



ANNO QUINQUAGESIMO SECUNDO

GEORGI III. REGIS.

Cap. 71.

An Act for building a Chapel in the City of *Chichester*,
in the County of *Suffex*. [5th May 1812.]

WHEREAS the Inhabitants of the ancient City of *Chichester*, in the County of *Suffex*, having of late Years considerably increased, and being still increasing, the Cathedral Church, and the Six small Parochial Churches within the same City, and the Liberties thereof, are together insufficient for the Accommodation of the several Inhabitants professing the Doctrine of the established Church of *England*, who are inclined to attend Divine Service therein; and divers Persons are desirous that a Chapel should be erected and built in some convenient Part of the same City, for the Celebration of Divine Service therein, according to the Rites and Ceremonies of the Church of *England*, and have already engaged to contribute thereto in the Manner herein-after mentioned; but as such Object cannot be accomplished without the Aid and Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the very Reverend the Dean of the Cathedral Church of the *Holy Trinity* of *Chichester*, the Canons Residentiary of the said Cathedral Church, the Venerable the Archdeacon of *Chichester*, the Reverend the Chancellor of the Diocese of *Chichester*, and the Precentor of the said Cathedral Church, for the Time being respectively, together with the Mayor of the City of *Chichester* for the Time being, *Charles Baker*,
[Loc. & Per.] 17 M Esquire,

Trustees.

Esquire, the Reverend *George Blifs*, *William Brereton* Esquire, *William Dearling* Esquire, the Reverend *George Francis Heming*, the Reverend *William Woollams Holland*, the Reverend *Cyril Jackson* Doctor in Divinity, *William Johnson* Esquire, *John Marsb* Esquire, the Reverend *Bartholemew Middleton*, the Reverend *John Moore*, Vice Admiral *George Murray*, *Richard Murray* Esquire, *John Peachey* Esquire, *Richard Brazier Pope* Esquire, *Thomas Rhoades* Esquire, *William Ridge* Esquire, the Reverend *William Walker*, and *Edmund Woods* Esquire, and all and every Person and Persons who hath or have engaged to, and shall within the Space of Twelve Calendar Months next after the passing of this Act, contribute or subscribe, or shall by Writing under his or her Hand engage to contribute or subscribe, when thereunto required in Manner by this Act directed, the Sum of One hundred Pounds or upwards for the Purposes of this Act; and also all and every the Persons who for the Time being shall hold or be possessed of any Security bearing Interest under or by virtue of this Act, for Money to the Amount of Three hundred Pounds advanced or contributed by any One Person for the Purposes of this Act, and their Successors to be elected and appointed as herein-after mentioned, shall be and they are hereby appointed Trustees for putting this Act into Execution.

All Acts may be done by Three or more Trustees, unless otherwise directed.

II. And be it further enacted, That all Acts and Proceedings relative to the Execution of this Act, may be done and executed by any Three or more of the Trustees hereby appointed, and to be elected and appointed as aforesaid, except only in the Cases herein particularly mentioned, as requiring a greater or less Number of them.

Appointment of new Trustees.

III. And be it further enacted, That when any One or more of the Trustees appointed or to be appointed in pursuance of this Act (except such Persons as are hereby declared or appointed to be Trustees in respect or by virtue of their Situations or Offices) shall die or refuse to act, or shall be disabled from acting as herein-after mentioned, it shall be lawful for the remaining or other Trustees, at some Meeting to be held in pursuance of this Act for that Purpose, by Writing under their Hands, to elect, nominate and appoint, some other Person or Persons, being Inhabitants of the said City of *Chichester* or the Liberties thereof, to be a Trustee or Trustees in the Room of the Person or Persons so dying, refusing to act, or becoming disabled as aforesaid; and every Person so to be elected, nominated and appointed, shall be and is hereby invested with the several Powers by this Act given or granted to the Trustees herein-before named, as if he had been named and appointed a Trustee in and by this Act: Provided always, that no Person shall be capable of acting as a Trustee in the Execution of this Act, (unless in giving Notice of the First Meeting, and in administering the following Oath, which any of the Trustees herein-before named are hereby empowered to administer), until he shall have taken an Oath in the Form following:

Trustees to take an Oath.

Form of Oath.

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

So help me GOD.’

And

And also that if any Person or Persons appointed or to be appointed a Trustee or Trustees for the Execution of this Act, shall be directly or indirectly interested or concerned in any Contract or Work to be done in or about the Execution of any of the Powers of this Act, or shall have or enjoy any beneficial Employment under or in consequence of this Act, every such Person shall, during the Term of such Contract, or during his Continuance in such Employment, be utterly disabled and disqualified from acting as a Trustee or Trustees under this Act.

Persons interested not to act as Trustees.

IV. And be it further enacted, That the said Trustees shall meet together at the *Swan Inn* within the City of *Chichester* aforesaid, on the Second *Monday* after the passing of this Act, between the Hours of Twelve and Two of the Clock in the Afternoon, for carrying this Act into Execution, and take and adopt such Measures for that Purpose as may appear to be requisite, (such Meeting to consist of Nine at least of the said Trustees); and the said Trustees shall then and from Time to Time afterwards adjourn their Meetings, or meet according to such Notice as is herein-after directed to be given, at such Time and Place within the said City of *Chichester* as such Trustees shall think proper and convenient, until a Vestry Room adjoining the said intended Chapel shall be built and made fit for their subsequent Meetings therein.

First Meeting of the Trustees.

V. And be it further enacted, That it shall and may be lawful for the said Trustees to meet as often as they shall find it necessary; and that at all Meetings to be holden by virtue of this Act, at least Seven Days previous Notice in Writing shall be given by the said Trustees or their Clerk, by affixing the same on the South East Door of the said Cathedral Church of *Chichester*, and in some conspicuous Part of the said intended Vestry Room, when built in pursuance of this Act, or in such other Manner as the said Trustees shall think necessary, thereby setting forth the Day, Hour, and Place of such Meeting; and the said Trustees shall at all their Meetings pay their own Expences; and all such Trustees as are or may be Justices of the Peace, may act as such within their respective Jurisdictions in the Execution of this Act, notwithstanding their being Trustees, except only where they are or may be personally interested; and that in all Cases under this Act, where any Justice or Justices of the Peace are or is authorized to examine any Person or Persons on Oath, it shall be lawful for such Justices, (being Trustees under this Act), and they are hereby respectively required to administer such Oath: Provided always, that if at any Meeting to be holden by virtue of this Act, a sufficient Number of Trustees shall not attend to act, then the Trustee or Trustees present, or the Clerk to the said Trustees, shall adjourn such Meeting to the Place where the same was appointed to be held, to that Day Seven-night next after the Day on which such Meeting was appointed, giving such Notice thereof as is herein-before directed to be given with respect to the other Meetings to be held by virtue of this Act.

Notice of Meetings.

VI. And be it further enacted, That no Act of the said Trustees in the Execution of this Act, shall be or be deemed to be good, valid or effectual, unless the same shall be made or done at some Meeting to be holden in pursuance of this Act; and 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

No Act valid unless done at a Meeting.

present

present at every such Meeting not being less than Five; 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 such Trustees for the Time being; and at every Meeting of the said Trustees, a Chairman shall and may be appointed; and when and so 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 (save and except in the Election of a Minister as herein-after is mentioned), it shall and may be lawful to and for the Chairman to give the decisive or casting Vote.

No Order to be revoked unless at a special Meeting.

VII. And be it further enacted, That no Order, Appointment, or Proceeding, made at any Meeting of the Trustees to be holden in pursuance of this Act, shall be revoked or altered at any subsequent Meeting, unless such Meeting be holden for that express Purpose, nor unless Notice, specifying the Revocation or Alteration intended to be made, (signed by the Clerk to the said Trustees, or any Three or more of the Trustees), shall be so affixed as herein-before is directed, at least Seven 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, and a greater Number of Trustees shall be present at such subsequent Meeting than were present at the Meeting when such Order, Appointment or Proceeding, was had or made.

The Proceedings of the Trustees to be entered in Books, &c.

VIII. 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 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 such Trustees as shall be present at their several Meetings; and all Entries in such Book or Books, (being signed by the Chairman of such respective Meetings), shall be deemed Originals, and shall be allowed to be read as Evidence in all Causes, Suits, and Actions, touching or concerning any Thing done in pursuance of this Act; and such Book or Books shall at all the Meetings of the said Trustees, be open to the Inspection of all and every of the said Trustees, and of all Persons interested therein; and that any of the said Trustees and Persons interested shall and may have and take Copies thereof, paying for every Copy not exceeding Seventy-two Words, the Sum of One Shilling, and so in Proportion for any greater Number of Words.

Appointment of Officers.

IX. And be it further enacted, That the said Trustees may and they are hereby empowered, by Writing under their Hands, to appoint a Treasurer, Clerk, and also such other Officers and Persons for the Execution of this Act, as they the said Trustees shall think proper, and from Time to Time to remove such Officers and Persons respectively as they the said Trustees shall see Occasion; and out of the Monies to be received by virtue of this Act, to allow and pay such Salaries and Allowances to the said Officers and Persons as they the said Trustees shall think reasonable; and the said Trustees shall and they are hereby required to take such Security from every such Treasurer and other Officer, for the due Execution of his Office, as they shall think proper; and all such Officers and Persons so to be appointed, and also the Chapel Wardens who for the Time being shall be appointed in pursuance or by virtue of this Act, shall under their Hands, at such Time or Times and in such Manner

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 received by such Officers or Persons, or Chapel Wardens respectively by virtue or for the Purposes of this Act, and how much thereof hath been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Trustees, or to such Person or Persons as they shall appoint to receive the same; and every such Treasurer shall on *Whit-Monday* in every Year, or at the First Meeting of the said Trustees then next following, (although not thereunto required by the said Trustees,) or at such other Time as the said Trustees may require the same, lay his Accounts before the said Trustees, in order that the same may be audited, passed, and allowed by them, if approved of; and all the said Officers or Persons, or Chapel Wardens so accounting as aforesaid, shall upon Oath (which Oath any One of the said Trustees is hereby empowered to administer) verify their said Accounts; and if any such Officer or Person, or Chapel Warden shall refuse or neglect to make and render, or to verify upon Oath any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid of all such Monies as shall remain due on any such Account, 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 Twenty-one Days after being thereunto required by the said Trustees, by Notice in Writing signed by their Chairman, and given to or left at the last or usual Place of Abode of such Officer or Person, or Chapel Warden, 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 every such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place, wherein such Officer or Person, or Chapel Warden so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue his Summons for the Officer, Person, or Chapel Warden 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 any such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act, shall remain due from such Officer or Person, or Chapel Warden, such Justice may and he is hereby authorized and required upon Non-payment 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 or Person, or Chapel Warden; and if no Goods or Chattels of such Officer or Person, or Chapel Warden, 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 or Person, or Chapel Warden, shall have refused or wilfully neglected to render and give such Account, or to verify the same as aforesaid, 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 or Person, or Chapel Warden, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case, such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, or Place, where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account 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 or Person, or Chapel Warden, shall be detained or kept in such Gaol or House of Correction for want of sufficient Distress by virtue of this Act, for any longer Space of Time than Six Calendar Months.

Trustees may contract for the Purchase of Ground.

X. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby empowered and required, as soon as conveniently may be after the passing of this Act, to contract and agree with any Person or Persons for the absolute Purchase in Fee Simple of any Lands, Tenements, or Hereditaments, situate in any Parish or Place within the Walls of the said City of *Chichester*, (except the Parish of *All Saints* otherwise *The Pallant*), and not exceeding in Value the Sum of One thousand Pounds, for the Purpose of erecting the said intended Chapel and other Buildings thereon, and to pay for the same such Sum of Money as shall be agreed upon by the said Trustees and the Persons interested therein, out of the Monies to arise or be received under or by virtue of this Act.

Corporations, &c. empowered to treat and convey.

XI. And be it further enacted, That it shall and may be lawful to and for any Body or Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, Committees of Idiots and Lunatics, and Husbands, and all other Trustees whomsoever, for and on Behalf of any Infants, Females Covert, *Cestui que* Trust, Idiots, Lunatics, or other Persons under any Disability of acting for themselves, and for all and every Person and Persons who are or shall be seized, possessed of, or interested in any Lands, Tenements or Hereditaments, to treat and agree with the said Trustees, or any Three or more of them, for the absolute Sale of any Piece or Parcel of Ground, Tenements, or Hereditaments not exceeding Two Acres, and to convey the same to the said Trustees for the Purposes mentioned in this Act; and that all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid and effectual to all Intents and Purposes, any Law, Usage, or other Matter or Thing to the contrary thereof in anywise notwithstanding; and that all such Feoffees in Trust, Executors, Administrators, Guardians, Committees, Husbands and Trustees, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Application of Compensation Money, if amounting to 200l.

XII. And be it further enacted, That if any Money shall be agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall

shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two Hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees of the Chapel of *Saint John the Evangelist* in the City of *Chichester*, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction, and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

XIII. Provided always, and be it further enacted, That if there shall be any Money so agreed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, which shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the Court of Chancery, and be placed to his Account as aforesaid, in order that the same may be applied in Manner herein-before directed, or otherwise the

Where less than 200l. and exceeding 20l.

same

same shall be paid, at the like Option, to Trustees, to be nominated by the Person or Persons making such Option, and to be approved of by the Trustees acting under and by virtue of this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

Where less than 20l.

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

Respecting disputed Titles.

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

On Payment of Purchase Money, the Premises to be vested in the Trustees.

XVI. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments, by the said Trustees, to the Party or Persons respectively entitled to such Monies, or their Agents, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in Manner herein-before directed, and upon the Conveyance in the Manner herein-after directed of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity, of the Person or Persons respectively for whose Use the same shall be paid, in, to, or out of such Lands, Tenements, or Hereditaments,

ditaments, shall vest in the said Trustees and their Successors for ever, for the Uses and Purposes of this Act.

XVII. And be it further enacted, That all Sales, Conveyances and Assurances of any Lands, Tenements or Hereditaments, to be made to the said Trustees and their Successors, shall be made in the Form or to the Effect following, or as near and conformable thereto as Circumstances will admit of; *videlicet*,

Form of Conveyance.

I of the Sum of _____ of _____ in Consideration of the Sum of _____ paid by the Trustees acting by virtue of an Act of Parliament, made in the Fifty-second Year of the Reign of King George the Third, and intituled [*here insert the Title of the Act*], do hereby grant and release to the said Trustees and their Successors, all [*here describe the Premises to be conveyed*] and all my Right, Title and Interest, to and in the same, and every Part thereof, to hold to the said Trustees and their Successors for ever. In Witness whereof I have hereunto set my Hand and Seal, this _____ Day of _____ in the Year of our Lord _____

And every such Sale, Conveyance and Assurance so made, shall be good, valid and effectual, to all Intents and Purposes whatsoever, as, to and against the Person or Persons making the same, and his, her or their *Cestuique* Trust, and all other Persons claiming or to claim by, from, through, under or in Trust for him, her, or them respectively, or in Remainder, Reversion or Expectancy, or otherwise howsoever, and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and all Estates in Possession, Reversion, Remainder or Expectancy, the Issue and Issues of such Person and Persons, and every Person claiming or to claim under them respectively, as effectually as Fines and Recoveries would do if levied or suffered by the Parties interested, and such Parties had been adult and without Impediment; any Law, Statute, Usage or Custom, to the contrary notwithstanding.

And every such Conveyance to be good and effectual.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees to erect and build, or cause to be erected and built, a Chapel, and a Chancel or Place proper for administering the Sacrament of the Lord's Supper, and also a Vestry-room adjoining thereto, according to such Plan or Model, Elevation and Section, and of such Dimensions and Materials, and in such Manner, as they the said Trustees shall agree upon and direct at some public Meeting to be particularly called for that Purpose, and in which Plan no Alteration shall be afterwards made without the Consent of Two-thirds of the said Trustees at least; and the said Trustees shall cause such Pews, Seats, and Galleries, and such Bells, Ornaments and Conveniences, to be made, erected, set up and placed in the same Chapel and Vestry-room respectively, as they the said Trustees shall or may deem proper or necessary, in order that the said Chapel may be consecrated and set apart, and completely finished and furnished, for the Celebration of Divine Service according to the Usage of the Church of *England*; and also that they the said Trustees shall and may, and they are hereby empowered (if they shall deem it expedient) to purchase an Organ and Clock, or either of them, for the said intended Chapel.

Power to erect the Chapel, &c.

[*Loc. & Per.*]

17 0

XIX. And

Trustees may contract with any Persons for building the Chapel, &c.

XIX. And be it further enacted, That it shall be lawful for the said Trustees to contract with any Person or Persons for building and erecting such Chapel and Vestry-room, and for supplying the same with such Pews, Seats, Bells, Furniture, and other Matters or Things as aforesaid, and to contract with any Person or Persons for providing proper Materials for all or any of the Purposes aforesaid, or for doing any of the Works authorized by this Act; and all Contracts and Agreements made or entered into by or between the said Trustees, at any of their Meetings to be held in pursuance of this Act, and any Person or Persons whomsoever, relating to any Act, Matter or Thing, to be done or performed in Execution of any of the Powers hereby granted, shall be reduced or put into Writing, and signed by the Parties thereto, and shall specify the Work to be done, the Price to be paid, the Time within which the same shall be completed, the Quality of the Materials to be used, and the Penalties for Non-performance thereof; and the said Trustees may take such Security from the Contractors for the due Performance of their respective Contracts, as to them shall seem necessary; and the said Trustees may, if they shall think it necessary, cause the Works done in pursuance of such Contracts to be surveyed, and if the same shall appear not to be performed according to any such Contracts, the Surveyor shall report the same to the said Trustees, at any of their Meetings to be held in pursuance of this Act, and the said Trustees may cause an Action at Law, or a Suit in Equity, to be brought or commenced, in the Name or Names of their Treasurer or Treasurers, against the Party or Parties refusing, or having neglected duly to perform his or their Contract or Contracts, for Recovery of the Penalty or Penalties contained in such Contract or Contracts, or for a specific Performance thereof, as to the said Trustees shall seem most advisable, in the same Manner as in any other Case of Contracts or Agreements between any other Persons whomsoever.

Trustees authorized to compound Actions, &c.

XX. And be it further enacted, That it shall be lawful to and for the said Trustees to compound and agree with any Person or Persons against whom they shall bring or commence, or cause to be brought or commenced, any Action or Actions, Suit or Suits, for the Recovery of any Penalty or Penalties contained in any Contract or Contracts, or any Part or Parts thereof, or in anywise relating thereunto, for such Sum or Sums of Money as they shall think proper, so as the Sum so compounded for and agreed upon, be not less than the Amount of the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and the Costs, Charges and Expences which shall have been occasioned thereby; and all and every the Sum and Sums which shall be received in consequence of such Composition, shall be applied for and towards all or any or such of the Purposes of this Act, for or towards which the whole of such Penalty if recovered would have been applicable.

Chapel to be subject to the Ecclesiastical Jurisdiction by Law established.

XXI. And be it further enacted, That the said Chapel, and every Minister officiating therein for the Time being, as also the Person or Persons who shall act as Chapelwarden or Chapelwardens thereof, shall be subject in all Respects to the ordinary Ecclesiastical Jurisdiction by Law established, and it shall and may be lawful to and for the Lord Bishop of *Chichester* for the

the Time being, and he is hereby authorized and required to consecrate the said Chapel; and such Chapel from and immediately after the Consecration thereof, shall be called by the Name of "The Chapel of *Saint John the Evangelist*" for ever, and Divine Service shall be from Time to Time for ever thereafter performed therein, according to the Rites and Ceremonies of the Church of *England* as by Law established, by a Minister to be nominated and appointed in Manner herein-after directed; and the said Chapel and the Minister thereof shall (without Prejudice to the Rules and Regulations contained in this Act) be for ever thereafter subject to the ordinary Jurisdiction and Visitation of the Lord Bishop of *Chichester* for the Time being: Provided always, that nothing in this Act shall extend or be construed to extend to make any new Parish, or to alter or affect any Tythes, or any other Ecclesiastical Payments, or any Rates, Taxes, Assessments or other Payments whatsoever; nor shall it be lawful for any Minister of the said Chapel to publish the Banns of Marriage, or to solemnize any Marriage therein, or to administer the public Baptism of Children, or of Persons of riper Years, or to church Women in such Chapel, or to bury the Dead therein, or in any of the Ground belonging or to belong to the same.

And to be consecrated.

But not to extend to the making a new Parish, &c.

XXII. And be it further enacted, That all and every the Bells, Ornaments, Furniture, Pews or Seats, and Galleries, and other Matters and Things within or belonging to the said Chapel and the Buildings there-to adjoining, when the same shall have been erected and built, shall be and the same are hereby vested in the said Trustees and their Successors, in order that the said Pews or Seats and Galleries, or a sufficient Part thereof, may be by them sold, let, disposed of, and appropriated for the Purposes of this Act.

Pews and Furniture of Chapel, &c. vested in the Trustees.

XXIII. And be it further enacted, That the several Persons who have already subscribed, or shall hereafter subscribe, for or towards the building or finishing the said Chapel, and other the Purposes of this Act, shall and they are hereby respectively required to pay the several Sums of Money by them respectively subscribed and to be subscribed, at such Times and in such Manner, and to such Person or Persons, as the said Trustees shall, at any Meeting to be holden in pursuance of this Act, order and direct; and if such Subscriber or Subscribers shall neglect or refuse to pay the Money so by him, her, or them respectively subscribed as aforesaid, according to the Order or Direction of the said Trustees, the same shall and may be recovered by the said Trustees by Action of Debt, to be brought in any of His Majesty's Courts of Record at *Westminster*: Provided always, that the Amount of such Subscription shall not, together with the voluntary Donations of any Person or Persons for or towards the Erection of the said Chapel or other the Purposes of this Act, exceed in the whole the Sum of Ten thousand Pounds.

Method of raising Money for building Chapel, &c.

XXIV. And, for raising so much of the Money requisite for the Purposes of this Act as shall not arise or be received from such Subscriptions or Donations as last aforesaid; be it further enacted, That it shall and may be lawful for the said Trustees to borrow and take up at Interest any Sum or Sums of Money not exceeding (with the Amount of such Subscriptions and Donations as last aforesaid) the said Sum of Ten thousand Pounds, upon the

Power to borrow Money.

the Credit of the Rents to be reserved for or in respect of such of the said Pews or Seats as shall be sold, and of the Pews or Seats which shall be let or demised by the said Trustees in pursuance or by virtue of this Act, and by Writing or Writings under their respective Hands and Seals, at the Costs and Charges of the said Trustees, to grant, bargain, sell or assign such Rents and Pews or Seats as last aforesaid, and the clear Yearly Income arising or to arise therefrom respectively, to such Person or Persons as shall lend or advance any Money thereon, his, her, or their Executors, Administrators and Assigns, as a Security for the Re-payment of the Money so to be lent and advanced, and the Interest thereof; which Security shall and may be made in the Form or to the Effect following; (that is to say),

Form of Assignment.

BY virtue of an Act, made in the Fifty-second Year of the Reign of King George the Third, and intituled, [set forth the Title of this Act] We, [] being Three of the Trustees named or appointed by virtue of the said Act, in Consideration of the Sum of
 to A. B. our Treasurer in hand paid
 by C. D. do grant, bargain, sell and assign, unto
 the said C. D. his Executors, Administrators and
 Assigns, such Proportion of the Rents reserved and to be reserved for
 or in respect of so many of the Pews or Seats made by virtue of the
 said Act, as have been and shall be sold in pursuance of such Act,
 and of the Pews or Seats which have been or shall be let or
 demised by the Trustees of and in pursuance or by virtue of the
 same Act, and of the clear yearly Income arising and to arise there-
 from respectively, as the said Sum of doth
 or shall bear to the whole of the Sum advanced or to be advanced by way
 of Mortgage on the Credit thereof; to be had, holden, received and taken,
 by the said C. D. his Executors, Administrators and Assigns,
 from this Day of until the said Sum of
 with Interest for the same at the Rate of per
 Centum per Annum (such Interest to be paid by Half-yearly Payments),
 shall be repaid and satisfied.

Copies of Assignments to be entered in a Book.

And Copies of all such Securities shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees; and all and every Person and Persons to whom any such Security or Securities shall be made, or who shall be entitled to the Money thereby secured, may from Time to Time transfer the same, and his, her, and their Right, Title, and Interest to the same, and Interest thereby secured, to any Person or Persons, by a separate Instrument, or separate Instruments, or by Indorsement on such Security or Securities, in the Form or to the Effect following;

Form of Transfer.

I A. B. do hereby transfer the within Mortgage [if by Indorsement, or if by a separate Instrument, a certain Mortgage] bearing Date the
 Day of made by virtue of
 an Act of the Fifty-second Year of the Reign of King George the Third,
 and intituled [insert the Title of this Act] and all my Right and Title to
 the Principal Money and Interest thereby secured, unto C. D.
 his Executors, Administrators and Assigns. Dated this
 Day of

And that all such Transfers shall be produced and notified to the Clerk to the said Trustees, who shall cause an Entry of such Transfers respectively to be made, containing the Dates, Names of the Parties, and Sums of Money thereby transferred, in the said Book or Books so to be kept for entering the said original Securities; and for every such Entry the said Clerk shall be paid the Sum of Five Shillings and no more; and that the Book or Books in which such Entry shall be made, shall or may at all seasonable Times be perused and inspected without Fee or Reward by any Person or Persons interested in any such Security; and that after such Entry made, such Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof; and it shall not be in the Power of any Person who shall have made any such Transfer, to discharge or make void the same or any Money due thereon.

Transfer to be entered.

XXV. And be it further enacted, That the said Trustees shall, in the first Place, set out and appropriate in proper and convenient Situations, such a Number of Seats for the Use and Accommodation of the Poor who shall resort to the said intended Chapel, as they the said Trustees shall think necessary, proper, and convenient, the same Seats being always sufficient for the Accommodation or convenient sitting of Two hundred and fifty Persons at the least.

Seats to be appropriated for the Accommodation of the Poor.

XXVI. And, for better ascertaining the Size or Dimensions, Number and Value of the Pews or Seats to be by the said Trustees sold, let, disposed of and appropriated in pursuance of this Act, and also the Space to be left in the said Chapel for the Accommodation of the Poor resorting thereto; be it further enacted, That a Book shall be provided and kept by the said Trustees, and that Plans or Drawings of all such Pews or Seats as are intended to be made and erected in the said Chapel, as well in the Body as the Lofts or Galleries thereof, and of the Space to be so left for the Accommodation of the Poor as aforesaid, shall be fairly made and entered in the same Book; and the said Plans or Drawings shall specify and contain the Situation, Size, Measure, Dimensions and Number of each and every Pew or Seat; and the respective Numbers of such Pews or Seats (except those to be so appropriated for the Use of the Poor as aforesaid), shall also be fairly and legibly entered and written in Words at length in the same Book.

Plan of Pews to be inserted in a Book, and a Register kept.

XXVII. And be it further enacted, That all the Pews or Seats to be erected and set up in the said Chapel, and in the Lofts or Galleries thereof, shall be respectively distinguished by and with the different Numbers of the same, to be carved, marked, or painted on the Door of each Pew or Seat, and the annual Values of all the said Pews or Seats (except such Seats as shall be so appropriated for the Use of the Poor as aforesaid), shall be ascertained as soon as conveniently may be, and fairly written and entered in such Book as last aforesaid, and immediately after such annual Values shall have been ascertained, the said Trustees shall make such Appropriation of Pews or Seats, for or for the Benefit of the Minister of the said Chapel as herein-after directed, and shall and may then proceed in selling, letting, or demising, the Remainder of the same Pews or Seats, in the Manner herein-after mentioned.

Numbers of the Pews to be painted on the Doors, and the annual Value thereof to be ascertained.

Pews to be
let or sold.

XXVIII. And be it further enacted, That the said Trustees shall with all convenient Speed, after the said Chapel shall be in a sufficient State of Forwardness, from Time to Time lease or demise such or so many of the said Pews or Seats (not otherwise appropriated in pursuance of this Act) as to them shall seem meet, for any Term or Number of Years not exceeding Seven Years, and shall sell and dispose of the Fee Simple and Inheritance of such and so many of the same Pews or Seats, as they the said Trustees shall think fit to sell and absolutely dispose of, for answering any of the Purposes of this Act, unto any Person or Persons willing to take or to become the Purchaser or Purchasers of the same Pews or Seats respectively, at or under, or for such yearly Rents or Prices as can or may be reasonably had or gotten for the same, and a Memorandum of every such Lease or Demise and Sale, as shall be made in pursuance of this Act, being entered in a Book kept for that Purpose, and signed by Three or more of the said Trustees, and by the Lessee or Lessees, or Purchaser or Purchasers of such Pews or Seats respectively, shall be good, valid, and effectual to lease, demise, or sell such Pews or Seats respectively, 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, Demise or Sale; and from and immediately after the Entry and signing of every such Memorandum of Sale as last aforesaid, every of the said Pews or Seats to be mentioned in or referred unto by such Memorandum, shall be vested in the Purchaser thereof, and his or her Heirs and Assigns for ever, and shall and may thereafter be sold, conveyed, devised or otherwise parted with or disposed of by the Proprietor thereof for the Time being, subject only to the Payment of the Rent to be reserved or made payable for or in respect of such Pew or Seat as herein-after mentioned, and to the Rules, Regulations, Rates or Impositions to which the same Pew or Seat, or the Owner or Proprietor thereof for the Time being shall or may be or become subject or liable to in pursuance of this Act: Provided nevertheless, that on every such Sale of the said Pews or Seats that shall be so sold in Fee Simple as aforesaid, there shall be respectively reserved and made payable to the said Trustees and their Successors for ever, such yearly Rent or Sum as they the said Trustees shall think fit, not exceeding the Rate of Two Shillings for every Twenty Shillings which shall be paid by such Purchaser or Purchasers as aforesaid, as and for the Purchase Monies of such respective Pews or Seats as shall be so sold, which respective yearly Rents, and also the Rents of such of the said Pews or Seats as shall be so leased or demised as aforesaid for a Term of Years, shall be reserved and made payable by equal Quarterly Payments, on the Four most usual Feast Days, or Quarterly Days of Payment of Rent in each and every Year, the first of such Quarterly Payments for every such Pew or Seat to commence and become due and payable on such of the said Quarter Days as shall first happen after the Time of taking Possession thereof; 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 lawfully demanded at the last known Place of Residence of the Lessee or Occupier thereof, it shall be lawful for the Chapel Wardens for the Time being of the said Chapel, and they are hereby accordingly 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 otherwise; and such Rent shall and may be recovered by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment thereof

thereof by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the City of *Chichester*, 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; and in case the Rent to be reserved upon the Sale of any such Pews or Seats as aforesaid, or any Part thereof, shall be behind by the Space of Two Calendar Months next after the same shall become due, then the Sale of every such Pew or Seat to be made in pursuance of this Act shall be void, and it shall be lawful for the said Trustees, or any Person by their Order, to enter upon every such Pew or Seat, as fully and effectually to all Intents and Purposes as if such Sale of the same had never been made, and to grant, demise, sell or convey the same on the Terms and in Manner herein-before mentioned, to any other Person or Persons, at such Rent or Price as can or may be reasonably had or gotten for the same; and in case of the Sale thereof, the said Trustees shall pay the Money arising from such Sale, after deducting thereout the Rent in Arrear, and all Expences attending such Sale, unto the then late Owner, or Person or Persons whose Right or Interest shall have become forfeited, his or her Executors or Administrators, if such Money shall not exceed the original Price or Purchase Money paid by such late Owner, or Person or Persons whose Right or Interest shall have become forfeited in such Pew or Seat; but in case such Purchase Money shall exceed the original Price or Purchase, the Surplus thereof shall be paid to the Treasurer of the said Trustees, and applied for the Purposes of this Act: Provided always, that no such Grant, Demise, or Sale, shall be made of any such forfeited Pew or Seat, till the Expiration of Two Calendar Months next after Notice shall have been left in Writing at the Dwelling House or last known Place of Abode of the Owner or Owners of such Pew or Seat, and a Notice in Writing for Three successive *Sundays* previously to such new Grant, Demise, Sale or Conveyance, shall also be affixed on the Door of the said Chapel, of such Rent being behind and unpaid as aforesaid.

XXIX. Provided nevertheless, and it is hereby enacted and declared, That before any Sale shall be made of any such Seats or Pews as aforesaid, the said Trustees shall cause a fair Price or Value to be set upon such of the same Pews or Seats as shall be intended to be absolutely sold and disposed of by them, subject to such yearly Rents as they shall think proper to reserve and make payable for or in respect of such Pews or Seats, in pursuance and for the Purposes of this Act, and then the said Trustees shall and they are hereby directed to give and allow to the several Persons who have already subscribed, or have given by way of Donation, or shall hereafter subscribe or give by way of Donation, the Sum of One hundred Pounds or upwards, towards the erecting and building of the said Chapel, or for the other Purposes of this Act, in case they or any of them shall be so desirous, a Priority or Preference of becoming the Purchaser or Purchasers of any of the Pews or Seats hereby authorized to be sold, in the Order following; (that is to say), the Subscribers or Donors of the greatest Sums of Money to have the first Choice of the same Pews or Seats, and afterwards the Subscribers or Donors of lesser Sums of Money, in Order and Course, and according to the Amount of the several Sums by them respectively subscribed or given, and every Subscriber or Donor of a greater Sum to choose before a Subscriber or Donor of a lesser Sum: Provided always, that the Order of Succession in which the several Sub-

Subscribers to have the Preference in the Purchase of Pews.

scribers

scribers or Donors of equal Sums shall take their several Pews or Seats, shall be ascertained by and at a General Meeting of the said Trustees by ballot; and after such of the said Subscribers or Donors as shall be so desirous of purchasing Pews or Seats as aforesaid, shall have been provided with the same, the said Trustees shall and may from Time to Time lease or demise, or sell and dispose of the Pews or Seats then remaining undisposed of, and not otherwise appropriated, in pursuance of this Act, in such Way and Manner as herein-before is expressed and directed.

Memorandum of Sales to be entered in a Book.

XXX. And for preventing Confusion or a Plurality of Claims, be it further enacted, That no Grant, Bargain, Sale, Demise or Assignment, to be made by the Owners, Proprietors or Lessees of any Pew or Seat in the said Chapel, shall be good or available to the Person or Persons purchasing or taking under the same, until a Memorandum or Entry in Writing of the Alienation or Change of Property of or in such Pew or Seat, shall be first made and entered in the Book to be kept by the said Trustees, in which the said Plan is herein-before directed to be entered and signed by the Clerk to the said Trustees, nor until a Memorandum shall be indorsed and signed by the said Clerk upon the Back of the Deed, Instrument or Probate, of the Will conveying or devising the same, signifying that such Entry has been made as aforesaid, but that until such Entry and Indorsement shall be made as aforesaid, the said Pew or Seat shall be considered as the Property of the former Proprietor thereof, his or her Heirs, Executors or Administrators respectively, according to the Tenure thereof, to all Intents and Purposes whatsoever; and such former Proprietor, his or her Heirs, Executors or Administrators, shall remain subject and liable to all Charges, Burthens and Impositions to be charged, imposed and laid upon the said Pew or Seat as the Proprietor thereof by virtue of this Act, and to such Methods for the Recovery thereof as the other Proprietors of Pews or Seats in the said Chapel are hereby made subject and liable to; and all such Entries and Indorsements as last aforesaid, shall be from Time to Time made and written by the Clerk to the said Trustees, who shall be paid the Sum of Five Shillings and no more, for every such Entry and Indorsement, by the Person taking under such Grant, Bargain, Sale, Devise, Lease or Assignment, or requiring such Entry and Indorsement to be made as aforesaid.

Pews not to be let at a higher Rent than first imposed.

XXXI. And be it further enacted, That no Person renting or occupying any Pew or Seat in the said Chapel, under or by virtue of any Lease or Demise to be thereof made or granted by the said Trustees, shall under-let or demise the same to any Person or Persons whomsoever, for a larger or greater Rent than he, she, or they shall respectively pay for the same, or receive any Sum of Money or other Advantage for assigning or giving up his or her Right to the Use or Occupation of any such Pew or Seat, upon Pain of forfeiting the Use and Occupation thereof; and the said Trustees of the said Chapel shall in every such Case have Power, immediately after such Event shall have happened, to let every such Pew or Seat to such other Person or Persons as they shall think proper, and to receive and take the Rents and Profits thereof in like Manner as they might and would have done in case such Pew or Seat had been originally letten or demised by them to such new Occupier or Renter thereof.

XXXII. And

XXXII. And be it further enacted, That after the said new Chapel shall have been built and finished, it shall not be lawful for any Person or Persons whomsoever to make or cause to be made any Alteration in any of the said Pews or Seats, without the Consent and Approbation of the major Part of all and every of the said Trustees for the Time being, in Writing for that Purpose first had and obtained; and in case any Person or Persons shall make or cause to be made any such Alteration, as and without such Consent as aforesaid, all his, her or their Estate, Right and Interest, of and in the Pew and Seat so altered, shall become absolutely forfeited to the said Trustees, who shall and may thereupon lease, demise or sell the same to any Person or Persons, under and subject to the Terms and Conditions of this Act, freed and discharged of and from all such Estate, Right and Interest, as last aforesaid.

No Alteration to be made in Pews without the Consent of the major Part of the Trustees.

XXXIII. And be it further enacted, That the Advowson, Right of Patronage, free Disposition, Nomination and Presentation of, in and to the said intended Chapel, shall immediately from and after the Erection and Consecration thereof, appertain to, and the same is and are hereby vested in and settled upon the several Trustees for the Time being acting under and by virtue of this Act; and the said Trustees for the Time being shall, between the Hours of Twelve and Two of the Clock in the Afternoon of the Fourth *Monday* next after the Consecration of the said Chapel, and within Six Calendar Months next after every Vacancy which shall afterwards happen, by themselves or Proxies as herein-after mentioned, at or in the Vestry Room of the said Chapel, nominate and elect a fit and proper Person to be the Minister of the said Chapel, and such Person so to be nominated and elected, having obtained a Licence from the Lord Bishop of *Chichester* for the Time being, shall from thenceforth be deemed and taken to be the Minister of the said Chapel, according to the Directions of this Act: Provided always, that in case of a Difference of Opinion amongst the said Trustees, as to a proper Person to be appointed as such Minister as aforesaid, the same shall be decided by a Majority of Votes of the said Trustees for the Time being; and if there shall at any such Election be an equal Number of Votes for Two or more Candidates for the Ministry of the said intended Chapel, then and in every such Case it shall be lawful for the Lord Bishop of *Chichester* for the Time being, and he is hereby authorized and required to give the casting or decisive Vote, and the Candidate in whose Favour such Vote shall be so given shall be thereupon deemed and declared to be duly elected.

Patronage.

Election of Minister.

XXXIV. And be it further enacted, That on the Expiration of Seven Days next after every Vacancy of the Ministry of the said Chapel, a Meeting of the said Trustees shall be called and held in pursuance of this Act, for the Purpose of declaring such Vacancy, and for fixing the Day and Time (not being less than Fourteen Days next after such Meeting) when the said Trustees shall hold another Meeting for the Purpose of electing a Minister of the said Chapel; and thereupon a Notice, signed by the Clerk to the said Trustees, and setting forth the Day, Time, and Purport, of such other Meeting, shall be affixed in the said Vestry Room and on the South East Door of the Cathedral Church of *Chichester*, and shall also be inserted in some public Newspaper usually circulated in the said County of *Suffex*; and at the Meeting to be holden pursuant to such

Notice of every subsequent Election to be given.

Notice, it shall be lawful for the said Trustees who shall be present at or attend such Meeting, either by themselves or their Proxies (which Proxy or Proxies the said Trustees respectively are hereby enabled to nominate and appoint, as well previously to such first Election as aforesaid; as to every subsequent Election, by Writing under their respective Hands, and every such Proxy shall have and enjoy such and the like Powers in the Nomination and Election of such Minister, as the Trustee for whom he shall be so a Proxy could have had or enjoyed in his own proper Person), to nominate and elect in the Manner herein-before directed, a fit and proper Person to be the Minister of the said Chapel, and after such Election, by Writing under their Hands, to present such Minister to the Lord Bishop of *Chichester* for the Time being; and every such Presentation of a Minister, he being so licensed by the said Bishop as aforesaid, shall be good, valid and binding, to all Intents and Purposes, upon all Persons whomsoever.

Ministry being void for Six Months to lapse.

XXXV. And be it further enacted, That in case the Ministry of the said Chapel shall remain vacant for the Space of Six Calendar Months, without any Nomination made within that Time, in the Manner herein-before mentioned and directed, of a proper Person to be the Minister of the said Chapel, then and in every such Case, the Right of Nomination to the said Chapel for that Turn only, shall lapse to the Lord Bishop of *Chichester*, and be subject to the Laws now in Force respecting Benefices when Lapses thereof are incurred.

Minister's Duty.

XXXVI. And be it further enacted, That the Minister of the said intended Chapel shall, on every *Sunday* Morning and Evening, read in the said Chapel the Prayers prescribed in the Book of Common Prayer, or Public Liturgy of the Church of *England*, and on every Festival and Fast-day which is or shall be set apart for Public Worship shall in like Manner read in the said Chapel the Morning Prayers prescribed or to be prescribed in the said Book of Common Prayer, or by any Proclamation for such Days respectively; and shall, on every *Sunday* throughout the Year, as well in the Morning as in the Evening, and also on every *Christmas Day* and *Good Friday*, and on all occasional public Festivals and proclaimed Fasts, in the Morning after Divine Service is performed, preach a Sermon in the said Chapel, and also upon every *Easter Sunday*, *Whitsunday*, and *Christmas Day*, and upon the Third *Sunday* in every Month, administer the Holy Sacrament of the Lord's Supper in the said intended Chapel; and if the said Minister shall be hindered or prevented by Sickness or any other reasonable Cause, from performing the Duties above respectively required and enjoined, or any of them, then and in any such Case he shall find and procure some able Minister to do and perform the same respectively; and in case he shall refuse or neglect so to do for Two successive *Sundays*, it shall be lawful for the Trustees for the Time being of the said Chapel, to procure some such able Minister to officiate at the said Chapel, and to make him such reasonable Compensation or Allowance, to be deducted out of the Salary hereby provided for the Minister of the said Chapel, as they shall think proper.

Trustees to procure the Chapel to be served during Vacancies.

XXXVII. And be it further enacted, That during every Vacancy of the Office or Place of Minister of the said Chapel, and until such new elected Minister shall be licensed and appointed thereto as aforesaid, the Trustees for the Time being of the said Chapel shall and they are hereby required to cause the said

said Chapel to be served by some proper Person or Persons, and the Person or Persons so serving the same shall be paid out of the Fund hereby provided for the Maintenance or Benefit of the Minister of the said Chapel for the Time being.

XXXVIII. And be it further enacted, That towards the Maintenance and Support of the Minister for the Time being of the said intended Chapel, the Treasurer of the said Trustees for the Time being shall, by and out of the Monies which shall come to his Hands under or by virtue of this Act, yearly and every Year, well and truly pay or cause to be paid to such Minister for the Time being, the Sum of Eighty Pounds without any Deduction or Abatement whatsoever, by Four even and equal Quarterly Payments; (that is to say), on *Christmas Day, Lady Day, Midsummer Day, and Michaelmas Day* in every Year, by even and equal Portions; and on such of the said Days of Payment as shall happen after the Consecration of the said Chapel, the said Treasurer for the Time being shall pay or cause to be paid to such Minister such Proportion of the said yearly Sum of Eighty Pounds as shall have accrued due from the Time of such Consecration up to the first of the said Quarterly Days of Payment then next following, and a like Apportionment of the said yearly Sum of Eighty Pounds, shall from Time to Time be made between the Executors or Administrators of any Minister of the said Chapel dying during the Continuance of such his Ministry, and between any Two of the said Quarterly Days of Payment, and the Successor of such Minister so dying as last aforesaid, for and in respect of the current Quarter wherein such Death shall happen; and if Default shall be made of or in the Payment of the said yearly Sum of Eighty Pounds or any Part thereof, by the Space of Thirty Days next over or after any or either of the said Days whereon the same ought to be paid as aforesaid, then and in every such Case it shall be lawful for the said Minister, his Executors or Administrators, in his or their own respective Name or Names, to sue for and recover the same with full Costs of Suit by Action on the Case, against the said Treasurer for the Time being of the said Trustees, for Money had and received to the Plaintiff's Use, or for Work and Labour by him or by his or their Testator or Intestate, done and performed for the said Trustees, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed, and to maintain which Action no further Evidence shall be necessary than that the Plaintiff, or his or her Testator or Intestate, was or officiated as the Minister of the said Chapel, during the Time for which he or his Representatives shall seek a Satisfaction.

XXXIX. And, for making some further Provision for or for the Benefit of the Minister for the Time being of the said intended Chapel; be it also enacted, That immediately after the Consecration of the said Chapel, the said Trustees shall, by some Writing under their Hands, appropriate and set apart such and so many of the Pews or Seats within the same Chapel, as shall in Manner aforesaid have been ascertained to be then of the Annual Value of Forty Pounds, for the Benefit of the Minister for the Time being; and from and after such Appropriation, the same Pews or Seats (the Numbers, Situations, and Annual Values whereof shall be respectively mentioned or referred unto in or by such Writing) shall be and the same are hereby respectively vested in the Minister for the Time being of the said

faid Chapel, during the Continuance of such his Ministry only, and not for any longer Period; and such Minister for the Time being shall and may, and he is hereby accordingly fully authorized and empowered, to let the Pews or Seats so to be appropriated and set apart for him or for his Benefit as aforesaid, unto such Persons respectively, and for such respective yearly or other Rents, as he may think proper; and if and so often as all or any Part of the Rents to be reserved by or to become payable to the said Minister for the Time being, for or in respect of any of the said last-mentioned Pews or Seats, shall be behind or unpaid for the Space of Twenty-one Days next after the same ought to be paid to him, it shall be lawful for the Chapelwardens, to be appointed as hereinafter mentioned, and they are hereby authorized and required, at the Request in Writing of such Minister, to distrain for and recover such Rent or Rents for his Use and Benefit, by such Ways and Means, and in such and the same Manner, as such Chapelwardens for the Time being could or might have recovered such Rent or Rents under or by virtue of this Act, if the same had been due or owing upon or under any Lease or Demise hereby authorized to be made by the said Trustees for the Time being.

Trustees empowered to take any Gift of Land or Hereditaments for the Purposes of this Act.

XL. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Time or Times hereafter, without Licence in Mortmain, to accept and take any immediate Gift, Grant, Conveyance or Devise, of any Messuages, Lands, Tenements or Hereditaments, and any Bequests of Money, Goods, Chattels or Effects, to them and their Successors, by the Name and Style of The Trustees of the Chapel of *Saint John the Evangelist* in the City of *Chichester*, for the Augmentation of the Minister's Salary, or the Endowment of the said Chapel, or any other of the Purposes of this Act, in Perpetuity, from any Person or Persons whomsoever; any Law, Statute or Usage, to the contrary notwithstanding.

Chapelwardens to be elected.

XLI. And be it further enacted, That the said Trustees shall and may, as soon after the Consecration of the said Chapel as conveniently may be, nominate and appoint Two fit and proper Persons, and the Survivor of them, to be and act as and in the Nature of Chapelwardens or Warden of the said Chapel, until the *Tuesday* in *Easter Week* next after such Appointment, and from thenceforth upon every *Tuesday* in *Easter Week* yearly for ever, Two fit Persons shall be nominated and appointed to be and act as or in the Nature of Chapelwardens of the same Chapel for the Time being, one of such Chapelwardens to be nominated by the Minister for the Time being, and the other by the Trustees of the said Chapel for the Time being; and in case of the Death of any Chapelwarden after the *Easter Tuesday* subsequent to the Nomination of the said Trustees, and during the Year for which such Chapelwarden shall be elected, then and in every such Case a new Chapelwarden shall be elected in such Manner as the deceased Chapelwarden shall have been elected; and every such Chapelwarden to be so nominated and elected as aforesaid, shall respectively be and act as or in the Nature of Chapelwarden of the said Chapel for the Time being, and shall continue in the said Office until the *Easter Tuesday* next after his Appointment; and the said Chapelwardens and their Successors and the Survivor of them, are and is hereby authorized and required to provide Sacramental Bread and Wine for the Celebration

bration of the Holy Eucharist, and proper Books and Surplices and other Necessaries for performing Divine Service, and keeping the said Chapel and all Things thereto belonging in decent Order, and also to support and keep in Repair the said Chapel and the Appurtenances thereof; and they and he are and is hereby respectively required and enjoined to collect the Rents of such of the said Pews or Seats in the said Chapel, in respect whereof Rents shall be reserved or payable to the said Trustees for the Time being, when and as such Rents shall from Time to Time become due; and the said Trustees for the Time being shall and they are hereby authorized, out of the Monies to arise or be received under or by virtue of this Act, to allow and pay such Salaries and Allowances to the said Chapelwardens respectively as they the said Trustees shall think reasonable.

XLII. And be it further enacted, That the Keys of the said intended Chapel shall from Time to Time be kept and left in the Custody of the Chapelwardens of the said Chapel for the Time being, who shall have the Custody and the keeping of the Plate, Furniture, Records and Books belonging to the said Chapel, and shall and may deposit and keep the same in the Vestry Room of the said Chapel, or in such other Place as the said Trustees, or the major Part of them, shall from Time to Time direct, in a strong Chest to be for that Purpose provided.

Keys of the Chapel to be kept by the Chapelwardens.

XLIII. And be it further enacted, That the Minister of the said Chapel for the Time being, is hereby authorized and empowered from Time to Time to nominate and appoint a proper Person to be the officiating Clerk of the said Chapel, during such Time only as the Person so appointing such Clerk shall continue to be the Minister of the said Chapel; but nevertheless the said Minister may from Time to Time remove any such Clerk upon just and reasonable Cause, to be approved and allowed of by the major Part of the said Trustees for the Time being, present at some Meeting to be expressly called for that Purpose; and the said Trustees for the Time being shall and they are hereby required to pay to such officiating Clerk of the said Chapel for the Time being, such a yearly Salary as they may think proper, not exceeding the yearly Sum of Twenty Pounds, which Salary shall be paid to the said Clerk in such Manner and at such Times as the Salary of the Minister of the said Chapel is herein-before directed to be paid; and that every such Clerk, his Executors and Administrators, shall and may use the like Methods and Remedy for the Recovery of his Salary, as are herein-before given to the Minister of the said Chapel for the Recovery of his Salary, and in which respective Actions the like Evidence only shall be necessary.

A Clerk of the Chapel to be appointed.

Clerk's Salary.

XLIV. And be it further enacted, That all Donations at the Sacrament shall be distributed by the said Minister, among the poor and necessitous, and most deserving Objects of Charity in the City of *Chichester*, or the Liberties thereof.

Charitable Contributions to be distributed by the Minister.

XLV. And be it further enacted, That after the said new intended Chapel shall be fitted for Divine Service, and consecrated as aforesaid, the said Chapel and the Buildings belonging thereto, and the Walls, Doors and Furniture thereof, shall be supported and kept in Repair by

Chapel to be kept in Repair by the Trustees, but no Repairs to the a greater

[Loc. & Per.]

17 R

Amount than
5 l. to be
done without
an Order of
Trustees at a
Meeting.

the said Trustees, by and out of the Monies to arise or be received under or by virtue of this Act: Provided always, that no Repairs to a greater Amount than the Sum of Five Pounds shall be made or done to the said Chapel, or the Buildings, Walls, Gates or Appurtenances of or belonging thereto, unless and until an Application shall be made to the said Trustees for the Time being in that Behalf, by the Chapel Wardens of the said Chapel for the Time being, and until a Report shall be made to such Trustees in Writing, by some able Workman or Workmen to be by them the said Trustees appointed in that Behalf, that such Repairs are necessary, and such Report be allowed and confirmed by the said Trustees or the major Part of them assembled and met for that Purpose, on Seven Days Notice to be given in Manner aforesaid.

Rate to be
made on Pews
sold if Rents
insufficient.

XLVI. And it is hereby further enacted, That when and as often as the Rents herein-before directed to be reserved to the said Trustees for the Time being, for or in respect of the Pews or Seats in the said Chapel which are to be so respectively leased, or demised or sold by them as herein-before is directed, shall be insufficient to satisfy the several Purposes to which such Rents are or may be by this Act directed to be applied, then and in every such Case the said Trustees for the Time being, or the major Part of them, assembled and met pursuant to Notice to be for that Purpose given as aforesaid, at least Seven Days previously to such Meeting, shall and may, and they are hereby required to make or cause to be made a Rate upon all the Proprietors of Pews or Seats in the said Chapel, (except the Pews or Seats which shall be appropriated or set apart for or for the Benefit of the Minister of the said Chapel for the Time being in pursuance of this Act,) in equal Degree, not exceeding Two Shillings in the Pound, in Proportion to the original Price or Sum which shall have been given or paid for each of the same Pews or Seats upon the respective Sales thereof; and every such Rate shall be approved and signed by the major Part at least of the said Trustees so assembled; and after having been so approved and signed, shall and may be forthwith collected, gathered in and received from the said Proprietors of Pews or Seats in the said Chapel for the Time being, by the Chapelwardens for the Time being of the same Chapel; and in case any such Proprietor or Proprietors, his, her, or their Heirs or Assigns, shall at any Time or Times neglect or refuse to pay to the said Chapelwardens for the Time being, the Sum or Sums so charged and assessed on him, her or them respectively, by any such Rate, for the Space of Fourteen Days next after Demand made thereof by Notice in Writing under the Hand of the Clerk for the Time being to the said Trustees, and left at the last known Place of Abode of the Person or Persons required to pay the same, or in case such Proprietor or Proprietors shall have no Place of Abode in the City of *Chichester*, by Notice affixed upon the Door of the Pew or Pews of such Proprietor or Proprietors, then and in every such Case it shall be lawful for the Trustees for the Time being, or the major Part of them, or for the said Chapelwardens for the Time being, to use and employ such and the like Means of Distress and Sale of the Goods and Chattels of such Proprietor or Proprietors for the Recovery of every such Rate, as could have been used or taken by them under or by virtue of this Act, in case such Rate had been an Arrear of Rent due or payable to the said Trustees for or
in

in respect of any Pew or Seat leased or demised by them in the Manner herein-before directed.

XLVII. And be it further enacted, That out of the first Monies which shall arise by virtue of this Act, the said Trustees shall pay and defray all the Costs, Charges and Expences, incident to and attending the applying for, preparing, soliciting and obtaining this Act, and all other Charges relating thereto; and after Payment thereof, all the Money which shall arise from the Rents and Sale of the said Pews or Seats hereby directed to be respectively leased or demised and sold, and which shall be so borrowed on Mortgage as aforesaid, or otherwise levied under or in pursuance of this Act, and all Donations, Subscriptions, Bequests and Contributions, towards erecting, completing, furnishing or maintaining the said intended Chapel, and also all other Money which shall come to the Hands, Custody or Power of the said Trustees or their Treasurer, under or by virtue or for the Purposes of this Act, shall and may from Time to Time be applied and disposed of in Manner following; (that is to say), in the first Place in erecting, completing and furnishing the said Chapel and Vestry-room, and in providing the necessary Ornaments and Conveniences for the same respectively, and in defraying all other Expences of carrying the several Purposes aforesaid into Execution; and in the next Place in Payment of the respective Salaries, Stipends, Wages or Allowances of or to the Minister and Clerk of the said intended Chapel for the Time being, and also of or to the Organist (if any such shall hereafter be appointed), and the Clerk of the said Trustees, and the Treasurer, Chapelwardens, and other Officers and Servants, to be appointed in pursuance or for any of the Purposes of this Act, and likewise the Disbursements herein-before directed to be made by the said Chapelwardens for the Time being; and in the next Place, in Payment of the Interest of the several Principal Sums of Money which shall or may be raised or borrowed and secured under or by virtue and for the Purposes of this Act, unto the several Persons who shall advance or lend the same, and their respective Executors, Administrators and Assigns, without any Priority or Preference whatsoever, and subject thereto in Payment; in the next Place, unto the several Persons who have subscribed or shall or may subscribe the Sum of One hundred Pounds or upwards for the Purposes of this Act, and their respective Executors, Administrators and Assigns, legal Interest for the several Principal Sums of Money so subscribed and to be subscribed by them respectively as last aforesaid, without any Priority or Preference whatsoever; and as to the Overplus of the Monies which shall arise from the Rents and Sales of such Pews, and from such Donations, Subscriptions, Bequests and Contributions as aforesaid, and of all other Monies which shall come to the Hands, Custody or Power of the said Trustees or their Treasurer by virtue of this Act, the same shall be from Time to Time applied and disposed of by the said Trustees for the Time being, in the Manner and for the Purposes herein-after directed; (that is to say), in the first Place, in or towards the paying off and discharging the Principal Sums of Money, which shall be raised or borrowed and secured by way of Mortgage, under and for the Purposes of this Act, and shall for the Time being remain due and payable unto such of the Holders of the said Mortgage Securities, as shall first apply to the Treasurer of the said Trustees for the
Payment

Application
of the Monies
to arise under
this Act.

Payment thereof, and which Applications, with the Dates thereof, the said Treasurer is hereby required to enter in the Book or Books wherein the Copies of the said Securities are hereby directed to be kept, immediately after receiving such Applications, or in case sufficient Applications shall not have been so made, then the said Treasurer shall and he is hereby required, when and so often as sufficient Monies shall be in Hand for that Purpose, to give or leave Notice in Writing at the last known or most usual Place of Abode of every such Creditor, according to the Date of his Security, of the Intention of the said Trustees to discharge such Security, and every such Creditor is hereby required personally, or by his or her Agent, at the Expiration of Three Calendar Months after such Notice so given or left as aforesaid, to receive the Money then due upon such Security as aforesaid, and deliver up his or her said Security, and in Default thereof, all Interest upon or in respect of such Security shall cease and determine; and when and after all and every the said last-mentioned Creditors shall have been fully paid or satisfied, then the Residue of such Overplus Monies as aforesaid, shall be applied from Time to Time in or towards the Payment unto the several Persons who shall have respectively subscribed the Sum of One hundred Pounds or upwards for the Purposes of this Act, (and of which Persons, and the Sums respectively subscribed by them, and the Times when the same shall have been paid to the Treasurer of the said Trustees for the Time being, such Treasurer is hereby required to enter and keep a true and particular Account), or the Executors, Administrators or Assigns, of such Persons respectively, of the several Sums of Money so by them respectively subscribed as last aforesaid, by an equal Pound Rate according to the Amount of such respective Subscriptions, and without any Priority or Preference whatsoever; and if any Surplus Monies shall remain undisposed of in the Hands of the said Trustees or their Treasurer, after all such Payments shall have been respectively made as are herein-before directed, then such Surplus Monies shall from Time to Time be drawn out, applied and disposed of by the said Trustees for the Time being, for or towards the improving, beautifying or enlarging the said Chapel, or the Augmentation of the Salary of the Minister thereof, or for such other salutary Purposes relating to the said Chapel, as the said Trustees for the Time being shall in their Discretion deem expedient.

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

XLVIII. And be it further enacted, That the said Trustees shall and may sue and be sued in the Name of their Treasurer, and that no Action be brought or commenced by or against the said Trustees or any of them by virtue of this Act, in the Name of their Treasurer, shall abate or be discontinued by the Death or Removal, or by the Act of such Treasurer, without the Consent of the said Trustees; but the Treasurer to the said Trustees for the Time being, shall always be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action: Provided always, that every such Treasurer in whose Name any Action or Suit shall be commenced, prosecuted or defended, in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put to or become chargeable with, by reason of his being made Plaintiff or Defendant therein.

XLIX. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves, aggrieved by any Matter or Thing to be done in pursuance of this Act, it shall be lawful for such Person or Persons to appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden for the said City of *Chichester*, who are hereby authorized to hear and determine the Matter of any such Appeal in a summary Way, such Appeal being made within Six Calendar Months after the Cause of Complaint shall have arisen, and the Person or Persons so appealing first giving or causing to be given Fourteen Days Notice at least in Writing, of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof to the said Trustees for the Time being, or to their Clerk, and within Six Days after such Notice entering into a Recognizance before some Justices of the Peace for the said City, with Two sufficient Sureties conditioned to try such Appeal at, and abide the Order of, and pay such Costs as shall be awarded against him, her, or them, by the Justices of such Sessions; and that such Justices, upon the Hearing and Determination of the Matter of such Appeal, shall and may make such Order therein as to them shall seem meet, and they are hereby required to award such Costs to the Party or Parties appealing or appealed against as they shall think proper; and their Determination in the Premises shall be final and conclusive to all Intents and Purposes.

General
Appeal.

L. And be it further enacted, That where any Distress shall be made for any Sum or Sums 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 any Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case.

Parties
making Dis-
tress not
deemed Tres-
passers for
Defect of
Form.

LI. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, after the Expiration of Six Calendar Months next after the Fact committed, or after Satisfaction made or tendered; and every such Action or Suit shall be brought and tried in the County of *Sussex* and not elsewhere; and if any such Action or Suit shall be brought before Twenty-one 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 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 Judgement shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same, as any Defendant hath for Costs of Suit in other Cases by Law.

Limitations
of Actions.

1542

52^o GEORGII III. Cap. 71.

Public Act.

LII. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1812.