



ANNO QUINQUAGESIMO SEXTO

# GEORGI II. REGIS.

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## Cap. ix.

An Act for enlarging, improving and repairing the  
Parish Church of *Woodford*, in the County of *Essex*,  
and for enlarging the Church Yard or Burial Ground  
of the said Parish. [11th April 1816.]

**W**HEREAS the Parish Church of *Woodford*, in the County of  
*Essex*, is become much dilapidated and decayed, and too small  
for the Accommodation of the Inhabitants of the said Parish,  
and it is necessary that the said Church should be enlarged, improved, and  
repaired: And whereas the Cemetery or Burial Ground belonging to  
the said Parish is also too small, and it is necessary that the same should be  
enlarged: And whereas *William Pole Tylney Long Wellesley* Esquire, of  
*Wansted-House* in the said County of *Essex*, and *Catherine Tylney Long*  
*Wellesley* his Wife are seised and possessed of the Manor of *Woodford*, and  
also of the Patronage, Right of Advowson, Nomination, and Presentation  
to the said Parish Church of *Woodford*: And whereas the Right Honour-  
able *John Earl Tylney*, heretofore Lord of the Manor of *Woodford*, (an  
Ancestor of the said *Catherine Tylney Long Wellesley*), did, in or about  
the Year One thousand seven hundred and eighty-four, promise and  
agree to grant or demise to the Churchwardens of the said Parish of  
*Woodford* a certain Piece of Ground, Part of the demisable Waste of  
the Lord of the same Manor, lying in front of and adjoining to the  
said Church Yard, and containing in Length One hundred and seventy-  
six Feet Eight Inches, in Width at the North End Thirty-seven Feet  
Six Inches, and at the South End Thirty-two Feet Two Inches, or  
thereabouts, for the Purpose of enlarging the Cemetery or Burial  
Ground belonging to the said Parish, and which said Piece or Parcel  
[Local.] L l of



of Waste Ground was accordingly inclosed within the said Church Yard; but no written Demise of the said Piece of Waste Land hath ever yet been executed by the said *John Earl Tylney* or by any succeeding Lord or Lords or Lady or Ladies of the said Manor, nor hath any Grant of the said Piece of Waste Ground been yet made with the Consent of the Homage of the said Manor at any Court holden for the said Manor, and the said Piece of Ground hath never yet been consecrated or made use of for the Purpose of Burial, and it is expedient and will be greatly for the Benefit of the said Parish, that the said Piece or Parcel of Waste Ground so inclosed as aforesaid, and the Freehold and absolute Inheritance in Fee Simple of and in the same, enfranchised, freed, and discharged of and from all Copyhold Tenures, and of and from all Fines, Heriots, Duties, Payments, and Services, to the Lord or Lords, Lady or Ladies, of the said Manor, should be vested in the Trustees appointed by this Act for the Use of the said Parish: And whereas the principal Inhabitants of the said Parish have held several Meetings pursuant to Public Notice, for the Purpose of considering the best Mode of carrying into Effect the enlarging, improving, and repairing the said Parish Church; and it has been proposed and agreed that the Sum of Two hundred and forty-two Pounds, Monies belonging to the said Parish in the Hands of *John Popplewell* Esquire, principally arising from Fines paid by Inhabitants of the said Parish, on being excused from serving the Offices of Churchwarden or Overseer, should be invested in the Names of Trustees and be by them appropriated in Aid of the Expences thereof, and that all other Expences should be defrayed by Subscriptions among the Inhabitants and Owners of Property in the said Parish and others, and by Rates or Assessments upon all Lands, Houses, Tenements and Hereditaments within the said Parish; but as the Purposes before mentioned cannot be effectually carried into Execution without the 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 Rector and Curate of the said Parish for the Time being, the Churchwardens and Overseers of the Poor of the said Parish for the Time being, together with the Reverend Sir *Samuel Clarke Jervoise* Baronet, the Reverend *Holt Okes* Clerk, *John Maitland*, *John Hanson*, *Henry Burmester*, *William Tooke Robinson*, *John Blunt*, *John Hall*, *John Popplewell*, *Benjamin Hanson English*, *Gastern Dirs*, *Peter Mallard*, *Charles John Gowerley*, *Flude*, *George Modd Box*, *John Vincent Purrier*, *Michael Constable*, and *John Jay*, all of the Parish of *Woodford* aforesaid, and their Successors, (to be elected in Manner hereinafter mentioned,) shall be and they are hereby appointed Trustees for enlarging, improving, and repairing the said Church and Church Yard, and putting this Act in Execution during such Time only as they shall respectively continue Inhabitants within the said Parish; and that when any One or more Trustee or Trustees hereinbefore named or to be appointed, as hereinafter mentioned, (except such Persons as are declared to be Trustees by virtue of their Situation or Office,) shall die, refuse to act, or shall remove out of the said Parish of *Woodford*, it shall and may be lawful for the surviving or remaining Trustees, at any Meeting to be held in pursuance of this Act, to elect One or more of the Inhabitants of the said Parish, in the Room or Place of such Trustee or Trustees so dying, refusing to act, or removing

Appoint-  
ment of  
Trustees.



removing as aforesaid ; and every such Trustee so to be appointed shall have full Power in all Things to carry this Act into Execution as if he had been appointed a Trustee in and by this Act : Provided always, that no Person shall act as a Trustee as aforesaid who shall be interested in any Contract under this Act.

II. And be it further enacted, That no Person except the Rector, Curate, Churchwardens, and Overseers of the said Parish for the Time being shall be capable of acting as a Trustee for carrying this Act into Execution, unless he shall at the Time he so acts be in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments within the said Parish, of the clear Yearly Value of Two hundred Pounds, or within some adjoining Parish of the clear Yearly Value of Three hundred Pounds at the least, or being an Inhabitant or Householder within the said Parish of *Woodford*, shall in his own Right, or in Right of his Wife, be possessed of or entitled to a Personal Estate of the clear Value of Three Thousand Pounds at the least, or shall occupy Lands, Tenements, or Hereditaments within the said Parish, of the Annual Value of Two Hundred Pounds at the least, nor until he shall have taken and subscribed an Oath in the Words or to the Effect following ; that is to say,

‘ I do swear, that I will faithfully, impartially, and honestly, according to the best of my Skill, Knowledge, and Judgment, execute the several Trusts reposed in me as a Trustee, by virtue of an Act passed in the Fifty-sixth Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act,*] according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever. So help me GOD.’

And if any Person except as aforesaid shall act as a Trustee for carrying this Act into Execution, contrary to the Intent and Meaning hereof, every such Person shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall inform or sue for the same, 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 Impar lance shall be allowed, and every Person who may be so prosecuted or sued shall prove that he is so qualified as aforesaid, or otherwise shall pay the aforesaid Penalty, without any other Proof on the Part of the Prosecutor or Plaintiff than that such Person hath acted as a Trustee in the Execution of this Act : Provided nevertheless, that all such Acts and Proceedings relative to this Act, in which any such Person shall have joined previously to his being convicted as aforesaid, shall, notwithstanding such Conviction, be as valid and effectual, to all Intents and Purposes, as if such Person had been fully qualified according to the Directions of this Act.

III. And be it further enacted, That the said Trustees shall meet in the Vestry Room of the said Parish of *Woodford*, or at any other convenient Place within the said Parish, within One Month next after the passing of this Act, for the Purpose of carrying this Act into Execution, and shall and may then, and from Time to Time, adjourn their Meetings as they shall



shall think proper; and they the said Trustees may also meet at any Time for the Purpose of carrying this Act into Execution (without any Adjournment), upon Notice being given by their Clerk, by the Direction of the Rector or Curate of the said Parish for the Time being, or any Three of the said Trustees, Three Days at least before every such Meeting; and that all Acts and Proceedings of any Three or more of such Trustees, being a Majority of them assembled at any of their Meetings, shall be as valid and binding as if all the Trustees had been present and had concurred therein; and the said Trustees at all their Meetings shall pay their own Expences, and all such Trustees as are or may be Justices of the Peace may act as Justices of the Peace in the Execution of this Act; and in all Cases where any Justice or Justices of the Peace are authorized to examine any Person or Persons on Oath, it shall be lawful for such Justices respectively, and he and they is and are hereby respectively required to administer such Oath: Provided always, that it shall be lawful for any of the Trustees being Justices of the Peace to administer such Oath.

**Adjourn-  
ment.**

IV. Provided always, and be it further enacted, That if at any Meeting to be holden by virtue of this Act a sufficient Number of Trustees shall not attend to act, then and in any such Case 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 as is before directed to be given in Cases of Special Meetings.

**Decision of  
Questions.**

V. And be it further enacted, That if at any Meeting of the said Trustees any Difference of Opinion shall arise touching any Matter or Thing relative to the Execution of this Act, then and in every such Case every such Difference shall be determined by the Majority of Votes of the Trustees present at every Meeting at which such Difference shall arise; and that the Rector of the said Parish for the Time being, if present, or in his Absence his Curate, shall be Chairman at every Meeting of the said Trustees, or in the Absence of both, the Trustees present shall at every such Meeting, before they proceed to Business, elect one of the Trustees then present to be Chairman at such Meeting; and if at any Meeting of the said Trustees any Question shall be put to the Vote, and there shall happen to be an equal Number of Votes for and against the Question, then the Chairman shall have a second or casting Vote, which shall determine such Question.

**Appointment  
of Officers.**

VI. 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, Clerk or Clerks, Collector or Collectors, and all such other Officers and Persons for the Execution of this Act as the said Trustees shall think proper, and from Time to Time to remove such Officers and Persons respectively as 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, Wages, and Allowances to the said Officers and other Persons as the said Trustees shall think reasonable; and the said Trustees shall and they are hereby required to take sufficient Security from every such Treasurer and other Officer for the due Execution of his Office as they shall think proper, and all such Officers so to be appointed shall,  
under



under their Hands, at such Time or Times and in such Manner as the said Trustees shall direct, deliver to the said 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 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 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, 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 or 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 Fifteen Days after being 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 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 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, it shall appear to such Justice that any of the Monies that shall have been collected and raised by virtue of this Act shall remain due from such Officer, 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 the Distress and Sale of the Goods and Chattels of such Officer as can be found sufficient to answer and satisfy the Deficiency 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 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,)

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and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Trustees, but no such Offender shall be detained or kept in such Common Gaol or House of Correction, for Want of sufficient Distress by virtue of this Act, for any longer Space of Time than One Month.

Proceedings  
to be entered.

VII. 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 Rates and Assessments, and of all their other 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 Meetings respectively, 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 and liable to the Inspection of all and every 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 Six-pence, and so in Proportion for any greater or less Number of Words.

Purchase of  
Ground for  
Church Yard.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, or the Majority of them present at a General Meeting, to contract and agree for the Purchase of the Fee-simple and Inheritance of the said Piece or Parcel of Ground hereinbefore described, and already inclosed within the Church Yard of the said Parish, to be conveyed to the Rector and Churchwardens of the said Parish of *Woodford*, and to be vested in them and their Successors, Rector, and Churchwardens of the said Parish for ever, for the Purpose of a Burial Ground, in Augmentation of the present Church Yard or Burial Ground; and it shall be lawful for the said Rector and Churchwardens, and their Successors, Rectors, and Churchwardens for the Time being, to accept, and take, and to hold the same Ground so purchased for the Use of the said Parish, and for the Purpose of enlarging the Church Yard, Cemetery, or Burial Ground, belonging to the said Parish, enfranchised and discharged of and from all copyhold Claims or Tenures, and of and from all Rights of Common, and of and from all Fines, Heriots, Duties, Payments, and Services, whatsoever to the Lord or Lords, or Lady or Ladies of the said Manor, the Statutes of Mortmain, or any other Law or Statute, or any Custom of the said Manor, or any other Usage or Custom whatsoever to the contrary in anywise notwithstanding.

Ground to be  
consecrated.

IX. And be it further enacted, That such additional Burying Ground shall be consecrated for a Burial Ground, according to the Usage of the Church of *England*, and after the same shall have been so consecrated, the same shall for ever thereafter be made use of according to Law, as a Burying Ground for the Interment of the Dead.

Fees payable  
to Rector.

X. And be it further enacted, That, from and after such Consecration, the Rector, Churchwardens, Clerk, and Sexton of the said Parish of *Woodford*, for the Time being, shall be entitled to and shall receive in respect



respect of such new Burying Ground all such Fees, Dues, and Emoluments as are payable, and by Law appertain or are incident to the Office of Rector, Churchwardens, Clerk, and Sexton respectively of the said Parish, on account of Burials within the present Church Yard or Burial Ground of the said Parish.

XI. And whereas it appears expedient that the said Church of *Woodford* Trustees may contract. should be enlarged, improved, and repaired, and in doing thereof it may be found necessary to pull down the Chancel of the said Church, whereby the Area and Elevation of the said Chancel will become Part of and annexed with the general Area and Elevation of the said Church without any Distinction between the Body of the said Church and the Chancel thereof; be it therefore enacted, That it shall and may be lawful for the said Trustees to contract and agree with any Person or Persons, for pulling down such Parts of the said Church and of the Chancel thereof, and of the Roof and Walls of the said Chancel, and for rebuilding, improving, enlarging, and repairing the said Church, and to contract with any Person or Persons for providing proper Materials for all or any the Purposes aforesaid, or for doing any of the Works authorized by this Act, and for otherwise carrying this Act into full Execution; and all Contracts and Agreements made and entered into by and 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 and performed in Execution of any of the Powers hereby granted, shall be reduced and put into Writing, and signed by the Parties thereto; and in such Contracts respectively shall be specified the Work to be done and the Price to be paid for the same, and the Time within which the same shall be completed, the Quality of the Materials to be used, and the Penalties for Nonperformance thereof; and the said Trustees shall and may take such Security from all such Contractors for the due Performance of such Contracts as to them the said Trustees shall seem necessary, and the said Trustees may, in case they think it necessary, cause the several Works to be done in pursuance of such Contracts to be surveyed, and if the same shall appear not to be performed according to such Contracts respectively, the Surveyor shall report the same to the 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 Suit in Equity to be brought against the Party or Parties refusing or having neglected duly to perform his or their Contract, for the Recovery of the several Penalties contained in such Contracts respectively, or for a specific Performance thereof, as to the said Trustees shall seem most adviseable, in the same Manner as in any other Case of Contracts or Agreements between any other Persons whomsoever.

XII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons against whom they shall bring, or cause to be brought, any Action or Actions, Suit or Suits, for the Recovery of any Penalty or Penalties contained in any Contract or Contracts, or any Part or Parts thereof, or in anywise relating thereto, for such Sum or Sums of Money as they shall think proper, so as the Sum compounded for and agreed upon be not less than the Amount of the Injury or Damage sustained by the Breach or

Trustees may compound for Penalties incurred under Contract.



or Nonperformance 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 or towards all or any or such of the Purposes of this Act, for or towards which the whole of any such Penalty, if recovered, would have been applicable.

Trustees may sue and be sued in the Name of the Treasurer or Clerk.

XIII. And be it further enacted, That the said Trustees shall sue and be sued in the Name of their Treasurer or Clerk for the Time being, and that no Action or Suit so brought or commenced shall abate or be discontinued by the Death of the said Treasurer or Clerk, or by any Act of the said Treasurer or Clerk without the Consent of the said Trustees, but that such Treasurer or Clerk for the Time being shall be always deemed Plaintiff or Defendant in every such Action or Suit, as the Case shall happen: Provided always, that every such Treasurer or Clerk, in whose Name any such 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.

Vesting Materials in Trustees.

XIV. And be it further enacted, That all Bricks, Stones, Timber, Iron, Lead, and all other Materials bought and procured by Order of the said Trustees, for repairing and enlarging the said Church and other Conveniences thereto, or for inclosing the said Cemetery or Burial Ground, shall belong to and be the Property of, and the same is and are 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 steal, take, or carry away, spoil, injure, or destroy the said Church or other Conveniences, or the Wall or Walls, Fence or Fences of such Cemetery or Burial Ground, or of any Building or other Works erected, made, or built by virtue of this Act, or any Part or Parts thereof, or the Stones, Timber, Iron, and other Materials thereof hereby vested in them the said Trustees as aforesaid, 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 Wall, Fence, Building, 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 of the Parish of *Woodford*, in the County of *Essex*," without particularly stating or specifying the Name or Names of all or any of the said Trustees.

Incapacitated Persons empowered to sell Land.

XV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees and Feoffees in Trust for charitable and other Purposes, Mortgagees or their Assigns, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and in Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person and Persons, and to and for all Femmes Covert, and every



other Person and Persons whomsoever, who is, are, or shall be seised, possessed of, or otherwise interested in or entitled unto any Lands, Tenements, or Hereditaments, which shall be necessary for the Purposes of this Act, to contract for, sell, and convey the same to the said Trustees, or to such Person or Persons as they shall nominate or appoint for the Purposes of this Act, in consideration of a Sum of Money to be paid for the same, and all such Bodies Politic, Corporate, or Collegiate, and other Persons so conveying as aforesaid, are hereby indemnified for what they shall respectively do in relation to any such Sale, as he, she, they, or any of them shall make by virtue and in pursuance of this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Trustees out of the Monies to arise by virtue of this Act.

XVI. And be it further enacted, That upon Payment of any such Sum or Sums so agreed to the Party or Parties to whom the same shall be payable, or depositing the same in the Bank of *England* in Manner by this Act directed, as the Case may be, the said Lands, Tenements, and Hereditaments in respect whereof the same shall have been so paid or deposited as aforesaid, shall vest in the said Trustees for the Time being, in Manner and for the Purposes aforesaid, who shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever.

On payment of Money Land to vest in the Trustees.

XVII. And be it further enacted, That all Sums of Money to be paid to any Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or Trustees for or on Behalf of any Infants, Lunatics, Idiots, Femes Covert, or Cestuique Trusts, or to any other Person or Persons whomsoever, whose Lands or Estates are limited in strict or other Settlement, or to any other Person under any other Disability, for the Purchase of any Lands, Tenements, or Hereditaments by virtue of the Powers herein contained, in case the same shall amount to or exceed the Sum of Two hundred Pounds, the same shall 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 for executing this Act, to the Intent that such Money shall be paid, 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 or Redemption of the Land Tax, or 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 Hereditaments which

Application of Purchase Monies, in the case of Corporations, Minors, &c. amounting to 200l.

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shall



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 or 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 said High 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 Three Pounds *per Centum* 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 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, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

If less than  
200l. and  
exceeding  
20l.

XVIII. Provided always, and be it further enacted, That if 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 Body Politic, or to any Person or Persons under any Disability or Incapacity as aforesaid, 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 in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant-General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees for executing 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 hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Less than  
20l.

XIX. Provided also, and be it further enacted, That when such Money so agreed to be paid as herein-before mentioned 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, or 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 Infancy or Lunacy, then 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; and the Receipt or Receipts of the Person or Persons to whom the said Trustees shall direct the same to be paid, shall be sufficient Discharges for the same.



XX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High 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 to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of any such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the High Court of Chancery; and the Dividends or Interest 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.

Persons in Possession deemed lawfully entitled, unless the contrary shall appear.

XXI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court to order Payment of Expences of Purchases in certain cases.

XXII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered to borrow of and from any Person or Persons any Sum or Sums of Money necessary for the Purposes of this Act, at as low a Rate of Interest as the same can conveniently be procured, not exceeding in the whole the Sum of Six thousand Pounds, which Monies so to be borrowed, and the Interest thereof, are hereby charged upon the Rates and Assessments to be made in pursuance or by virtue of this Act as hereinafter mentioned, and for securing the Re-payment of the Money so to be borrowed, and the Interest thereof, the said Trustees, or any Three or more of them, shall and may, by Writing under their Hands and Seals, and attested by Two or more credible Witnesses, assign over the said Rates and Assessments to the Person or Persons advancing or lending such Money, which Assignments shall be in the Form or to the Effect following; that is to say,

Trustees may borrow Money.

‘ WE,

of the Trustees appointed by and in pursuance of an Act of Parliament made in the Fifty-sixth Year of the Reign of King *George* the Third, intituled *An Act, [here set forth the Title of this Act,]* in Consideration of the Sum of

advanced and lent by  
of



of to us, upon the Credit and for the  
 Purposes of the said Act, do hereby assign unto the said  
 Executors, Administrators, and Assigns, the  
 Rates or Assessments made and to be made in pursuance or by virtue  
 of the said Act, to hold unto the said  
 Executors, Administrators, and Assigns, until the said Sum of  
 together with Interest for the same after the Rate of  
*per Centum per Annum*, to be paid half-yearly, shall be fully paid and  
 satisfied. In witness whereof we have hereunto set our Hands and Seals  
 the Day of in the Year of our Lord

And every such Assignment shall be good, valid, and effectual in the Law  
 for the Purposes thereby intended, and all such Assignments shall be  
 numbered, commencing with Number One, and so proceeding in an  
 Arithmetical Progression ascending, whereof the common Excess or Dif-  
 ference shall always be One, and every such Security shall be good,  
 valid, and effectual, and shall intitle the Person or Persons to whom the  
 same shall be made, his, her, or their Executors, Administrators, and  
 Assigns, to the Payment thereof, and to all Profit and Advantage thereof,  
 according to the true Intent and Meaning of this Act.

For granting  
 Annuities.

XXIII. And be it further enacted, That it shall and may be lawful for  
 the said Trustees or any Three or more of them, and they are hereby  
 authorized and empowered from Time to Time when they shall judge  
 necessary, by Writing under their Hands and Seals, to grant Annuities to  
 any Person or Persons who shall contribute, advance, and pay into the  
 Hands of the said Trustees, or into the Hands of their Treasurer for  
 the Time being, any Sum or Sums of Money for the absolute Purchase  
 of an Annuity or Annuities, to be paid and payable during the natural  
 Life of every Contributor, or the natural Life or Lives of such Person or  
 Persons as shall be nominated by or on behalf of such Contributor,  
 at the Time of Payment of his or her Contribution or Purchase Money;  
 and so, that the whole Money to be raised by the granting of Annuities  
 as aforesaid do not exceed the whole Sum intended to be raised for the  
 Purposes of this Act; and the Grant of every such Annuity shall be  
 in the Words or to the Effect following.

WE of the Trustees appointed by or in pursuance of an  
 Act of Parliament, made in the Fifty-sixth Year of the Reign of  
 King George the Third, intituled *An Act [here set forth the Title of  
 this Act,]* in Consideration of the Sum of paid by  
 to the Treasurer appointed in pursuance of the said Act,  
 do hereby grant unto the said Executors, Administrators,  
 or Assigns, an Annuity or Yearly Sum of out of the  
 Rates and Assessments made and to be made in pursuance or by virtue  
 of the said Act, which Annuity or Yearly Sum of  
 shall be paid to the said Executors, Admi-  
 nistrators, and Assigns, by Half-yearly Payments in every Year  
 during the natural Life or Lives of, and the  
 First Payment thereof shall be made upon the next  
 ensuing the Date of these Presents: In Witness whereof we 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 the Law,  
 without



without any Inrolment or Registry of the Memorial thereof in the High Court of Chancery or elsewhere, except as hereinafter excepted, any Law or Statute to the contrary thereof in anywise notwithstanding; 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 Rates and Assessments to be made under and by virtue of this Act; and the Purchaser of every such Annuity, his or her Executors, Administrators, and Assigns, shall have, receive, and be intitled to such Annuity out of the said Rates or Assessments, during the Term of the natural Life or Lives of the Person or Persons for whose Life or Lives such Annuity shall be granted, and every such Annuity shall be payable and paid by the Treasurer to the said Trustees at or in the said Parish by equal Half-yearly Payments, the First Payments thereof respectively to be made at the Expiration of Six Calendar Months next after the Date of such Annuity or Annuities.

XXIV. And, for preventing any improvident Grants of Annuities under this Act, be it further enacted, That no Annuities shall be granted by virtue of this Act for any single Life at any higher Rate than the following; that is to say, Where the Age of the Annuitant or Person for whose Life the Annuity shall be granted shall not exceed Thirty-five Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Consideration-Money for the Purchase thereof; where the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Sum of Eight Pounds Ten Shillings for each One hundred Pounds of such Consideration-Money; where the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration-Money; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration-Money; where the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration-Money; where the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Consideration-Money; where the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration-Money; where the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration-Money; and where the Age of such Person shall not exceed Seventy-five Years, the Annuity shall not exceed the Rate of Eighteen Pounds Ten Shillings for each One hundred Pounds of the Consideration-Money.

XXV. And be it further enacted, That it shall and may be lawful for the Persons entitled to any of the Securities of the Money to be borrowed at Interest as aforesaid, or to be raised by the granting of Annuities as aforesaid, and their respective Executors, Administrators, and Assigns, (as the Case may be) at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever, which Transfer may be in the Words or to the Effect following:

[*Local.*]

O o

‘ I,

Terms of  
Annuities,

Securities  
may be trans-  
ferred.



I, \_\_\_\_\_, being entitled to the Sum of \_\_\_\_\_ secured to \_\_\_\_\_ on an Annuity of \_\_\_\_\_ and his Assigns, or my Executors, Administrators, and Assigns, (as the Case may be,) by virtue of an Assignment (or Grant of an Annuity), bearing Date the \_\_\_\_\_ Day of \_\_\_\_\_ under the Hands and Seals of \_\_\_\_\_ of the Trustees acting in the Execution of a certain Act of Parliament made in the Fifty-sixth Year of the Reign of His Majesty King George the Third, intituled *An Act [here set forth the Title of this Act]* arising out of the Rates or Assessments granted by the said Act, do hereby transfer all my Right and Title in and to the same Sum (or Annuity), and all Interest and other Money now due and owing thereon unto \_\_\_\_\_ Executors, Administrators, and Assigns: Witness my Hand this \_\_\_\_\_ Day of \_\_\_\_\_

And a Copy of every such Security or Assignment, together with the Number or Numbers thereof, and of every Grant of Annuity, which shall be made in pursuance of this Act, and an Extract or Memorial of all Transfers thereof respectively, shall be entered in a Book kept for that Purpose by the Clerk to the said Trustees, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of Two Shillings and Six-pence and no more, and after such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Inrolment whatsoever.

Trustees empowered to make Rate or Assessment according to Poor Rate.

XXVI. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby required annually and from Time to Time whenever they shall think fit, to make or cause to be made an Assessment or Rate upon all Persons who do or shall inhabit, occupy, or enjoy any Lands, Houses, Tenements, and Hereditaments, within the said Parish of *Woodford*, in any Sum of Money not exceeding the Rate of Two Shillings in the Pound in any One Year, of the yearly Value of such Lands, Houses, Tenements, and Hereditaments, as the same shall be assessed to the Poor's Rate within the said Parish for that Year, and that the Monies to arise from such Rates or Assessments shall be and are hereby vested in the said Trustees for the Purpose of this Act; and in order the better to enable the said Trustees to make such Rates or Assessments, the Churchwardens and Overseers of the Poor for the Time being of the said Parish are hereby required, at the Request in Writing of the said Trustees or any Three or more of them, or their Clerk, from Time to Time to furnish the said Trustees or their Clerk with the Rates or Assessments made for the Relief of the Poor, and shall permit and suffer the said Trustees or any or either of them, or their Clerk, to peruse and inspect a Copy and Copies thereof at their free Will and Pleasure, and every such Churchwarden or Overseer refusing to produce and furnish such their respective Rates or Assessments, or permit and suffer the same to be perused and inspected and Copies to be taken as aforesaid, shall, for each and every Offence, forfeit and pay the Sum of Twenty Pounds.

XXVII. And



XXVII. And be it further enacted, That in case any Person or Persons charged with any such Rate or Assessment shall refuse or neglect, for the Space of Thirty Days after Demand made by the Collector or Collectors for the Time being, to pay the Money rated or assessed upon him, her, or them respectively, 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 and Seal or Hands and Seals, all and every Person and Persons so charged and who shall have so refused as aforesaid, (an Oath being made before such Justice or Justices by the Collector or Collectors for the Time being, of his or their having attended upon or at the Place or Places of Abode of such Person or Persons then intended to be summoned, and having demanded the Rate or Rates of such Person or Persons having so refused or neglected to pay the same,) to appear before such Justice or Justices, at a Time and Place to be mentioned in such Summons, (Service by such Collector or Collectors, or any of the Constables or Beadle of the said Parish, of every such Summons, either by delivering the same to the Person or Persons thereby intended to be summoned, or leaving the same at his, her, or their usual or last known Place of Abode, to be deemed good Service,) and if any Person or Persons so summoned, shall refuse or neglect to attend at the Time and Place mentioned in such Summons or Summonses, 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; 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 such Justice or Justices who shall have issued the same, 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 or Summonses as aforesaid,) 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 any Constable or Constables, Beadle or Beadles of the said Parish, to levy such Rate or Assessment, Rates or Assessments respectively, and all Arrears thereof, and the Expence of the Summons, and of the Warrant, by Distress of the Goods and Chattels of the Party so neglecting or refusing, which shall be found either in the said Parish or elsewhere; and if within Five Days next after any such Distress shall be so made, the Rate or Rates, Assessment or Assessments and Arrears, and the Costs and Charges of the Summons and Warrant, and of such Distress and of keeping such Goods and Chattels, shall not be paid and satisfied, it shall be lawful for such Collector or Collectors, Constable or Constables, Beadle or Beadles, to cause the said Goods and Chattels, or so much thereof as shall be sufficient, to be appraised by one or more Appraiser or Appraisers, and sold to pay the said Rate or Rates, Assessment or Assessments, together with such Arrears, Costs, Charges and Expences as aforesaid, and the reasonable Charge of such Appraiser or Appraisers for his or their Trouble, returning the Overplus of the Money arising by such Sale (if any) to the Owner or Owners of the Goods and Chattels respectively, on Demand thereof made by him, her, or them.

XXVIII. And



Disposition  
of Pews.

XXVIII. And be it further enacted, That when the Repair, Improvement, and Enlargement of the said Church shall have been completed, the said Trustees shall, at their First or any subsequent Meeting after the Completion thereof, choose Three of their own Body, who shall by Writing under their Hands allot and appoint to the Rector of the said Parish, for the Time being, Two Pews as near as may be to the Communion Table in the said Church, and shall also allot and appoint a proper and suitable Pew or Seat in the said Church, for the Use of the Churchwardens and Overseers of the Poor of the said Parish, and shall further allot and annex to any Mansion or House within the said Parish, the Owner or Occupier whereof shall have subscribed the Sum of One hundred Pounds and upwards, for and towards the Expences of the Repair, Improvement, and Enlargement of the said Parish Church, such Pew within the said Church as the said Person so subscribing the Sum of One hundred Pounds and upwards, may choose and select, and such Pew, when so allotted and annexed, shall remain annexed and be appurtenant to such Mansion or House, or to any Mansion or House thereafter to be built upon the Scite of the same Mansion or House, or upon Lands appurtenant thereto, provided such Land shall appertain and belong to the Owner of the same Mansion or House to which such Pew shall have been annexed as aforesaid, in Perpetuity, and shall be used, held, and enjoyed therewith by the Person or Persons occupying the same; saving nevertheless, and without any Prejudice to the Rights of the Patron, Rector, Lord or Lady of the Manor, Owner or Occupier of the ancient Manor House of the said Manor, or of any other Mansion within the said Parish, and every other Person and Persons who now is or are entitled to any Seat or Pew, Seats or Pews in the said Church, by virtue of any Faculty, Prescription or other Order of Vestry or otherwise howsoever; and provided always, that no Pew or Seat, to which any Person shall be so entitled as last mentioned, shall be allotted or annexed in Manner aforesaid under this Act, but shall remain and belong to the Person or Persons so entitled to the same, any thing in this Act contained to the contrary in anywise notwithstanding, unless such Person or Persons so entitled as last aforesaid are willing and desirous to exchange his, her, or their Pew or Pews for another Pew in the said Church, which the said Trustees are as aforesaid empowered to allot or appoint, then it shall and may be lawful for the said Trustees under and by virtue of this Act, or any Three of them, to make such Exchange accordingly.

Settling Dis-  
putes in  
choice of  
Pews.

XXIX. And be it further enacted, That if any Dispute shall arise by reason of Two or more Persons who shall have so subscribed the Sum of One hundred Pounds and upwards, selecting and choosing One and the same Pew, Three or more of the said Trustees shall in the first Instance give a Preference to the Person who shall have been the largest Contributor, and in case the Contribution of each shall have been the same, the Right to the said Pew shall be determined to belong to such of the said Persons who shall have been an Inhabitant resident in the said Parish for the longest Period of Time, and the other Party shall then select and choose another Pew to be allotted and annexed to the Mansion or House, which he shall occupy in Manner aforesaid: Provided always, that for the better Preservation of Uniformity in the Pews or Seats of the said Church, no Person who may now or shall hereafter be in Possession of any Pew or Seat therein, shall be permitted to affix any Lining thereto, or to paint



paint the same, under a Penalty of Ten Pounds to be recovered in like Manner as any other Penalty can or may be recovered by virtue of this Act, except in the Manner, and of the Colour as shall be settled by the said Trustees for the Lining and Painting the several Pews within the said Church.

XXX. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to make, erect, and provide, or cause to be made, erected, and provided in some Part of the Body of the said Church, or of the Galleries thereof, Benches or open Seats sufficient to accommodate Three hundred Persons at least, to be set apart for the free Use, Convenience, and Benefit of the Poor, and of all other Persons of what Degree soever, who may be disposed to resort to the said Church, and who may not be provided with other Accommodations.

Trustees to provide Benches or open Seats for the Poor.

XXXI. And be it further enacted, That it shall and may be lawful for the said Trustees to take down and remove any Monuments, Monumental Inscriptions, Vaults, Graves, or Grave Stones which may be requisite to be taken down or removed for the repairing or enlarging the said Parish Church or the Chancel thereof, and such Monuments, Grave Stones, and Monumental Inscriptions shall be carefully preserved and kept by or by Order of the said Trustees in such Place or Places as to them shall seem proper; and when and as soon as the Repair and Enlargement of the said Church shall be completed, or as soon after as conveniently may be, all such Monuments, Grave Stones, and Monumental Inscriptions, shall be carefully replaced and fixed in such Manner as the said Trustees shall think proper, on or as near as possible may be to the Place or Places from whence they shall have been respectively removed.

Removing and replacing Monuments, &c.

XXXII. And be it further enacted, That Divine Service, the Solemnization of Matrimony, Baptisms, and all other Matters and Things which were and are of Right used to be celebrated, solemnized, administered, had done, and performed by the Rector or Curate for the Time being in the said Parish Church of *Woodford*, shall and may be celebrated, solemnized, administered, had, done, and performed in like Manner in the Parish Church of *Saint Mary Wanstide*, alias *Wanstead*, in the said County of *Essex*, being the next adjoining Parish to the said Parish of *Woodford*, until such Time as the said Church of *Woodford* shall be completed and finished, and rendered fit for the Celebration of Divine Service therein, and that all Publication of Banns of Marriage, which by Law are required to be made and published in the said Parish of *Woodford*, may be made and published in the said Church of *Saint Mary Wanstide*, alias *Wanstead*, until such Time as the said Church of *Woodford* shall be completed, finished, and rendered fit for Divine Service, and all Publication of such Banns of Marriage so made and published in the said Church of *Saint Mary Wanstide*, alias *Wanstead*, during the Time of performing Divine Service therein, and all Marriages solemnized therein 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 Marriages had been solemnized in the said Parish Church of *Woodford* aforesaid, any Law or Statute to the contrary thereof in any wise notwithstanding.

Divine Service, &c. may be celebrated at Wanstead till Church of Woodford is completed.

XXXIII. And be it further enacted, That all Penalties or Forfeitures by Recovery of this Act imposed, (the Manner of levying and recovering whereof is not

[Local.]

P p

hereby



XXXIV. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or against any Order of Sessions, or any Matter or Thing done in the Execution of this Act, the Form of Conviction shall be in the Words or to the Effect following ; that is to say,

**Form of Con-  
viction.**

**B**E it remembered, That on this                      Day of                      in  
the Year of our Lord                      , A. B. is convicted,  
before                      of His Majesty's Justices of the Peace for the  
of having [*as the Offence shall be*], and I [*or, we*] the said  
do adjudge him [*her, or, them*] to forfeit and pay for the same the  
Sum of                      : Given under my Hand and Seal,  
[*or, our Hands and Seals*] the Day and Year aforesaid.'

XXXV. And be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Trustees, or by Means of any Rate or Rates, Assessment or Assessments made by the said Trustees, or any Order or Conviction of One or more Justice or Justices of the Peace, it shall be lawful for such Person or Persons to appeal to the next General Quarter Sessions of the Peace, to be held in and for the said County of *Essex*, before the Justices then and there assembled; and they are hereby authorized to summon and examine Witnesses upon Oath, and to hear and determine the Matter of the said Appeal, and make



make such Order therein as to them shall seem meet, which Order shall be final and conclusive to and upon all Parties, but so as such Appeal shall be made within Three Calendar Months next after the Cause of Complaint shall have arisen; and so as the Person or Persons appealing shall first give or cause to be given Ten Days' Notice at the least, in Writing, of his, her or their Intention of appeal as aforesaid, and of the Matter or Cause thereof, to the Churchwardens for the Time being of the said Parish, or to One of them, and shall within Three Days next after such Notice enter into a Recognizance before One of the Justices of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and abide by the Order and Sessions, and pay such Costs as shall be made and awarded thereon; and such Justices, upon hearing and finally determining the Matter of such Appeal, are hereby authorized to award such Costs to the Party or Parties appealing or appealed against as they shall think proper.

XXXVI. And be it further enacted, That when any Distress shall be made for any Money by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, Trespass, or other Proceeding, if Tender of sufficient Amends shall be made by or on Behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or other wrongful Proceeding before such Action brought, and in case no such Tender shall be made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceeding, 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.

Distress not  
unlawful for  
want of  
Form.

XXXVII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance or under Colour of this Act, until Twenty-one Days' Notice shall be given thereof in Writing to the said Churchwardens, or one of them, nor after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be brought, or the Cause of such Action or Suit hath arisen, and every such Action shall be brought, laid, and tried in the County where the Cause of Action shall have arisen, and not in any other County or Place, and the Defendant or Defendants in such Action and Suit may plead the General Issue, and give this Act and every or any special Matter in Evidence at any Trial or Trials which shall be had thereupon, and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days' Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any Action or

Limitation of  
Actions.



or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers in such Action or Actions Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedies for recovering the same as any Defendant or Defendants may have for his, her, and their Costs in any other Cases by Law.

Proceedings  
not to be  
moved by  
Certiorari.

XXXVIII. And be it further enacted, That no Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form, or to be removed or removeable by *Certiorari* or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Expences of  
Act.

XXXIX. And be it further enacted, That out of the Monies now in the Hands of the said Trustees or any of them, or out of the first Money which shall be received by virtue of or under this Act, or out of the first Money which shall be borrowed or raised upon the Credit thereof, the said Trustees shall pay and defray the Charges and Expences incident to and attending the obtaining and passing this Act, and after Payment thereof all the Money which shall arise or come into the Hands of the said Trustees or their Treasurer, by virtue of this Act, shall be applied for the Purpose of and in defraying the Costs, Charges, and Expences attending the Execution of this Act, and to no other Use or Purpose whatsoever.

Act not to  
affect the  
Advowson or  
its Appen-  
dages.

XL. And be it further enacted, That nothing in this Act contained shall extend or be construed, deemed, or taken to extend to invalidate, prejudice, or affect the Right or Title of the Lord or Lady of the said Manor of *Woodford*, or Patron of the Advowson of the said Church for the Time being, his or her Heirs or Assigns, to the Advowson of and Presentation to the Parish Church of *Woodford* aforesaid, nor to any Right, Privilege, or Advantage incident thereto, or enjoyed by him, her, or them therewith.

General  
Saving.

XLI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person or Persons, Bodies Politic and Corporate, his, her, and their Heirs, Executors, and Administrators, (other than those meant and intended to be barred and destroyed by this Act,) all such Estates, Rights, Titles, and Interests, as they, every, or any of them had and enjoyed before the passing of this Act, or could or might have had or enjoyed in case this Act had not been made.

Public Act.

XLII. 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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