



ANNO QUINQUAGESIMO SEPTIMO

# GEORGI III. REGIS.

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## Cap. lxxii.

An Act for rebuilding the Church and improving the Church Yard of the Parish of *Saint Paul Shadwell* in the County of *Middlesex*. [10th July 1817.]

**W**HEREAS the Church and Tower of *Saint Paul Shadwell*, and the Vestry Room, are very ancient, and become so ruinous and decayed, that it is necessary that the same should be taken down, and a new Church, Tower, and Vestry built, and the present Church Yard raised and improved, for the Use of the said Parish: But in as much as the same cannot be effected 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 Rector, Churchwardens, Overseers, and Trustees of the Poor for the Time being, and during their Continuance in Office, together with *William Butler, John Brown, Daniel Cloves senior, Joseph Clarke, George Dorvell, Joseph Fletcher, Samuel Galilee, Simpson Homan, John Henfree, George Hurst, Richard Hilditch, Henry Hurst, Louis Leplastrier, William Mellish, Samuel Norris, Tobias Nock, Thomas Saunders, Joseph Thompson, Richard Henry Weston, John Williams, William Bawtree, James Gale, Thomas Lester, and John Luke*, and their Successors, to be appointed as hereafter provided, shall and they are hereby declared to be

[Local.]

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Trustees

Trustees for taking down and rebuilding the said Church and Tower, raising and improving the Church Yard, and otherwise carrying this Act into Execution.

Qualifica-  
tions of Trus-  
tees.

II. And be it further enacted, That no Person appointed or to be appointed as herein-after provided shall be capable of acting as a Trustee for carrying this Act into Execution (except the several Persons for the Time being entitled to be a Trustee by virtue of his or their respective Office or Offices), unless he shall be an Inhabitant of the Parish of *Shadwell* aforesaid, and also rated to the Poor; and unless he shall be possessed of Freehold, or Leasehold, or Copyhold Property of the Annual Value of Fifty Pounds, or One thousand Pounds Personal Property.

No Act of  
Trustees valid  
except at a  
Meeting.

III. And be it further enacted, That no Act of the said Trustees shall be or be deemed to be good, valid, or effectual, unless the same be done at a Meeting to be holden in pursuance of this Act; and that all the Powers and Authorities by this Act granted to the said Trustees, shall and may be exercised from Time to Time by the major Part of them who shall be present at any Meeting to be held pursuant to this Act, the Number of Trustees 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 as often as it shall so happen that there shall be an Equality of Votes at any such Meeting upon any Question (including the Vote of the Chairman), then and in every such Case it shall be lawful for such Chairman to give the decisive or casting Vote.

Election of  
Trustees to  
fill Vacancies.

IV. Provided always, and be it further enacted, That in case and when and as often as any or either of the Trustees hereby nominated and appointed, or hereafter to be nominated and appointed by virtue of this Act, shall resign, die, or become Bankrupt, or shall remove his Residence out of the said Parish, or shall refuse to act, or being a Trustee or Trustees shall neglect to act for the Space of Six successive Calendar Months, it shall and may be lawful for all and every the Vestrymen of the said Parish, Fourteen Days Notice at least being given of such intended Meeting, by a Notice in Writing signed by One or more of the said Trustees, or by their Clerk or Clerks, and affixed on the outer Gate of the Church Yard, to assemble as often as Occasion shall require in the Vestry Room or Workhouse of the said Parish, and the Majority of the Vestrymen so assembled shall and may nominate, and on some future Day within Fourteen Days shall and may elect and appoint, another fit and proper Person, or other fit and proper Persons, as the Case may require, being an Inhabitant or Inhabitants of the said Parish, to be a Trustee or Trustees in the Stead or Place of the Person or Persons so resigned, dead, become Bankrupt, removed, refusing or neglecting to act; and such Person or Persons, so from Time to Time elected and appointed, shall from thenceforth have the same Power and Authority to act in all Things relating to the Matters herein contained, as the Treasurer or Treasurers, Trustee or Trustees, so dead, removed, or neglecting to act, was invested with.

V. And

V. And be it further enacted, That the said Trustees shall meet in the Vestry Room of the said Parish within Fourteen Days after the passing of this Act, or as soon as conveniently may be, between the Hours of Ten and Twelve, and proceed to put this Act in Execution, and in case none of the said Trustees shall attend such Meeting, then and in such Case such Meeting shall be and be deemed to be adjourned to the next Day (*Sunday, Good Friday, Christmas Day*, and all Days on which Divine Service is ordered by Authority to be celebrated, only excepted, and then on the following Day), and so *toties quoties*, until a sufficient Number of Trustees shall attend at such Meeting to act in the Execution of this Act, or until a Trustee or Trustees shall attend and adjourn such Meeting; and the said Trustees shall and may at such Meeting, and at their several Meetings to be holden for the Purpose of carrying this Act into Execution, from Time to Time adjourn themselves, and appoint their next Meeting to be holden there, or at any other Place in the said Parish of *Saint Paul Shadwell*, as to the said Trustees shall seem convenient, and at such Time as to them shall seem proper; and if it shall so happen that there shall not appear at any such Meeting a sufficient Number of Trustees to act in the Execution of this Act, the Trustees or Trustee then present, or the Clerk or Clerks to the said Trustees, shall from Time to Time, as often as the Case may happen, adjourn such Meeting to some other Day within Fourteen Days then next following, to be holden at the same Place, and the said Clerk shall cause Notice thereof to be given in Manner aforesaid, at least Five Days before the Day to which such Meeting shall be adjourned; and the said Trustees shall at their several Meetings pay their own Expences.

First Meeting  
of Trustees.

Trustees to  
pay their own  
Expences.

VI. And be it further enacted, That the said Trustees, or the Majority of them at a Public Meeting, may and they are hereby empowered to appoint a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, and also 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 such sufficient Security from every Treasurer appointed or to be appointed by virtue of this Act, and also from every Clerk, Collector, and other Officer, for the due Execution of his and their respective Offices, as they shall think proper; and all such Clerks, Collectors, and other Officers, so to be nominated by the said Trustees as aforesaid, shall, under their Hands, at such Time or Times, and in such Manner as the said Trustees shall direct, deliver to the Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Clerks, Collectors, and other Officers respectively received by virtue of and for the Purposes of this Act, and how much thereof have been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments; and shall pay all such Money as shall remain due from them respectively to the Treasurer or Treasurers for the Time being of the said Trustees; 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

Trustees to  
appoint Col-  
lectors and  
Officers.

Treasurers,  
Collectors,  
and Officers,  
to give Secu-  
rity to Trus-  
tees.

Clerks and  
Officers to  
account.

Clerks and  
Officers to  
pay over  
Monies to  
Treasurer.

Payment

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 Fourteen Days after having been thereunto required by the said Trustees, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same, then and in any such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, 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 Warrant under his Hand and Seal for the Officer so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected and raised by virtue of this Act shall remain due from such Clerk, Collector, or other 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 Distress and Sale of the Goods and Chattels of such Clerk, Collector, or other Officer; and if no Goods and Chattels of such Officer can be found, sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer shall have refused or wilfully neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every of such Cases such Justice shall commit such Offender to the Common Gaol or House of Correction for the City, County, 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 to the Treasurer or Treasurers of the said Trustees (which Composition the said Trustees are hereby empowered to make), and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Trustees; but no such Officers 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 Three Calendar Months.

Trustees to  
appoint Treasurers.

VII. And be it further enacted, That such Treasurer or Treasurers shall from Time to Time pay and discharge all such Bills as shall be directed by the Trustees, and signed by not less than Three thereof, and shall also pay and discharge all such Bills or Sums of Money as may be directed at any other Meeting of the said Trustees held in pursuance of this Act; and the said Treasurer or Treasurers is and are hereby authorized to attend all Meetings, and is or are in all Cases, as far as may be practicable from the

State of the Funds, to pay and discharge, at the Time such respective Meetings shall from Time to Time take place, all Debts due from or Demands upon the said Trustees for the Purposes of this Act; and the said Treasurer or Treasurers, and his or their Successors, shall at all Times be reimbursed by the said Trustees, out of the Monies arising by virtue of this Act, for any and every Sum of Money which upon the true Balance of the Accounts it may appear that they the said Treasurers or their Successors are actually in advance, together with such legal Interest thereon as to the said Trustees shall appear to be just and reasonable.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Offices of Clerk and Treasurer not to be held by one Person.

IX. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time and at all Times, during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Treasurer or Treasurers for the Time being, in which Book or Books such Treasurer or Treasurers shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Church and Church Yard, or of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the said Rates hereby granted, or to any Parishioner contributing thereunto, without Fee or Reward, and the said Trustees and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Treasurer or Treasurers who shall have the Care and Custody of the said Book or Books, shall refuse to permit the said Trustees, or such Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Treasurer or Treasurers shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in Manner in the said Act directed.

Treasurer to keep Books open to the Inspection of Trustees, &c.

X. And be it further enacted, That the said Treasurer or Treasurers shall once in every Year, and within Fourteen Days next after *Easter Sunday*, account to the Churchwardens, Overseers, and Vestrymen, at a public Vestry, at which Time Auditors shall be chosen by the Vestrymen who may not have been in any Parochial Office for Two Years preceding,

Treasurer to account yearly to the Vestry.

for all the Monies received and paid, and for the Balance remaining in his or their Hands, and shall produce all Bills and Vouchers that may be required, and shall, if so directed, pay over the Balance in his or their Hand or Hands to such Person or Persons as the said Churchwardens, Overseers, and Vestrymen shall then authorize to receive the same, to be applied to and for the several Uses and Purposes for which the same was collected, raised, received, or levied.

Churchwardens, Overseers, and Vestrymen may supersede and remove Treasurer and appoint others.

XI. And be it further enacted, That it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, and Vestrymen, or the Majority of them, at any Meeting at the Vestry Room aforesaid, to be holden pursuant to Notice to be previously given in the Morning and Afternoon after Prayers, to displace, supersede, and remove any Treasurer or Treasurers to be appointed by virtue of this Act, and at the same or any subsequent Meeting to substitute and appoint any other Person or Persons to be Treasurer or Treasurers in Place and Stead of the Person or Persons so displaced.

Meetings on Emergencies.

XII. And be it further enacted, That if after any Adjournment of any Meeting as aforesaid, it shall at any Time or Times be thought necessary that a Meeting of the Trustees should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Clerk to the said Trustees (an Order in Writing, signed by Three or more of the said Trustees, mentioning the Time, Place, and Purposes of such earlier Meeting, being given to him, or left at his last or usual Place of Abode) shall forthwith give Notice of the Meeting to be holden on such earlier Day in Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees, such Time not being less than Four Days after such Notice; and all Proceedings of such Trustees at such earlier Meeting shall be as good and valid as they would have been in case such Trustees had met in pursuance of any Adjournment.

Proceedings to be entered.

XIII. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book or Books, and fair and regular 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 Meeting, shall be deemed Originals, and shall be allowed to be read in 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 of the said Trustees, and of the Creditors on the Rates and Assessments hereby granted and made payable; and that any of the said Trustees and Creditors shall and may have and take Copies thereof, paying unto the Clerk of the said Trustees for every Copy so had, not exceeding Seventy-two Words, the Sum of Sixpence, and so in proportion for any greater Number of Words.

Trustees may act as Justices except where personally interested.

XIV. And be it further enacted, That such of the said Trustees, or Treasurer or Treasurers appointed or to be appointed as aforesaid, as are or shall be a Justice or Justices of the Peace, may act as such within his and

and their Jurisdictions in the Execution of this Act, notwithstanding his or their being a Trustee or Trustees, Treasurer or Treasurers, except in such Cases where he or they shall be personally interested.

XV. And be it further enacted, That no Person, although he may have been regularly appointed, shall be capable of acting as a Trustee in the Execution of this Act, during the Time he shall be interested directly or indirectly in any Contract, or enjoy any Employment of Profit under this Act; nor afterwards, unless he shall be re-elected by the Vestrymen in Manner as aforesaid.

Trustees incapable of acting when interested in any Contract.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, at any of their Meetings, to contract or agree with any Person or Persons for the rebuilding of the said Church and Tower, and for providing Materials for building, erecting, finishing, and completing the same respectively, or any Part or Parts thereof respectively, and generally to make and do all such Orders, Matters, and Things as they shall think proper and necessary fully and effectually to carry this Act into Execution; and all such Contracts and Agreements, when made and entered into by or between the said Trustees and any other Person or Persons, shall be reduced into Writing at the Expence of the Parties with whom such Contracts or Agreements shall be made by the said Trustees, and signed by the Parties thereto, and shall be good, valid, and binding, as well upon the said Trustees and their Successors to be elected in Manner aforesaid, as upon all other Parties thereto, his, her, and their Executors, Administrators, and Assigns; and the said Trustees shall and may pay or order Payment to be made of the Monies due upon any such Contract or Contracts, Agreement or Agreements, to the Person or Persons entitled to receive the same: Provided always, that before any such Contract or Contracts shall be entered into, Fourteen Days Notice at the least shall be given in One of the *London* Newspapers, expressing the Purpose of every such Contract or Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Trustees at a certain Time and Place in such Notice to be mentioned; and Copies of all Contracts made in pursuance of this Act shall be entered in a Book or Books to be kept for that Purpose; and such Book or Books shall from Time to Time and at all convenient Times be open to the Inspection of all and every Person and Persons upon whom any Rate or Assessment shall be made under the Authority of this Act, on Payment of One Shilling to the Clerk or Person in whose Custody the same shall be.

Making Contracts for taking down and rebuilding the Church and Tower.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to take and pull down, or cause to be taken and pulled down, the whole of the present Church of *Saint Paul Shadwell*, and the said Tower thereof, and the present Vestry, and to sell and dispose of the Timber, Stones, Bricks, Iron, Lead, and other Materials thereof, or any Part or Parts thereof, to any Person or Persons whomsoever, and the Money arising by such Sale shall be applied to the several Purposes of this Act; or it shall be lawful for the said Trustees, and they are hereby empowered, to employ or apply such Timber, Stones, Bricks, Iron, Lead, and other Materials, or any Part or Parts thereof, as to them shall seem right, in rebuilding the said Church,

Trustees may direct the old Church to be taken down and sell old Materials.

Church, or in erecting and building the said Vestry, or to use them for any of the Purposes of this Act, in such Manner as they shall think proper.

Materials,  
&c. vested in  
Trustees.

XVIII. And be it further enacted, That all Stones, Bricks, Timber, Iron, Lead, and Materials of which the Body of the present Church and the present Tower thereof are constructed or built, and all the Stones, Bricks, Timber, Iron, Lead, and other Materials bought or procured by Order of the Trustees for rebuilding of the said Church, and for erecting and building such new Tower thereto, to be erected and built by virtue of this Act, 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, remove, or carry away, spoil, injure, or destroy the said Church and Tower, or the Stones, Timber, Iron, Lead, and other Materials thereof respectively, hereby vested in them 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 Church, Tower, Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Trustees for rebuilding the Parish Church of *Saint Paul Shadwell*, in the County of *Middlesex*, and for rebuilding the Tower thereof, without particularly stating or specifying the Names of all or any of the said Trustees.

New Church.

XIX. And be it further enacted, That the said Trustees shall and they are hereby authorized and required to rebuild or cause to be rebuilt the whole of the said Church, on the present or any other Site within the present Church Yard, and also to erect and build or cause to be erected and built a new Tower or Towers on the End or Site thereof; and the same shall be built of such Size and Dimensions, and of such Materials, and after such Specification and Model, as to the said Trustees, with the Approbation of the Lord Bishop of the Diocese, shall seem right and proper; and the said Trustees shall make, erect, and set up, or cause to be made, erected, affixed to, or set up, in such new Church, such Pews, Seats, Galleries, Bells, Organ, Clock, Ornaments, and Conveniences, as to the said Trustees, with such Approbation as aforesaid, shall seem right and proper.

Allotments  
of Pews.

XX. And be it further enacted, That when the said Church shall be rebuilt, and such Seats or Pews as are intended to be erected therein shall be completed, the said Trustees are hereby authorized and required to allot and appoint the several Seats and Pews therein to the several Persons who are now legally entitled, by Faculty or Prescription, to Pews or Seats within the said Parish Church; and such Pews or Seats shall be made convenient to accommodate as many Persons as the Pews or Seats to which such Persons as are now legally entitled; and then the said Trustees shall and they are hereby authorized, empowered, and required to appropriate the Residue of the Pews or Seats in the said new Church for the Use of such of the other Inhabitants of the said Parish as to the said Trustees shall appear to have the best Claim or Right thereto, and in such Manner and subject to such Regulations as they shall direct or appoint.

XXI. Provided



XXI. Provided always, and be it further enacted, That in order to defray in part the Expences of carrying this Act into Execution, it shall be lawful for the said Trustees to let any of the new Seats or Pews to be erected and built in the said Church by virtue of this Act, to any Person or Persons being resident in the said Parish, but only at a yearly Rent, for such Price or Prices as can be reasonably had for the same, and that the Receipt or Receipts of the said Trustees shall be a good and sufficient Discharge and Discharges for the said Rent; and the Money to arise by letting such Pews and Seats shall be paid by the Person or Persons taking the same to the Trustees for carrying this Act into Execution for the Time being, to be by them applied in aid of the Church Rates: Provided always, that the whole Number of Seats so let shall not exceed One-third of the Number in the Body and Side Aisles, and One-fourth of the Number in the Galleries, and that the said Seats shall not be reserved after the reading of the Second Lesson, but if necessary shall then be opened to any other Part of the Congregation, at the Discretion of the Churchwardens, and that all the rest of the Church shall be open to the Parishioners and Poor generally, without any Exception whatever.

Power to sell or let Seats.

XXII. And be it further enacted, That after the said Church and Tower shall by virtue of this Act be rebuilt and completed, no new Grave or Vault shall at any Time thereafter be made or allowed for the Interment or Burial of any Person or Persons whomsoever, in or under the Site of the said new Church, unless the Grave or Vault shall be built on all Sides thereof respectively with Bricks or Stones, and arched over with the same or like Materials, and the Coffin made of Lead or Iron, and no such new Vault or Grave shall be sunk below the Floor of the Vault of the said Church, and that no Corpse shall be interred in the Church Yard within Three Feet of the exterior Walls of the said Church.

No new Grave or Vault to be made in the Church, unless built with Bricks and arched over.

XXIII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or otherwise damage any Tomb or Monument erected, placed, or set up, or to be erected, placed, or set up in the said Church Yard, or any Rails thereto affixed, or the Rails, Doors, Gates, Walls, or Fences of or belonging to the said Church Yard, it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Middlesex*, or for any One or more Magistrate or Magistrates of the County, City, or Place wherein such Person or Persons so offending shall reside or be, and such Justice or Justices, Magistrate or Magistrates, is and are hereby required, upon Oath being made by One or more credible Witness or Witnesses before him or them of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Person or Persons accused thereof, or it shall be lawful for any Person or Persons who shall see any such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending, such Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before any such Justice of the Peace for the said County of *Middlesex*, or to deliver him, her, or them into the Custody of any Constable or other Peace Officer, in order to be secured and conveyed before such Justice of the Peace, to be dealt with as herein-after is directed; and the Person or Persons so accused being brought before any such Justice or Justices, Magistrate or Magistrates, or who, being duly summoned to appear, shall neglect so to do, the said Justice or Justices,

Penalty on Persons damaging Monuments.

[Local.]

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Magistrate

Magistrate or Magistrates, shall and may, either on the Confession of the Person or Persons so offending, or on Proof of such Offence by the Oath of One or more credible Witness or Witnesses, convict such Offender or Offenders of the said Offence or Offences, and order or adjudge him, her, or them to forfeit and pay any Sum of Money not exceeding Five Pounds for each and every such Offence, together with the Expences and Charges of repairing and making good the Damage by him, her, or them occasioned or committed; which Expences and Charges shall be ascertained by the said Justice or Magistrate, Justices or Magistrates, in and by the said Conviction; One Moiety of the said Forfeiture to be paid to the Informer or Informers, and the other Moiety, together with the said Expences and Charges, to be paid to the said Trustees or their Treasurers, which last Moiety is to be by them applied for the Purposes of this Act, and the said Expences and Charges to go to the repairing and making good such Damages as shall by such Offender or Offenders have been occasioned or committed; and in case such Offender or Offenders shall not upon such Conviction pay such Forfeiture, together with the Expences and Charges so adjudged, such Justice or Justices, Magistrate or Magistrates, is and are hereby required to commit such Offender and Offenders to the House of Correction, there to be kept to hard Labour for any Time not exceeding Two Calendar Months, unless such Forfeiture, Expences, and Charges shall be sooner paid.

Vaults or Graves in Decay to be repaired by the Trustees, and converted to general Use.

Trustees may compound for keeping Vaults in Repair.

XXIV. And whereas many Vaults, Graves, and Grave Stones in the said Parish have, from the Neglect, Poverty, or Inattention of the Person or Persons at whose Expence the same were made, built, or set up, or of their Kindred or Representatives, been suffered to go into great Decay, and to be in a very ruinous Condition, and other Vaults or Graves may hereafter be suffered to run into a like State of Decay; for Remedy whereof be it enacted, That in all Cases in which any Vault or Grave in the said Church Yard or any Part thereof shall be found in Decay, the said Trustees shall cause a Notice in Writing to be affixed on the Church Door of the said Parish, or on the principal Gate leading into the said Church Yard, therein describing the Situation and decayed Condition of such Vault or Grave, with the Name or Names of the Person or Persons inscribed on any such Tomb or Monument as being last interred therein, in case such Name or Names can be read, and in such Notice to require the Person or Persons claiming such Vault or Grave, or any peculiar Right thereto, in case he, she, or they shall think fit, to repair and make good the same within Six Calendar Months from the Day such Notice shall be affixed; and in case such Vault or Grave, Vaults or Graves, shall not be repaired by the Person or Persons claiming the same within the Time in such Notice limited for that Purpose, it shall be lawful for the said Trustees to repair and make up such Vault or Vaults, Grave or Graves, so decayed, and thereupon to permit the Corpse of any other Person or Persons to be deposited or interred therein: Provided also, that it shall and may be lawful for the said Trustees to compound, either by the Year or otherwise, with any Person or Persons interested in the several Vaults, Graves, or Grave Stones, or claiming so to be, for the amending and keeping the same in Repair; and from and after any such Composition so paid, the said Vaults, Graves, and Grave Stones shall be supported, amended, and kept in Repair by the said Trustees.

XXV. And be it further enacted, That it shall and may be lawful for the said Trustees, in case they think it proper, to erect within the present Church Yard a Building for receiving One or more Engine or Engines for the extinguishing of Fires; and also a small Dwelling House for the Residence of a Person or Persons to be by them appointed to keep the said Engine or Engines in good Order and Repair, and to take care of and protect the said Burial Ground; and also to erect such Room or Rooms, Office or Offices for the Vestry, and for the Vestry Clerk of the said Parish, as to the said Trustees shall be deemed expedient and convenient; and the said Trustees shall and may make and build such Vaults or other Conveniences for the Interment of the Dead within the said Church and Church Yard, as they shall from Time to Time think necessary and proper; and when such new Church and raised Church Yard shall have been consecrated, they shall and may be used for the Interment of the Dead; subject nevertheless to such Orders and Regulations respecting the Management thereof as shall from Time to Time be made by the said Trustees.

To build an Engine House,

and Vestry and Clerk's Office.

XXVI. And be it further enacted, That the said Vestry Room, when so built as aforesaid within the Church Yard, shall to all Intents and Purposes whatsoever be the Vestry Room of the said Parish; and all the Matters and Things requisite to be done, and all and every or any Meeting legally required to be held in the Vestry of the said Parish, shall be held or done therein, notwithstanding the said Vestry Room may not be attached to the new Church, nor form any Part thereof whatsoever.

As to the Vestry Room.

XXVII. And be it further enacted, That the several Monumental Inscriptions which shall be taken down and removed in rebuilding the said Church and Tower, shall be preserved and kept by or by the Order of the said Trustees, in such Place or Places as to them shall seem proper; and when and as soon as the said Church and Tower shall be rebuilt, or as soon after as conveniently may be, all such Monumental Inscriptions shall be replaced and fixed in such Manner as the said Trustees shall think proper, or as near to the Place or Places from whence they shall have been removed as possibly may be.

Power to remove Grave Stones and Monuments.

XXVIII. And as a Number of Persons have been and are possessed of certain Vaults under the present Church, which now of Necessity must be filled up, and as there are also a Number of Brick Graves, Tomb Stones, and Monuments, erected or placed in the Church Yard, which will require to be raised or removed, the Owners of which are unknown, or cannot be ascertained; be it enacted, That immediately after the passing of this Act, the said Trustees shall give Notice, Six Times at the least, in some one or more of the *London Daily Papers*, to all Persons whose Relatives or Friends have been interred in the said Church Yard, or under the said Church, that they may come forward and agree with the said Trustees as to what may be necessary to be done respecting the same; and if they shall appear within Six Months after the passing of this Act, the said Trustees shall permit the Proprietor, or Representative of the Proprietor, of any and of every Tomb Stone, Monument, or Brick Grave in the present Church Yard, at his, her, or their own Expence, to raise the same, if a Brick Grave or Monument, to the same Height above the Line of the intended raised Ground, as they now stand above the present Earth; and further, the said Trustees shall mark out and appropriate a certain Portion

Monuments.

of

of the Vaults intended to be erected and made under the new Church, for the Purpose of granting the same to the Proprietors or Representatives of the Proprietors of the Vaults under the present Church, upon such Conditions as to the said Trustees shall appear just and reasonable, but so that the Space of Ground to be allotted in Exchange shall not exceed the superficial Contents of the Surface of the Vault for which it is given; and that the said Trustees shall be entitled to demand and receive from such Proprietor or Representative any Sum not exceeding One-half the Sum which they would require and could obtain from any other Person for the like Space; the said Proprietor or Representative in all Cases erecting and building the said Vault at his own proper Costs and Charges, to the Satisfaction of the said Trustees.

Removal of unclaimed Monuments and Obstructions.

XXIX. And be it further enacted, That after the Expiration of the Six Months, the aforesaid Notice having been duly given, it shall be lawful for the said Trustees to remove all and every or any Tomb Stone or Monument which shall not be claimed and proceeded with as aforesaid, and to fill up any and every Vault or Brick Grave under the said Church or in the Church Yard, and to convert or dispose of the Materials thereof as they shall see fit, all Right, Title, or Interest of the Proprietor being considered as having ceased and determined by Non-claim within the said Six Months: Provided nevertheless, that if any Tomb Stone, Grave, or Monument shall be so situated as to obstruct the intended Footpaths, or to impede the proposed Alterations, the Trustees shall have full Power and Authority to cause the Proprietor claiming such, at his or her own Expence, to remove it or them to some other Place, to be by the said Trustees pointed out and given for that Purpose, in Manner and upon the Conditions as aforesaid.

Where Divine Service and Banns shall be performed and published during the Time the Church shall be rebuilding.

XXX. And be it further enacted, That Divine Service, the Solemnization of Matrimony, Baptisms, Burials, and all other Matters and Things which were and of Right used to be celebrated, solemnized, administered, had, done, and performed by the Rector or Curate for the Time being in the said old Church and Church Yard, shall and may be celebrated, solemnized, administered, had, and done, and performed in the like Manner in the Parish Church of *Saint George Middlesex*, until such Time as the said Church and Tower so to be rebuilt shall be rebuilt, completed, and finished, and rendered fit for the Celebration of Divine Service therein; and that all Publications of Banns of Marriage, and every other Notice which by Law are required to be made and published in the said Parish of *Saint Paul Shadwell*, may be made and published in the said Church of *Saint George Middlesex*, until such Time as the said Church and Tower to be rebuilt by virtue of this Act shall be completely finished and rendered fit for Divine Service as herein directed; and all Publications of such Banns of Marriage, and every other Notice so made and published in the said Church of *Saint George Middlesex*, 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 and Notices had been made and published and such Marriages had been solemnized in the Parish Church of *Saint Paul Shadwell* as aforesaid; any Law or Statute to the contrary thereof in anywise notwithstanding; and also that the Meetings of the Vestry of the said Parish of *Saint Paul Shadwell* shall be held at such Place

Place within the said Parish as the Churchwardens for the Time being shall appoint.

XXXI. And be it further enacted, That all Marriages duly solemnized in the said Parish Church (to be erected by virtue of this Act), according to and in pursuance of the Provisions and Directions of an Act made in the Twenty-sixth Year of the Reign of King *George* the Second, intituled *An Act for the better preventing clandestine Marriages*, shall be good, valid, and effectual in the Law; and a Register of every such Marriage, or a Copy thereof, shall be received in all Courts of Law and Equity as Evidence of Marriage, in such and the like Manner as the Register of any Marriage solemnized in any other Parish Church is received in Evidence.

Banns may be published, and Marriages solemnized, in the new Church.

XXXII. And be it further enacted, That if any Person or Persons shall steal, take, carry away, or remove any Iron Rail or Rails, or any Lead, Iron, or other Metal fastened to or in anywise belonging or appertaining to any Monument or Tomb in the Church Yard of the said Parish, every Person or Persons so offending, and being thereof lawfully convicted, shall be deemed and taken to be a Thief, and subject and liable to the like Pains and Penalties as if convicted of Petit Larceny; and the Court by or before whom such Person or Persons shall be tried and convicted, shall have Power and Authority to cause such Person or Persons to be punished in like Manner as Persons convicted of Petit Larceny are directed to be punished by the Laws and Statutes of this Realm; and that in all Indictments and Prosecutions for any of the Offences in this Act, it shall be deemed and taken to be sufficient to state generally that the said Church, Tower, Article or Articles, Thing or Things, for or on account of which such Bill or Bills of Indictment shall be preferred, is or are the Property of the Trustees for rebuilding the Parish Church of *Saint Paul Shadwell* in the County of *Middlesex*, and for rebuilding the Tower thereof, without particularly stating or specifying the Names of all or any of the said Trustees.

Punishment of Persons stealing Iron Rails out of the Church Yard.

XXXIII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Seven or more of them, from Time to Time to borrow and take up at Interest such Sum or Sums of Money, not exceeding in the Whole the Sum of Ten thousand five hundred Pounds, as they shall judge necessary for the several Purposes of this Act, and by Writing under their Hands and Seals to assign all or any Part of the said Rate or Assessment to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with lawful Interest for the same, and the Charges and Expences of such Assignment (to be made as hereinafter mentioned) shall be from Time to Time defrayed by the said Trustees out of the Money so borrowed, and every such Assignment shall be in the Words or to the Effect following; (that is to say),

Power to borrow Money.

WE of the Trustees appointed by or in pursuance of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third [*here set forth the Title of this Act*], in consideration of the Sum of \_\_\_\_\_ advanced and lent by *A. B.* of \_\_\_\_\_ in the County of \_\_\_\_\_ upon the Credit and for the Purposes of the said Act, do hereby grant and assign  
[Local.] \_\_\_\_\_ unto

Form of Assignment.

unto the said *A. B.* [*or to his Trustees or Trustee, as the Case may be*],  
 his [*or her*] Executors, Administrators, and Assigns, such Proportion  
 of the Rate or Assessment to be raised, levied, and collected by virtue  
 of the said Act, as the said Sum of \_\_\_\_\_ doth  
 or shall bear to the whole Sum which may at any Time be borrowed or  
 become due and owing or be charged upon the Credit of the said Rate  
 or Assessment, to be had and holden from this \_\_\_\_\_ Day of  
 \_\_\_\_\_ until the said Sum of \_\_\_\_\_  
 with Interest after the Rate of \_\_\_\_\_ *per Centum per Annum* for the  
 same, shall be fully paid and satisfied. In Witness whereof we the said  
 Trustees have hereunto set our Hands and Seals, the  
 Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

And all such Assignments shall be numbered, commencing with Number  
 One, and so proceeding in an arithmetical Progression ascending, whereof  
 the common Excess or Difference shall always be One; and every such  
 Security shall be good, valid, and effectual in the Law, and shall entitle  
 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.

Power for  
 Trustees to  
 raise Money  
 by Annuities.

XXXIV. And be it further enacted, That in case the said Trustees  
 shall think it advisable or more advantageous for the Purposes of this  
 Act to raise all or any Part of the Money to be borrowed under this Act  
 by granting Annuities for Lives instead of Assignment as aforesaid, it shall  
 be lawful for the said Trustees or any Seven or more of them, and they  
 are hereby authorized and empowered by Writing under their Hands and  
 Seals, to grant an Annuity or Annuities to any Person or Persons who shall  
 contribute, advance, and pay into the Hands of the Treasurer or Treasurers  
 to the said Trustees 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 such Contributor at the Time of Payment of his or  
 her Contribution or Purchase Money, and either with or without Benefit  
 of Survivorship, as the said Trustees shall think proper; and the Expence  
 of every such Grant of Annuities shall be paid by the Trustees out of the  
 Monies so contributed; and the Grant of every such Annuity shall be in  
 the Words or to the Effect following; (that is to say),

Form of the  
 Grant of  
 Annuity.

WE \_\_\_\_\_ of the Trustees appointed by or in pursuance  
 of an Act passed in the Fifty-seventh Year of the Reign of King  
*George* the Third, intituled [*set forth the Title of this Act*], in con-  
 sideration of the Sum of \_\_\_\_\_ paid by *A. B.* [*or, if*  
 intended to be granted with Benefit of Survivorship, by *E. F. G. H. &c.*]  
 to *C. D.* the Treasurer appointed in pursuance of the said Act, do hereby  
 grant unto the said *A. B.* and his Assigns [*or, if by Survivorship, unto*  
 the said *E. F. G. H. &c.*, and to the Survivors and Survivor of them]  
 One Annuity or yearly Sum of \_\_\_\_\_ to be paid out  
 of the Rates and Assessments to be raised, levied, and collected by  
 virtue of the said Act, which Annuity or yearly Sum of \_\_\_\_\_  
 shall be paid to the said *A. B.* or his Assigns, during the Term of his  
 natural Life [*or, if by Survivorship, unto and among them the said*  
*E. F. G. H. &c.*, and the Survivors and Survivor of them], upon the  
 \_\_\_\_\_ Day of \_\_\_\_\_ in every Year, during the  
 \_\_\_\_\_ natural

‘ natural Life of him the said [or, if by Survivorship,  
 ‘ during the natural Lives of the said *E. F. G. H.*, and the Survivors and  
 ‘ Survivor of them] at the the First Payment thereof to  
 ‘ be made upon the Day of next  
 ‘ ensuing the Date thereof. In Witness whereof we the said Trustees have  
 ‘ hereunto set our Hands and Seals, the Day of  
 ‘ in the Year of our Lord

And every such Grant shall be good, valid, and effectual in the Law, without any Enrolment or Registry of the Memorial 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 by the Treasurer to the said Trustees out of the said Rates or Assessments to be raised, levied, and collected by virtue of this Act, according to the Grant of such Annuity, free from all Deductions whatsoever.

XXXV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed on legal Interest as aforesaid, or to be raised by the granting of Annuities as aforesaid, and their respective Executors, Administrators, or 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, and every such Transfer may be in the Words or to the Effect following; (that is to say),

Power of transferring Assignments and Securities in a prescribed Form.

‘ I *A. B.* being entitled to the Sum of or an Annuity  
 ‘ of secured to me, my Executors, Administrators, Form of  
 ‘ and Assigns, by virtue of an Assignment, [or Grant of an Annuity, or Transfer.  
 ‘ Assignment of the original Grant, &c., as the Case may be], bearing  
 ‘ Date the Day of under the  
 ‘ Hands and Seals of of the Trustees acting  
 ‘ in Execution of an Act passed in the Fifty-seventh Year of the Reign of  
 ‘ King *George* the Third, intituled [set forth the Title of this Act] upon  
 ‘ the Credit of the Rates or Assessments granted or made payable by the  
 ‘ said Act, do hereby transfer all my Right and Title in and to the same  
 ‘ Sum [or Annuity], and all Interest and other Money now due and  
 ‘ arising thereon, unto *E. F.* his Executors, Administrators, and Assigns.  
 ‘ Dated the Day of in the Year of  
 ‘ our Lord

And a Copy of every 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 every Transfer thereof respectively, shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees, which Extract or Memorial shall specify and contain the Date of the Deed, Names of the Parties, and Sums of Money thereby transferred, and to which Book or Books any Person or Persons interested shall at all reasonable 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 Clerk shall be paid by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence and no more; and every such Transfer, after such Entry as aforesaid made, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

XXXVI. And

For granting  
Annuities  
under certain  
Restrictions.

XXXVI. 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), when 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 paid for the Purchase thereof; where the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of the Consideration Money; when 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; when 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; when 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; when 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; when 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; when 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 when 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.

Provision for  
the Payment  
of Creditors  
by Ballot.

XXXVII. And in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of the Rates or Assessments to be raised, levied, or collected by virtue of this Act, be it further enacted, That the said Trustees (if there shall be more than One) shall cause the Numbers of all Assignments or Securities granted and then in force, for securing the Principal Monies lent and advanced upon the Credit of the said Rates or Assessments, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size; and all such Papers shall be rolled up in the same Form, as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Trustees in the Presence of the said Trustees; and after every such Ballot the said Trustees shall cause Notice, signed by the Clerk, to be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off, pursuant to such Ballot; and where there shall be only One Creditor, then that Three Calendar Months Notice shall be given to such Creditor of the Intentions of the said Trustees to pay him or her as aforesaid; and every such Notice shall express the Sums to be paid off, with the Interest due thereon, and that the same will be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money



so to be paid off shall, from and after the Day so to be specified, cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day to be so specified, shall nevertheless be payable on Demand: Provided always, that nothing herein contained shall extend or be construed to extend so as to enable or require the said Trustees to pay off and discharge any Monies lent on the Credit of the Rates or Assessments by way of Annuity, until all other the Creditors of the said Rates shall be paid off and discharged, and except the several Parties so lending Money by way of Annuity shall agree or shall have agreed to accept the Sum or Sums of Money offered or to be offered by the said Trustees, for the Purchase of such his, her, or their Annuity or Annuities.

XXXVIII. And be it further enacted, That all the Money which may be borrowed, advanced, or lent as aforesaid on the Credit of the said Rates or Assessments, shall be paid to the Treasurer or Treasurers to the said Trustees, or to such Person or Persons as they shall appoint, and the same shall be applied and disposed of in paying and defraying the Costs, Charges, and Expences incurred or to be incurred in obtaining an Act for erecting and building the said Church and Tower, and in furnishing, finishing, and completing the same, and in erecting the said Engine House and Vestry, and Vestry Clerk's Room or Office, and in raising and improving the present Church Yard, and otherwise in carrying this Act into Execution.

Application  
of Money  
borrowed.

XXXIX. And in order to raise Money sufficient for carrying the several Purposes of this Act into Execution, be it further enacted, That it shall be lawful for the said Trustees or any Seven or more of them, and they are hereby required and authorized in each and every Year, until all the Monies necessary to rebuild the said Church and Tower and other Buildings aforesaid and otherwise, and all the Monies to be borrowed under and by virtue of this Act, and the Interest thereof, shall be paid off and discharged, and the several other Purposes of this Act carried into Execution, to make, at some Meeting from Time to Time to be holden for that Purpose, (of which Meeting, and of the Purpose thereof, Notice in Writing, signed by the Clerk of the said Trustees, shall be affixed in Manner before prescribed by this Act, Four Days at the least immediately preceding the same respectively), a Rate or Rates, Assessment or Assessments, not exceeding One Shilling in the Pound in any One Year, on the full annual Rent or Value of all Houses, Buildings, or Premises, Lands, Tenements, and Hereditaments, rateable at the Rate of Assessments for the Relief of the Poor of the said Parish of *Saint Paul Shadwell*, One Half thereof on the Landlords, and the other Half thereof on the Tenants or Occupiers respectively; and such Rates and Assessments shall first be made after the Expiration of Fourteen Days from and after the passing of this Act, and shall be raised, levied, and collected by the Collector or Collectors to be appointed by virtue of this Act, and paid to the Treasurer or Treasurers for the Time being of the said Trustees; and such Rates or Assessments shall in the first Place be appropriated in paying the Costs, Charges, and Expences of obtaining this Act, and then of erecting and building the said Church and Tower, and in furnishing, finishing, and completing the same; and in paying the Annuities and Interest of

Rates to be  
made.

[Local.]

20 P

the

the Money borrowed by virtue of this Act, and in otherwise carrying this Act into Execution; and the Overplus of such Rates or Assessments shall from Time to Time be applied, in Manner by this Act directed, in Discharge of the Principal Monies borrowed by virtue of this Act.

Tenants to pay the whole Rate, and deduct a Moiety from the Landlords.

XL. And be it further enacted, That every Tenant or Occupier of the rated Premises shall first pay the whole Rate made in respect of the Premises in his or her Possession by virtue of this Act, and thereafter be entitled to deduct out of the Rents payable to his or her Landlord One Moiety of such Rates; and every intermediate Tenant, in the Cases of Under Leases or Letting, shall in like Manner be entitled to deduct or retain such Proportion of the said Rate out of his or her particular Rent, payable to his or her immediate Landlord, as the rated Rent charged by the Trustees herein shall bear to the Rack Rent payable by such intermediate Tenants as aforesaid; and that every such Landlord shall allow of such Deduction accordingly, notwithstanding any Agreement to the contrary; and that the Production of the Receipt Stamps shall be taken as Payment of so much of the Rents.

Trustees may rectify Omissions in Rates.

XLI. And be it further enacted, That if it shall appear to the said Trustees, at any Time after the making any Rate or Assessment to be made under this Act, that the Name of any Person liable to be included in such Rate or Assessment hath been omitted therein, it shall be lawful for the said Trustees or any Five or more of them to add or cause to be added to such Rate or Assessment the Name of the Person so omitted, together with the Sum for which he ought to be so rated, and the Amount of such Rate or Assessment in respect thereof; and every such Addition made to the said Rates shall be as valid and effectual in Law, to all Intents and Purposes, as if the same had been inserted in the Rate at the Time the same was first made out: Provided always, that no Rate or Assessment, so to be made and signed in Manner aforesaid, for any of the Purposes aforesaid, shall be valid unless allowed by Two of His Majesty's Justices of the Peace acting in and for the County of *Middlesex*, and Notice thereof shall be given in the said Church on the *Sunday* next after the same shall be allowed, whereupon the same shall be valid and acted upon accordingly.

How Rates are to be levied.

XLII. And for the better and more effectually raising and levying the Rates and Assessments by this Act directed to be made, be it further enacted, That in case any Landlord or Occupier, or any Owner or Owners, Proprietor or Proprietors, Lessee or Lessees of any Messuage, Dwelling House, Shop, Warehouse, Coach House, Stable, Yard, Land, Ground, Wharf, Cellar, Vault, Building, Hereditament, or other Tenement within the said Parish, shall refuse or neglect to pay the Money rated and assessed upon him, her, or them respectively by virtue of this Act, and all Arrears for the Time being due thereon, or upon any former Rate or Rates, it shall be lawful for any One or more of His Majesty's Justices of the Peace for the County of *Middlesex*, and he or they is and are hereby authorized and directed, by Writing under his or their Hand or Hands, on Complaint made by the Trustees of the said Church, or any Five or more of them, to summon all and every Person and Persons who shall have so refused or neglected as aforesaid, upon Oath being made before such Justice or Justices, by the Collector or Collectors appointed by the said Trustees as aforesaid for the Time being, of his or their having attended upon

or at the Dwelling House or last Place of Abode of all and every Person or Persons then intended to be summoned, or who are or shall be liable to the Payment of the said Rate or Rates, and having demanded the Rate or Rates, Assessment or Assessments, and of the Neglect or Refusal of such Person or Persons to pay the said Rate or Rates, to appear before such Justice or Justices at a Time and Place to be mentioned in such Summons; and it shall be lawful for the Collector or Collectors appointed or to be appointed by virtue of this Act, or for any of the Constables, Headboroughs, and Beadles of the said Parish, to serve all and every such Summons and Summonses upon all and every Person or Persons so neglecting or refusing to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or leaving the same at his, her, or their last or usual Place or Places of Abode, or at the Premises for which the Rate or Rates, Assessment or Assessments, mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they shall attend, and shall not show good and sufficient Cause to such Justice or Justices that he, she, or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, so to be made upon him, her, or them under this Act, then and in every such Case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and the reasonable Costs and Charges of such Summons; and in all Cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice or Justices who shall have directed such Summons and Summonses to be issued as aforesaid, and he and they is and are hereby authorized and required, upon Oath made before him or them of the due Service of such Summons or Summonses by the Party who shall have served the same, to grant a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, authorizing or directing the said Collector or Collectors, or any Constable, Headborough, or Beadle of the said Parish, to collect or levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs, Charges, and Expences of the said Warrant, and of executing the same, by Distress of the Goods and Chattels of the Party so neglecting or refusing, which shall be found either within the said Parish or elsewhere, or if belonging to Landlords, who may compound as hereafter mentioned; and if, within Five Days next after any such Distress shall be made, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, shall not be paid, together with all the reasonable Charges of the said Summons and Warrant, and of making such Distress, and keeping such Goods and Chattels, the said Collector or Collectors, Constable or Constables, Headborough or Headboroughs, Beadle or Beadles, shall cause the said Goods to be appraised by One or more Appraiser or Appraisers, and to be sold, or such Part or Parts thereof as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the reasonable Costs, Charges, and Expences aforesaid, and of appraising and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand made thereof by him, her, or them.

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

Form of  
Warrant of  
Distress.

Middlesex  
to wit.

To the Churchwardens and Collectors of the Church  
Rate, [or as the Case may be] of the Parish of Saint  
Paul Shadwell in the County of Middlesex, and to  
all Constables and others, His Majesty's Officers of  
the Peace for the said County.

WHEREAS the under-mentioned Persons, now or late Inhabitants,  
Householders, Landlords, Tenants, Occupiers, or Enjoyers of  
Lands, Houses, Shops, Warehouses, Wharfs, Yards, Coach Houses,  
Stables, Cellars, Vaults, or other Buildings, Tenements, or Heredita-  
ments, or Part of some Building or Tenement within the said Parish of  
Saint Paul Shadwell, were and are rated and assessed, or liable to the  
Rate or Rates duly made for the Purposes of an Act made in the Fifty-  
seventh Year of the Reign of King George the Third, intituled [set forth  
the Title of this Act]: And whereas the said Persons have refused or  
neglected to pay the said several Sums of Money at and against their  
Names hereunder respectively set down for Money due from them for  
or towards the Purposes in the said Act mentioned, and the said several  
Sum and Sums are still remaining due, in Arrear, and unpaid, as  
appeareth upon Oath to of His Majesty's Justices of the  
Peace for the said County of Middlesex, and the said several Persons  
having been summoned to appear before to answer  
the Premises, as also appeareth to the said Justice  
[or Justices] upon Oath, and nor either of them having  
shown any sufficient Cause why such Sum or Sums of Money should not  
be paid: These are therefore in His Majesty's Name to will and require  
you or either of you forthwith to levy the said several Sums due from  
the said Persons, and hereunder joined to or set against their Names  
respectively, by Distress and Sale of their respective Goods and Chattels,  
(such Goods and Chattels being kept for the Space of Days  
before the same are sold) rendering to them respectively the Overplus  
(if any), the reasonable Charges of such Distress, Sale, and Keeping, and  
obtaining this Warrant, being first deducted; and if no sufficient Distress  
can be had or taken, that then you are to certify the same to us, to the  
End such further Proceedings may be had therein as to Law doth  
appertain; and do hereby strictly charge and command all  
and singular the Constables and other His Majesty's Officers of the Peace  
for the said County to be aiding and assisting in all Things relating to  
the Execution of this Warrant. Given under my Hand and Seal [or  
our Hands and Seals] this Day of in the  
Year of our Lord

	£	s.	d.
A. B.	-	-	-
C. D.	-	-	-
E. F.	-	-	-
G. H. the Landlord for divided Premises	-	-	-
I. K.	-	-	-

For better  
Recovery of  
Rates on

XLIV. And whereas certain Messuages, Houses, Tenements, and Here-  
ditaments within the said Parish are let at small Rents, or to Weekly or  
Monthly

Monthly Tenants; or let out in Lodgings or separate Apartments, or let ready furnished; and the Payment of the Rates for or in respect of some such Houses, Tenements, or Hereditaments hath been oftentimes evaded, and the Collection of the Rates for others thereof hath been usually attended with much Difficulty, so that much Loss has on that Account been sustained by the said Parish; for Remedy whereof, be it enacted, That where the Yearly Rent or Value of any such Messuage, House, or Tenement, being let to One Person, shall not exceed Fifteen Pounds, or where the same shall be let to Weekly or to Monthly Tenants or Lodgers, or in any other Case where the Rents shall become payable at any shorter Periods than Quarterly, or where the Yearly Rent or Value of any such Messuage, House, or Tenement, being more than Fifteen Pounds, may be occupied by more than One Tenant, being sub-let to Lodgers or a Lodger, then and in any of the said Cases it shall be lawful for the said respective Trustees or any Five or more of them (if they shall think proper), at a Meeting of the Trustees to be called for that Purpose, and due Notice given, to compound with the Landlord or Landlords, Owner or Owners of all and every or any such House or Houses, Tenement or Tenements, and Hereditaments in the said Parish, for Payment of the Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, at such reduced Yearly Rental as the said Trustees respectively shall think reasonable; and such Landlord or Landlords, Owner or Owners, is and are hereby enabled to make and enter into such Composition with the said Trustees; and in case such Landlord or Landlords, Owner or Owners, shall refuse, neglect, or object to make or enter into such Composition, such Landlord or Landlords, Owner or Owners, shall thenceforth be deemed and taken to be the Occupier or Occupiers of such Premises, and shall thereupon be rated and assessed to, and from Time to Time shall pay or cause to be paid, the several Rates or Assessments charged upon the respective Premises, by virtue of this Act, unto the Collector or Collectors for the Time being, who is and are hereby authorized and empowered to receive and collect the same, and upon Non-payment thereof to levy the same by Distress and Sale of the Goods and Chattels either of such Landlord or Landlords, Owner or Owners, wheresoever such Goods and Chattels shall be found within the said Parish or elsewhere, or belonging to Landlords who have compounded, or of the Person or Persons inhabiting the same respectively, in like Manner as any Rate or Assessment may be raised, levied, and collected by virtue of this Act: Provided always, that no such Inhabitant shall be liable to any such Distress for a greater Amount than the Rent which shall at the Time be due or accruing due from such Inhabitant to his Landlord, and that no such Landlord or Owner shall be charged with or liable to be rated, or to pay for or in respect of any increased Rent reserved or made payable to him in consequence of such Landlord or Owner having agreed to pay the several Rates or Assessments thenceforth chargeable upon the Occupier; and where any House, Tenement, or Hereditament shall be let out in Lodgings or separate Apartments, or ready furnished, the Landlord or Landlords, Owner or Owners of such Premises, shall be deemed and taken to be the Occupier or Occupiers thereof, and shall be rated to and pay the several Rates or Assessments in respect of all such Houses, Tenements, and Hereditaments, for the Purposes of this Act.

XLV. Provided always, and be it further enacted, That a written or printed Notice, with the Name or Names of the Clerk or Clerks of the Landlords may appeal against Rates  
 [Local.] 20 Q said

at Quarter Sessions, and Parishioners may amend Rates.

said Trustees (as the Case may be) shall be given to or left at the last or usual Place of Abode of every Owner or Landlord assessed for every such House or Premises as aforesaid; and it shall be lawful for every such Landlord to appeal against such Rate to the next General or Quarter Sessions of the Peace for the County of *Middlesex*; if not held sooner than Twenty-one Days after the Delivery of such Notice, or if held sooner, to the succeeding General or Quarter Sessions, giving Eight Days Notice of such Intention to appeal to the said Clerk or Clerks; and it shall be lawful for the Justices of the Peace at any such Session to alter any such Rate, and insert the Name of the Occupier of the House or Premises in respect whereof the same is made, or wholly to relieve such Landlord in any Case in which it shall appear to such Justices that such Rate ought to have been made upon the Occupier of the House, either on account of his actual Property therein, or of his Ability to pay the same, and that the Landlord hath not engaged to protect or indemnify the Occupier against the Payment of the Rate: Provided always, that it shall be lawful for the Trustees or any Five of them, after any such Notice of Appeal, to amend any such Rate by striking out the Name of the Landlord who shall have been so rated, and inserting the Name of some other Landlord, or the Occupier of the said House, as the Case may require; which last-mentioned Landlord may appeal against the said Rate in like Manner as the Landlord first charged is enabled to do by this Act.

Trustees may remit a Part of the Rates.

XLVI. And whereas it may be reasonable to excuse some Persons from the Payment of the said Rates or Assessments on account of their real Poverty; be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to grant to such Person or Persons such Relief in the Payment of any Rate or Assessment as they the said Trustees shall think reasonable and proper.

Rates to be repaid by the Landlords to Tenants.

XLVII. And be it further enacted, That the Goods and Chattels of each and every Person renting and occupying any separate Part or Apartments of or in any House or Building, and the Goods and Chattels in every House or Building let ready furnished (though not assessed under or by virtue of this Act), shall, after such Summons as is herein-before directed to be given, be liable to be distrained and sold by virtue of a Warrant under the Hand and Seal of One or more of His Majesty's Justices of the Peace for the County of *Middlesex*, (which Warrant every such Justice or Justices of the Peace is hereby directed to issue), for Payment of the said Rates or Assessments which accrued and became due during the Term of his, her, or their Occupancy only, and all reasonable Costs, Charges, and Expences attending thereupon; and that each and every Person who shall pay any such Rates or Assessments as ought to have been paid by his, her, or their Landlord or Landlords, or upon whose Goods or Chattels the same shall be levied in pursuance of this Act, shall and may deduct the same from and out of the Rent for the Time being due and payable, or to become due and payable to his, her, or their Landlord or Landlords so letting out the same; and the Receipt and Receipts for such Payment shall be a sufficient Discharge to every such Person for so much Money as he, she, or they shall have so paid, or which shall have been so levied on his, her, or their Goods and Chattels, in pursuance of this Act, and shall be allowed by such Landlord or Landlords of such Houses or Buildings in Part or full Payment, as the Case may be, for the Rent due or to become due to him, her, or them, from

from such Person or Persons as aforesaid, unless only in Cases of actual Agreement to the contrary as last mentioned: Provided always, that no such Tenant or Occupier of any Part or separate Apartments of or in any Messuage, House, or other Building, Land, or other Tenements, shall, by the Payment of any such Rate or Assessment in Manner aforesaid, be deemed to acquire any Settlement in the said Parish by virtue of such Payment; which Payments shall be considered as made for or on the Part of the Landlord or Owner, and that such Landlord or Owner shall accordingly be deemed and construed to all Intents and Purposes to have paid the same; any Law, Statute, or Usage to the contrary notwithstanding.

XLVIII. And be it further enacted, That in order to avoid the Loss which frequently happens by Tenants or Occupiers of Houses, Messuages, Lands, or other Tenements, quitting and removing from the same before the Quarter Day on which the Rates or Assessments charged by virtue of this Act on the said Tenements shall become due and payable, it shall and may be lawful to and for the Collector or Collectors for the Time being under this Act to demand and receive, Twenty-one Days before every such Quarter Day, the respective Rates and Assessments which would be due and payable on such Quarter Day; and in case of Non-payment thereof, to enforce the Payment of such Rates or Assessments in the same Manner and with the same Powers as in the Case of the Non-payment of such Rates and Assessments upon or after the Quarter Day on which the same would have become due and payable.

Rates to be demanded before Quarter Day.

XLIX. And whereas it may happen that many Persons liable to, and who may be rated and assessed under this Act, may, before the Payment of the Sum which may be rated on them respectively, quit and leave their Grounds, Dwelling Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove out of the said Parish; be it therefore further enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit or be about to quit his, her, or their Lands, Grounds, Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, she, or they shall have paid such Rate or Rates, Assessment or Assessments, as may then be due, and shall refuse to pay the same when demanded by the Collector or Collectors authorized and appointed to receive the same as aforesaid, then and in every such Case it shall be lawful for the said Collector or Collectors, or any One of them (Oath having been made by him or them that he or they hath or have Cause to suspect that such Person or Persons is or are removing, or hath or have removed his or their Goods and Chattels), by Warrant under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, (which Warrant such Justice or Justices is or are hereby authorized and required to grant immediately, and in case such Person or Persons shall have removed, such Warrant being first backed and countersigned by some Magistrate of the County, City, or Liberty to which such Person or Persons shall have removed, which Warrant such Magistrate is hereby required to back or countersign), to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rates or Assessments or any of them, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable

Recovery of Rates from Persons removing.

able Costs, Charges, and Expences attending such Distress and Sale upon Demand to the Owner or Owners of such Goods and Chattels respectively.

Goods may be followed into any other County.

L. And for the more effectual levying the Money rated and assessed for the several Purposes of this Act, be it further enacted, That the Goods and Chattels of any Person or Persons rated or to be rated under this Act, and neglecting or refusing to pay the Sum or Sums by him, her, or them respectively payable as aforesaid, shall and may be distrained in Manner aforesaid, not only in the Parish where such Rate or Assessment was made, but at any other Place within the said County, if the said Goods have been removed out of the said Parish, or are the Property of Landlords who have compounded; and if sufficient Distress cannot be found within the same County, then upon Oath thereof made before One or more Justice or Justices of the Peace of any other County, City, Liberty, or Place (which Oath shall be certified under the Hand of the said Justice or Justices on the Warrant made out for such Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay), shall be subject and liable to such Distress and Sale in such other County, Liberty, or Place where the same shall be found, and may by virtue of such Warrant or Certificate be distrained in the same Manner as if the same had been found within the said Parish of *Saint Paul Shadwell*.

List of Defaulters to be made out.

LI. And be it further enacted, That the Collectors for the Time being under this Act are hereby required and directed to demand, collect, and receive from Time to Time the said Rates or Rate with all practicable Expedition after the same shall be allowed, and Notice thereof given in the Parish Church as aforesaid; and the said Collectors are hereby further required, Five Days before every Quarter Day, to make out a correct List of all Defaulters or Persons refusing or neglecting to pay the said Rates, and to proceed to the Recovery thereof forthwith by Summons and Distress, in such Manner as herein-before mentioned and prescribed.

For apportioning Rates.

LII. And be it further enacted, That in case any Person shall remove out of or from, or quit the Possession of any House, Building, Tenement, Ground, or Hereditament within the said Parish, before any Rate or Assessment charged thereon by virtue of this Act shall be paid; or if any Person shall enter into the Occupation of any Messuage, House, Building, Ground, or other Tenement, out of or from which any other Person shall have so removed before Payment of any such Rate or Assessment, or which, at the Time of rating or assessing the same, shall be empty or unoccupied; then and in every such Case the Rates and Assessments shall be divided and apportioned and assessed upon the going-out and coming-in Tenants or Occupiers in the Manner following; (that is to say), a proportionable Part thereof shall be assessed upon the going-out Tenant up to the Time of his quitting and giving up Possession, and a further proportionate Part thereof shall be assessed upon the coming-in Tenant from the Time of his taking Possession, which Proportion (in case of Dispute) shall be ascertained by any Two of His Majesty's Justices of the Peace for the said County of *Middlesex*.

Actions to be brought in the Name of the Treasurer.

LIII. And be it further enacted, That whenever any Action shall be brought by the Order of the said Trustees against any Person or Persons by virtue or in pursuance of this Act, the same may be brought in the

Name



Name of their Treasurer or Clerk, or in the Name of any One of the said Trustees on Behalf of the said Trustees; and no such Action shall abate or be discontinued by the Death or Removal of the Person in whose Name the same shall be brought. or Clerk, or one Trustee.

LIV. Provided always, and be it further enacted, That all and every the Trustees herein-before named and hereafter to be appointed shall from Time to Time and at all Times hereafter be amply and fully indemnified, from and out of the Monies to be raised under this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them, or their Treasurer or Clerk as aforesaid, shall or may sustain or be put unto for or by reason of any Action, Suit, or Proceedings which may be had, sued, commenced, or prosecuted against them, any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of this Act, and the Trusts reposed in them under the same. Indemnity to Trustees.

LV. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, Indictments, and other Proceedings whatsoever relating to or concerning the Execution of this Act, no Inhabitant or Vestryman of the said Parish of *Saint Paul Shadwell* shall be deemed an incompetent Witness on account of his or her being charged or liable to pay or having paid any Rate or Assessment to be raised, levied, and collected by virtue of this Act. Power for Inhabitants and Vestrymen to be Witnesses.

LVI. And be it further enacted, That all Penalties and Forfeitures by this Act incurred or imposed shall be levied by Distress and Sale of the Goods and Chattels of the Person or Persons offending, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Middlesex* (which Warrant such Justice and Justices is and are hereby authorized and required to issue), upon Confession of the Party or Parties, or upon the Evidence of any credible Witness or Witnesses upon Oath (which Oath such Justice and Justices is and are hereby required and empowered to administer); and the Overplus of the Money (if any), after such Penalties and Forfeitures, and the Charges of such Distress and Sale (such Charges to be settled by the said Justice or Justices), are or shall be recovered and deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels; and all such Penalties and Forfeitures, when so recovered or paid, shall from Time to Time be paid to the said Trustees, or to their respective Treasurer or Treasurers or Clerk, to be applied for the Purposes of this Act, as the said Trustees shall order and direct; and in case sufficient Distress cannot be found, or such Costs, Charges, Penalties, and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, unless such Costs, Charges, Penalties, and Forfeitures shall be sooner paid and satisfied. For Recovery of Penalties.

LVII. And be it enacted, That in all Cases where any Person or Persons shall be convicted of any Offence committed against this Act, Form of Conviction.

[Local.]

it shall be sufficient if the Conviction is in the Form or to the Effect following :

to wit. } ' **BE** it remembered, That on the                      Day of  
           }    in the                      Year of the Reign of our Sovereign Lord  
 '            *A. B.* is convicted before me, (*or us*) (*or Two, &c.*) of His  
 ' Majesty's Justices of the Peace for the County of                      by virtue  
 ' of an Act passed in the Fifty-seventh Year of the Reign of King George  
 ' the Third, intituled *An Act (here set forth the Title of this Act)*, for  
 ' that he the said *A. B.* did on the                      Day of                      in the Year  
 ' of our Lord                      (*here state the Offence*), by reason  
 ' whereof I (*or we*) do hereby adjudge the said *A. B.* to have forfeited  
 ' (*if the Offender is to be fined*) the Sum of (*insert the Penalty*), together  
 ' with the Sum of                      for Costs and Charges (*if any given*),  
 ' (*or if to be imprisoned, then*) do adjudge the said *A. B.* to be committed  
 ' to the (*naming the Gaol*) for the Space of (*insert the Time, and if the Com-*  
 ' *mitment be for Nonpayment of a Penalty, then add*) unless the said Sum of  
 '                      shall be sooner paid. Given under my (*or our*) Hand and  
 ' Seal (*or Hands and Seals*) the Day and Year above written.'

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

LVIII. And be it further enacted, That no Order, Verdict, Judgment, or other Proceedings made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

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

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

Limitation of  
Actions.

LX. 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, and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and if any such Action or Suit shall be brought before Fourteen 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,

said, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

LXI. And be it further enacted, That the Reverend *Charles Webb Le Bas*, the present Rector of the said Parish, and his Successors for the Time being, shall be the Rector of the said Parish, in the said new Church, in like Manner as in the said old Church; and that the Person or Persons who for the Time being would have had a Right of presenting, nominating, or appointing a Rector to the said old Church, in case the same had not been taken down or disused, by virtue of this Act, shall after the said new Church shall be completed or finished, and rendered fit for the Celebration of Divine Service as aforesaid, have the Right of Presentation, Nomination, or Appointment to the said new Church, upon every future Vacancy or Avoidance; and that every such Person so to be presented, nominated, or appointed as aforesaid, shall be the Rector of such new Church, and shall have and enjoy such and the same Profits, Privileges, Commodities, and other Ecclesiastical Dues and Duties arising within the said Parish, as the present Rector of the said Parish hath or ought to have and enjoy, save and except only as far as the Funeral Dues which are altered by virtue of this Act: Provided also, that this Act shall not prejudice the Rights of the Rector of the Parish for the Time being, or the Rights of Presentation, Nomination, or Appointment of a Rector, Minister, or Curate of the said Parish, although the said old Church be taken down, and the said new intended Church not built or finished; and upon Failure of every such Presentation, the Right of Presentation for that Turn shall lapse to the Lord Bishop of *London* for the Time being, and to the Metropolitan and to the Crown successively, according to the Course of Law in Cases of Presentative Benefices.

Rights of Rector, and Right of Presentation, preserved.

LXII. And be it further enacted, That the said Church shall be under and subject to the ordinary Jurisdiction of the Lord Bishop of *London*, and shall be visited in such Manner as other Churches within the Diocese of *London* are visited.

Church to be under the Jurisdiction of the Bishop of London.

LXIII. And whereas by an Act passed in the Nineteenth Year of the Reign of King *Charles* the Second, intituled *An Act for Endowment of a Church at Shadwell, now in the Parish of Stepney in Middlesex, and making of it parochial, distinct from Stepney*, it was enacted, that the Reverend Rector should receive a regular Stipend: And whereas, by the Custom of the Parish the said Rector has received a certain Proportion of the Funeral Dues in addition to his regular Stipend, which Proportion of the said Dues has upon an Average of the last Twenty Years produced to the said Rector the Sum of Sixty Pounds *per Annum*: And whereas the intended Alteration of the Church and Church Yard will give a new Cemetery to the Parish, which Cemetery will be provided without any Expence to the said Rector; be it therefore enacted, That immediately after the passing of this Act, the whole of the said Funeral Dues, with all Monies to be hereafter

Rate to Rector.

hereafter received for the Purchase or Rent of any Vault or Vaults, or for the setting up or maintaining of any Tombstone, Monument, Tablet, or Inscription within or upon or under the said Church, or within the present or any future Church Yard belonging to the said Parish, shall be payable to and are hereby vested in the said Trustees, and be applied to the Purposes of this Act; and that, in due Compensation to the said Reverend Rector and his Successors, the said Trustees and their Successors shall at all Times hereafter pay or cause to be paid to the Reverend Rector for the Time then being, the Sum of One hundred Pounds *per Annum* out of the Produce of the said Dues, and out of the Monies to be raised for the Purposes of this Act, as a full Compensation for the said Proportion so given up as aforesaid, such Annual Payment to commence and be computed from the Day of the passing of this Act.

Rates how  
to be paid or  
bought up.

LXIV. And whereas it is hereby enacted, That the Sum to be borrowed for rebuilding the said Church and Tower, and other Buildings aforesaid, and for carrying into Effect the several Purposes hereby directed, shall not exceed Ten thousand five hundred Pounds; and as the rated Rental of the said Parish which now contributes to the several Rates is Fourteen thousand Pounds, it would require an immediate Payment of Fifteen Shillings in the Pound thereupon to raise the Sum required as aforesaid: And whereas some Persons liable to contribute may be desirous of making an immediate Payment of their Proportion, in order to exonerate their Premises from future Assessment; be it therefore enacted, That it shall be lawful for the Landlord and Tenant of the same Premises, or either of them, within Six Months after the passing of this Act, to pay each unto the said Trustees the Moiety of Seventeen Shillings in the Pound upon his, her, or their rated Rental as aforesaid, whereupon the Rates and Assessments made or to be made by virtue of this Act shall thenceforth cease and determine as to such Parties and Premises.

For more re-  
gular Collec-  
tion of Rates  
between  
Landlord and  
Tenant.

LXV. And be it further enacted, That in the Event of the Landlord refusing to join his Tenant in such last-mentioned Payment, or of the Tenant refusing to join his Landlord therein, then that it shall be lawful for such of them as may be so inclined to pay the whole of the said Seventeen Shillings in the Pound upon the rated Rental of the said Premises as aforesaid, and to be entitled to recover or retain, as the Case may be, of Landlord or Tenant, to his or her own Use, the Sum of Sixpence in the Pound *per Annum* upon the rated Rental to the Poor from Time to Time assessed, for and during the Remainder of the Lease of the Messuage or Premises thereby exonerated from the Rates under this Act, and to recover it in like Manner as an additional Rent if the Landlord redeem the said Rate, or retain it, if the Tenant redeem the said Rate, out of his Rent: Provided always, that in all Cases where Landlords shall have compounded for the Poor Rates, it shall be lawful for them to redeem their Rates under this Act at the like estimated Amount of the Rental for which they shall have so compounded the Poor Rates; and provided also, that it shall be lawful for either Landlord or Tenant, whose Share of Rate herein may have been redeemed by the other of them, to repurchase at any Time hereafter of such Parties at the like Price, and paying, up to the Time of Repurchase, all Arrears of the Rate so imposed on him, her, or them, to the Day of repurchasing the same.

LXVI. And

LXVI. And whereas it would tend materially to facilitate the raising the Money wanted for the Purpose of building and completing such Church and Tower, and improving the Church Yard, if Powers were given to the said Trustees to treat and agree with any Person or Persons liable to be rated or assessed under this Act, for the Redemption of the Rates to which they may be subject, for the said Purposes; be it therefore further enacted, That from and after such Rate or Assessment shall have been made, and not appealed from for the Space of Six Calendar Months from the making thereof, as herein-after is directed, or shall be confirmed or allowed upon Appeal, it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, until the Consecration of the said Church, to contract and agree with any Person or Persons possessing or occupying any rateable Property within the said Parish, for the Redemption or Purchase of the Rate or Assessment, Rates or Assessments, to which any such Person or Persons shall or may be respectively subject or liable for the said last-mentioned Purposes, at such a Proportion of the total Sum to be raised for the said Purposes as the Rate or Assessment, Rates or Assessments, so to be redeemed or purchased, shall bear to the Residue of the Rate or Assessment, Rates or Assessments, imposed upon the said Parish; and in every such Contract or Agreement, the Time or Times of Payment of the Sum or Sums of Money which shall be so contracted or agreed to be paid for the Redemption or Purchase of any such Rate or Assessment, Rates or Assessments, either in One entire Sum or by several successive Instalments, shall be fixed and specified; and from and after Payment of the Sum or Sums of Money so contracted or agreed to be paid for the Redemption or Purchase of any such Rate or Assessment, Rates or Assessments as aforesaid, the Person or Persons so redeeming or purchasing such Rate or Assessment, Rates or Assessments, who were previously assessed or liable to pay or contribute to such Rate or Assessment, Rates or Assessments, and his, her, and their respective Heirs, Executors, Administrators, Successors, and Assigns, and also the Lands, Tenements, Hereditaments, or other Property, in respect of or upon which such Rate or Assessment, Rates or Assessments, so redeemed or purchased, shall have been assessed or imposed, shall from thenceforth for ever thereafter be freed, exonerated, and discharged of and from the Payment of the Rate or Assessment, Rates or Assessments, so assessed or imposed, and of all other Rates or Assessments which shall or may thereafter be made or assessed, for the Purpose of raising a sufficient Sum of Money for the building and completing such Church and Tower, and improving the Church Yard respectively; any thing herein contained to the contrary thereof in anywise notwithstanding.

Persons may advance Money for building Church, &c. by the Redemption of Rates.

LXVII. Provided always, and be it further enacted, That the Inhabitants, Occupiers, or Proprietors of rateable Property within the said Parish, who shall or may be liable to pay or contribute to the general Rates or Assessments for the Objects or Purposes herein mentioned, and who shall not redeem or purchase their respective Proportions of such Rates or Assessments, shall continue subject and liable to pay the same, but not exceeding Sixpence in the Pound upon the Occupier or Proprietor in any one Year upon the yearly Rental of their respective Property, until a Sum shall have been raised thereby bearing a due Proportion to the Sum which shall be raised by the Redemption or Sale of any such Rate or Assessment, Rates or Assessments as aforesaid; any thing herein contained to the contrary notwithstanding.

Persons, &c. not redeeming their Rates, to remain liable thereto till a proportionate Sum is raised.

[Local.]

20 S—T

LXVIII. And

Exonerating  
the London  
Dock Com-  
pany's Lands  
on Payment  
of a certain  
Sum.

LXVIII. And whereas the *London Dock Company* are possessed of certain Lands, Tenements, or Hereditaments, and Erections or Buildings within the said Parish of *Shadwell*, and the Directors of the said Company being desirous of exonerating the same from any Rates or Assessments under the Provisions of this Act, by Payment of a certain Sum towards carrying into Execution the Purposes thereof, and it hath therefore been agreed between the Directors of the said Company, and the Churchwardens of the said Parish on behalf of the Parishioners, that the said Directors shall pay the Sum of One thousand Pounds for such Purposes to the Treasurer for the Time being, to be appointed under the Powers of this Act, such Payment to be made by Four equal Instalments of Two hundred and fifty Pounds each, the First thereof when the Contract for the building of the said Church shall be signed, or within Twenty-one Days at farthest thereafter, the Second thereof when the Walls of the said Church shall be carried up to the proposed Level of the Floor thereof, the Third thereof when the Walls of the said Church shall be carried up to the proposed Height for receiving the Roof, and the remaining Part thereof to complete the said Sum of One thousand Pounds, when the Roof of the said Church shall be on and covered in; be it therefore enacted, That for and in consideration of the said Sum of One thousand Pounds so to be paid as aforesaid, all the Lands, Houses, Buildings, Erections, Tenements, and Premises, whether Freehold or Copyhold, which now belong or which at the Time of the passing of this Act shall belong to the said Company, and be either in Possession of the said Company, or any Tenant or Tenants, or any Person or Persons holding the same as Tenant or Tenants of or for and on behalf of the same Company, shall be and the same are hereby for ever exonerated from all and every Charge, Rate, or Assessment to be made by virtue of this Act for the rebuilding of the said Church, or for any other of the Purposes of this Act; and such Exoneration shall be good and effectual to all Intents and Purposes, whether such Lands, Houses, Buildings, Erections, Premises, or Tenements, or any Part or Parts thereof, shall continue in their present State, or whether the Directors themselves may improve or let the same, or any Part or Parts thereof, to any other Person or Persons to improve or occupy the same; and neither the said Company, nor any other Person or Persons, except as herein-after provided, shall be liable to any Charge, Rate, or Assessment under the Provisions of this Act, or for any of the Purposes thereof, in respect of any such Lands, Houses, Buildings, Erections, Premises, or Tenements.

For Recovery  
of Instal-  
ments

LXIX. Provided always, and be it further enacted, That if Default shall be made by the said Company in Payment of the said Sum of One thousand Pounds by such Instalments as aforesaid, at the Times herein-before specified for Payment thereof, then and in such Case the Instalment Sum or Sums, in respect of which such Default shall or may be made, shall or may be levied by Distress upon the Goods, Chattels, or Property of the said Company, in like Manner as any Rate or Assessment can or may be levied under or by virtue of this Act.

Empowering  
the Dock  
Company to  
rate their  
Tenants.

LXX. Provided always, and be it further enacted, That it shall be lawful for any and every Person holding as Tenant to the *London Dock Company*, any Lands, Houses, Buildings, or Premises as shall be exonerated by reason of such Payments to be made by the said *London Dock Company* as aforesaid, to pay to the said *London Dock Company* a due Proportion

Proportion of such Payment, in respect of his Interest as such Tenant, according to what such Tenant would otherwise have been liable to under the Provisions of this Act; and subject to the like Powers of Appeal as are herein-before mentioned; and in any such Case every such Tenant shall, upon Payment of such his Proportion, be exonerated from any further Payment for the Purposes of this Act; and it shall be lawful for the said *London Dock Company* to demand from every Person holding or occupying under the said *London Dock Company* any Lands, Houses, Buildings, or Premises, as a Tenant to the said Company, whether for Term of Years, or at Will or otherwise, who shall not pay to the said *London Dock Company* such his Proportion as aforesaid, such Annual Sum as would or ought to be assessed upon or in respect of such Lands, Houses, Buildings, or Premises under the Provisions of this Act, if no such Exoneration, by reason of such Payment by the said *London Dock Company*, had taken place; and the Sum so to be paid by any such Tenant or Occupier to the said Company shall be ascertained according to the full Annual Rent payable to the said Company for such Lands, Houses, Buildings, and Premises; and it shall be lawful for the said *London Dock Company* to recover such Sum of any and every such Tenant as Rent, either together with or separate from any other Rent payable to the said Company by any such Tenant, and by Distress, or any such Ways, Means, Suit, or Action, as any Rent reserved on common Demises may be demanded and recovered by Law.

LXXI. And be it further enacted, That it shall and may be lawful for any Person or Persons liable to be rated under the Provisions of this Act, who shall deem the Payment of One thousand Pounds by the said *London Dock Company* to be an insufficient Sum for the Exoneration of the Lands, Houses, Buildings, Erections, Tenements, and Premises of and belonging to the said Company, within Four Months after the passing of this Act, to appeal from the same to the next General Sessions or General Quarter Sessions of the Peace for the County of *Middlesex*, giving Ten Days Notice of such Appeal to the said Trustees, and to the Directors of the *London Dock Company* or their Treasurer for the Time being; and the Justices assembled at such General or Quarter Sessions, or the major Part of them, shall and they are hereby authorized and empowered to hear and determine such Appeal; and if they should adjudge the said Sum to be insufficient for the Purpose aforesaid, then the said Trustees shall be authorized to rate and assess the said Lands, Houses, Buildings, Erections, Tenements, and Premises of and belonging to the *London Dock Company*, in the Manner directed by this Act for the Parish at large; and the Order and Determination of such Justices, or the major Part of them, at the said General or Quarter Sessions, touching or relating to the said Sum to be paid, shall be binding and conclusive upon all Parties interested therein, and shall not be appealed from or questioned in or before any other Court or Tribunal whatsoever; and in case there shall be no such Appeal within the Space of Four Calendar Months from the passing of this Act, such Agreement shall from thenceforth be binding and conclusive, and shall not be appealed from or questioned in any Manner whatsoever; any thing herein contained to the contrary thereof in anywise notwithstanding.

LXXII. And be it further enacted, That the Steward or Receiver for the Time being of the Rents of the Lands and Messuages now belonging

Allowing an Appeal where the Exoneration shall be considered insufficient.

Steward of Mr. Bowes to be a Trustee.

to the Honourable *Thomas Bowes* in the said Parish of *Shadwell*, and held by him, or some other Person or Persons in Trust for him, under the Dean and Chapter of *Saint Paul*, shall at all Times hereafter be a Trustee under and for the Purposes of this Act, and shall by virtue of such Office be at all Times hereafter duly qualified to act in the Trusts hereof; any thing in this Act contained to the contrary thereof notwithstanding.

Trustees may  
compound  
after Three  
Months.

LXXIII. And be it further enacted, That it shall be lawful for the Trustees to compound with any Person whomsoever at any Time after the Expiration of Three Months after the passing of this Act, but not at less than Seventeen Shillings in the Pound as aforesaid, and without abating such Part of the Rates as shall at that Time have been charged upon the Premises of such Person so then wishing to compound.

Public Act.

LXXIV. 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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