Verdict, Judgment, or other Proceeding made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's

Proceedings not to be quashed for Want of Form, or removable by Certiorari.

Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Plaintiff not to recover without Notice, or after Tender of Amends.

LXIV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for anything done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Ten Days at least before such Action shall be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants 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, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit; whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LXV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for anything to be done in pursuance of this Act after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and if any such Action or Suit shall be brought before Ten Days Notice shall have been given, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Forty Shillings Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Public Act.

LXVI. 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.

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