

WHEREAS the Population of the Parish of *Chipping Barnet*, in the County of *Hertford*, hath lately much increased, and the present Church-yard is insufficient for the decent Interment of Persons dying within the said Parish; and it is therefore expedient and necessary that the same should be enlarged, and that additional Burying Ground should be provided for the Use of the said Parish: And whereas the said Church-yard adjoins, and is near or contiguous unto Ground and Premises upon which certain Messuages, Erections, and Buildings are now standing, and also to other open and void Ground; and it is desirable that such Ground, Messuages, Erections, Buildings, and Premises should be purchased for the Purpose of enlarging the said Church-yard, and improving the Avenues to the same: And whereas there is a Public Footway over and through the said Church-yard, leading from the *High-street* into *Wood-street* there, whereby the said Church-yard is exposed to Inroads and Depredations, and the Graves therein trampled upon and injured by idle and disorderly Persons, in Disregard of Public Decency, which might be prevented, if the said Footway was stopped up, and the said Church-yard inclosed with proper Walls or Fences, and if another Footway was set out and made in lieu thereof: And whereas the several Purposes aforesaid cannot be accomplished without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

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Appointment  
of Trustees.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Reverend *David William Garrow*, Rector of the said Parish, and *John Dearman*, and *Robert Tapster*, Churchwardens of the said Parish, and the Rector and Churchwardens of the said Parish for the Time being, together with *Thomas Booth*, *Jeremiah Douton*, the Reverend *William Marr*, *Richard Nicholl*, *Thomas Parkes*, *Andrew Reid*, *Sampson Rumball*, and *Charles White*, and their Successors, to be elected in Manner hereinafter mentioned, shall be, and they are hereby appointed Trustees for carrying this Act into Execution, during such Time only as they (except the said Rector and the Rector for the Time being of the said Parish) shall continue to act, and be

New Trustees  
to be appointed  
by Inhabitants  
assembled in  
Vestry.

Householders within the said Parish; and that when any of the said Trustees (except the Rector and Churchwardens for the Time being) shall die, refuse, or discontinue to act for the Space of One Year, or cease to be a resident Householder within the said Parish, and qualified as hereinafter directed, then the Inhabitants of the said Parish (having a Right to assemble and vote at and in the Vestry of the said Parish) shall and they are hereby empowered and required, at their next or any subsequent public Vestry Meeting of the said Parish, to be holden after each and every such Death, Refusal, or discontinuing to act, or ceasing to be a resident Householder within the said Parish, to nominate and appoint One or more Person or Persons, being a resident Householder or resident Householders within the said Parish, and qualified as hereinafter mentioned, to be a Trustee or Trustees in the Place and Stead of such Trustee or Trustees so dying, refusing, or discontinuing to act, or ceasing to be a resident Householder and qualified as aforesaid.

If Vestry do  
not appoint,  
new Trustees  
to be chosen  
by the con-  
tinuing Trust-  
tees.

II. Provided always, and be it further enacted, That in case the Inhabitants of the said Parish shall at any Time neglect or refuse to nominate and appoint such new Trustee or Trustees, at the Time and in the Manner hereinbefore mentioned, then and in every such Case of Omission, Neglect, or Refusal, it shall and may be lawful to and for the surviving or continuing Trustees under this Act, at any Meeting to be by them duly held under and by virtue of this Act, as hereinafter directed, to nominate and appoint One or more Person or Persons, being a resident Householder or resident Householders within the said Parish, and qualified as hereinafter directed, to be a Trustee or Trustees in the Place or Stead of such Trustee or Trustees so dying, refusing, or discontinuing to act, or ceasing to be a resident Householder as aforesaid, or ceasing to be qualified as hereinafter mentioned.

Qualification  
of Trustees.

III. Provided always, and be it further enacted, That no Person (except the Rector and Churchwardens of the said Parish for the Time being) shall be capable of acting as a Trustee in the Execution of this Act, unless at the Time of his acting therein he shall be a Householder and resident within the said Parish, and assessed to the Poor's Rate of the said Parish at the Rate of Thirty-five Pounds *per Annum* at the least; or be seized or possessed in his own Right, or in Right of his Wife, and be in the actual Possession, Enjoyment, or Receipt of the Rents and Profits of a real Estate, in Law or Equity, of the clear yearly Value of Fifty Pounds, or possessed of a personal Estate of the Value of One Thousand Pounds, over and above what will be sufficient to pay and satisfy all his just Debts; and in case any Person not being so qualified shall presume to act as a Trustee in the Execution of this Act,



Act, every such Person 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, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Effoign, Protection, or Wager at Law, or more than One Imparance shall be allowed; and every Person so sued or prosecuted, shall prove that he was, at the Time of so acting, qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person so sued or prosecuted, had acted as a Trustee in the Execution of this Act; and the Money so to be recovered as aforesaid, shall (after Payment of all extra Costs and Expences attending the Recovery thereof) be applied as follows, (that is to say,) One Moiety to the Plaintiff or Prosecutor, and the other Moiety thereof to the said Trustees for the Purposes of this Act: Provided nevertheless, That all Acts and Proceedings of all and every Person and Persons, so acting as a Trustee or Trustees in the Execution of this Act, (although not duly qualified previously to his or their being convicted of such Offence,) shall, notwithstanding such Conviction, be as valid and effectual as if such Person or Persons had been duly qualified according to the Directions of this Act.

IV. And be it further enacted, That the said Trustees shall, and they are hereby required to meet at the Vestry-Room of, or any other more convenient place in the said Parish of *Chipping Barnet*, within Twenty-one Days next after the passing of this Act, and to proceed to put this Act into Execution; and shall and may then, and from Time to Time, adjourn their Meetings, as they or any Three or more of them shall think proper, and may also meet at any Time or Times without Adjournment, upon Notice given to them in Writing by their Clerk, by the Direction of the Rector or Churchwardens of the Parish for the Time being, or any Three or more of the said Trustees, Three Days before every such Meeting, and that all Acts and Proceedings of the Majority of any Three or more of the said Trustees assembled at any of their Meetings, shall be valid and binding, to all Intents and Purposes, as if all the said Trustees had been present and concurred therein.

V. And be it further enacted, That it shall and may be lawful to and for the said Trustees for the Time being, and from Time to Time, to appoint a Treasurer, without a Salary, and also a Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, and a Clerk; and to make such Clerk and Officers (except the Treasurer) such Remuneration for their Trouble, either by Way of Salary, Allowance, or Gratuity, as the said Trustees shall think necessary or expedient for effecting the Purposes of this Act; and shall take Security from the Treasurer, and also from the said Collector or Collectors, for the due Execution of their respective Offices, and for duly accounting for the Monies to be received by them respectively; and that it shall and may be lawful to and for the said Trustees, from Time to Time, to discharge any such Treasurer, Collector or Collectors, and Clerk as aforesaid, when and as often as they shall think proper.

VI. 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

First Meeting  
of Trustees.

Trustees to  
appoint a  
Treasurer, and  
also a Clerk.

Clerk and  
Treasurer not  
to be the  
same Person.



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 for executing this Act; 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 Treasurer, shall act as Clerk in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall 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 Effoign, Protection, or Wager at Law, nor more than One Impar lance shall be allowed.

Officers to  
account.

VII. And be it further enacted, That the Treasurer, Collector, or Collector's Clerk, or other Officer or Servant of the said Trustees, acting under or by virtue of this Act, shall under his or their Hand or Hands, at such Time or Times and in such Manner as the said Trustees or any Three or more of them shall direct, deliver to the said Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Collector, Clerk, Officer, or Servant received by virtue of or for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in his or their respective Hand or Hands to the said Trustees, or to such Person or Persons as they shall appoint; and if any such Treasurer, Collector, Clerk, Officer, or Servant shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Trustees, or to such Person or Persons as they shall appoint, within Twenty-one Days after being thereunto required by the said Trustees or any Three or more of them, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his or their respective Hands, to the said Trustees, or as they shall direct or appoint, then and in either of those Cases, the said Trustees may and they are hereby authorized and empowered to bring, or cause to be brought, any Action or Actions against the said Treasurer, Collector, Clerk, Officer, or Servant so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Treasurer, Collector, Clerk, Officer, or Servant respectively; or if Complaint shall be made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more Justices of the Peace for the County, Liberty, City, or Place wherein the said Treasurer, Collector, Clerk, Officer, or Servant so neglecting or refusing shall be and reside, such Justices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Treasurer, Collector, Clerk, Officer or Servant, so neglecting or refusing, to be brought before them, and upon his or their 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 Parties, or by the Testimony of



of any credible Witness or Witnesses upon Oath (which Oath the said Justices are hereby authorized to administer) it shall appear to such Justices that any of the Monies that shall have been collected, raised, or received by virtue of this Act, shall be in the Hands of such Treasurer, Collector, Clerk, Officer or Servant, such Justices may, and they are hereby authorized and required, upon Non-Payment thereof, by Warrant or Warrants under their Hands and Seals, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Collector, Clerk, Officer, and Servant respectively; and if no Goods and Chattels of such Treasurer, Collector, Clerk, Officer, or Servant can be found sufficient to answer and satisfy the said Monies, and the Charges of making and levying the same; or if such Treasurer, Collector, Clerk, Officer, or other Servant shall still persist in neglecting or refusing to deliver up all such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, to the said Trustees, or as they shall appoint; then and in any or either of the Cases aforesaid, such Justices shall commit every such Offender to the common Gaol for such County, Liberty, City, or Place, there to remain without Bail or Mainprize, until he shall make and give a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees, and shall have paid such Composition in such Manner as they shall appoint, and until he shall deliver up such Monies, Accounts, Receipts, Vouchers, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Trustees; but no Treasurer, Collector, Clerk, Officer, or Servant so committed for want of sufficient Distress, shall be confined or detained in Prison, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

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

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

IX. And be it further enacted, That it shall and may be lawful to and for the said Trustees or any Three or more of them, to contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, Collegiate, Corporation or Corporations, Aggregate or Sole, Spiritual, Eleemosynary, or Lay, or with any Feoffees in Trust or other Trustees, Executors, Administrators, Husbards, Guardians, or Committees of or for Lunatics or Idiots, who shall be or shall be deemed to be the Owner or Owners, Proprietor or Proprietors, or otherwise interested in the said several Lands, Messuages, Tenements, Buildings, and Hereditaments in and by this Act mentioned to be necessary for the Purposes thereof, and which are more particularly described in the Schedule to this Act annexed, for the abso-

Trustees empowered to contract for the purchase of Land, &c.

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lute Purchase thereof, or of any Quantity, Number, or Part of such Land or Ground, Messuages, Tenements, Buildings, or Hereditaments as may from Time to Time be deemed necessary; and that the Money to be paid for the Purchase thereof, shall be certified for Payment by the said Trustees or any Three or more of them to their Treasurer, and shall be by him paid out of the Monies which shall be in his Hands by virtue of this Act to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate entitled thereto, or shall be laid out and disposed of in the Bank of *England* in the Manner by this Act directed, as the case may be.

Corporations  
empowered  
to sell and  
convey.

X. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and for all Corporations, whether Aggregate or Sole, Spiritual, Eleemosynary, or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics or Idiots and all other Trustees whomsoever, not only for and on Behalf of themselves, but also for and on Behalf of their *cestuique* Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femmes Covert, who are or shall be seized in their own Right, and to and for all Persons, whether Tenants for Life, in Tail general or special, or for Years determinable on any Life or Lives, and to and for all and every Person and Persons whomsoever, who are or shall be seized, possessed of, or interested in any of the said Lands, Grounds, Messuages, Tenements, Buildings, or Hereditaments mentioned and comprised in the said Schedule hereunto annexed, or of any other Lands, Messuages, Buildings, and Hereditaments necessary for all or any of the Purposes of this Act, to treat and agree with the said Trustees for carrying this Act into Execution, or any Three or more of them, for the absolute Sale thereof, or of any Part or Parts thereof, and to convey the same to the said Trustees or any Three or more of them, and their Successors for the Purposes of this Act; and that all Contracts, Agreements, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying or intending to convey the same, but also to convey all Right, Title, Estate, and Interest, Use, Property, Claim, and Demand whatsoever of the several and respective *cestuique* Trusts, and all other Persons claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual, Eleemosynary, or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue of or in pursuance of this Act.

Trustees em-  
powered to  
re-sell or let  
Lands not  
wanted.

XI. And whereas in pursuance of the Provisions of this Act, and to avoid Disputes with the Owners of Lands, Grounds, and Hereditaments which are or may be affected by carrying into Execution the several Powers of this Act, the said Trustees may purchase or become possessed of more Premises than may be necessary to be made Use of for the Purposes of this



this Act, Be it therefore enacted, That it shall and may be lawful for the said Trustees or any Three or more of them, by Indenture under their Hands and Seals, to grant and convey by way of absolute Sale, for a Consideration in Money, such Part or Parts of the Lands, Buildings, and Hereditaments which shall be so purchased by and conveyed to them, or which they shall have the Possession of as aforesaid, as shall not be wanted for the Purposes of this Act; and all such Conveyances or Leases by the said Trustees or any Three or more of them shall be valid and effectual, any Thing in this Act contained, or any other Law, Statute, or Custom to the contrary thereof in anywise notwithstanding: Provided always, that the said Trustees, or any Three or more of them, before they shall sell or dispose of any such Lands, Buildings, or Hereditaments, shall first offer to re-sell the same to the Person or Persons from whom the same shall have been purchased, at the Price at which the same shall be re-sold being adjusted and settled by a Jury, in like Manner as the Price of any Lands, Buildings, or Hereditaments to be taken in pursuance of this Act is hereinafter directed to be settled, in case of Difference or Dispute as to the Value thereof, and all and every the Clauses, Provisoes, and Enactments herein contained in respect to the summoning of Juries, to assess the Value of any Lands, Grounds, Buildings, or Premises to be purchased by the said Trustees by virtue of this Act, and the Payment of the Costs and Expences thereof, shall be in force and shall be applied in respect of Juries to be summoned to assess the Value of any Lands, Buildings, and Hereditaments to be re-sold by the said Trustees by virtue hereof; and if such Person or Persons from whom the same shall have been so purchased shall not agree, or shall neglect or refuse to re-purchase the same, it shall and may be lawful to and for any Person or Persons not interested in the Premises, to make an Affidavit, to be sworn before a Master of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County of *Hertford* or Liberty of *Saint Albans*, stating that such Offer was made by or on Behalf of the said Trustees, and that such Person or Persons did not agree or neglected or refused to re-purchase such Lands, Buildings, or Hereditaments as the case may be; and such Affidavit shall be in all Courts sufficient Evidence and Proof that such Offer was made, and not agreed to or neglected or refused.

XII. And be it further enacted, That all Conveyances and Assurances, which shall be made, of any Lands, Messuages, Tenements, or Hereditaments to the said Trustees, may be made in the following Form, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

I, *John Doe*, of *London*, in Con- Form of  
sideration of the Sum of *£100* to me paid by the Conveyance  
Trustees, for carrying into Execution the Provisions of a certain Act of to Trustees.  
Parliament made and passed in the Fifty-eighth Year of the Reign of His  
Majesty King George the Third, intituled "An Act, *[here set forth the*  
*Title of this Act,*]" the Receipt of which said Sum of *£100*  
I do hereby admit and acknowledge, do hereby grant and convey all  
[describing the Premises to be conveyed], and all my Estate, Right, Title,  
and Interest to and in the same and every Part thereof, to hold to the  
said Trustees and their Successors for ever, (or for such Estate, Term, or  
Interest as I now have therein *[as the Case may be]* by virtue and ac-  
cording to the true Intent and Meaning of the said Act. In witness  
whereof



whereof I have hereunto set my Hand and Seal, this      Day  
 of      in the Year of our Lord

And all such Conveyances and Assurances shall be valid and effectual in the Law to all Intents and Purposes, and shall be a complete Bar to all Estates Tail, and all other Estates, Rights, Titles, Trusts, and Interests whatsoever.

In case the Owner cannot agree with the Trustees, a Jury to be summoned.

XIII. And be it further enacted, That in case any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Spiritual, Eleemosynary, or Lay, Executors, Administrators, Trustees, Feoffees in Trust, Husband, Guardian, Committee of any Lunatic or Idiot, Tenant or Tenants for Life, Tenant or Tenants in Fee Tail, general or special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, or other Person or Persons whomsoever seized or possessed of or otherwise intitled or interested in or to the Lands, Ground, Messuages, Tenements, or Hereditaments by this Act authorized to be purchased for the Purposes herein-before mentioned, or any of them, shall neglect or refuse to treat, or shall not agree with the said Trustees for carrying this Act into Execution, for the Sale of or for the taking and using any of the Lands, Tenements, or Hereditaments mentioned or expressed in the Schedule hereunto annexed, or any Part or Parts thereof, or for their, his, or her Interest therein, or by reason of Absence, or other Inability shall be prevented from treating with the said Trustees, or shall not or cannot produce and make out a clear Title to the Hereditaments and Premises required to be purchased, taken, or used as aforesaid, and of which he, she, or they may be in Possession, or to the Interest he, she, or they do claim therein, to the Satisfaction of the said Trustees, at a Meeting to be by them the said Trustees appointed for that Purpose, of which Meeting Eight Days' Notice at least, signed by the Clerk to the said Trustees, shall be given or left at the Dwelling House, or Place of Abode, of the Owner, Trustee, or other Person interested in such Lands, Messuages, Tenements, or Hereditaments, or at the House of the Occupier thereof, or where the same shall be unoccupied, such Notice shall be affixed on the Door, or some other conspicuous Part of the said Premises; then, and in every such Case, it shall and may be lawful to and for the said Trustees to cause a Notice in Writing, signed by their Clerk, to be given, left, or affixed as aforesaid, of the Sum of Money in gross they are willing to pay for the Purchase of such Lands, Messuages, Tenements, or Hereditaments, or for the joint or separate Interest of the said Bodies Politic, Corporate, or Collegiate, Corporation, Tenant or Tenants for Life, Tenant or Tenants in Fee Tail, general or special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy or otherwise, Executors, Administrators, Trustee or Trustees, Feoffees, Husbands, Guardians, Committees, Owners, Occupiers, or other Person or Persons interested in the same, or for any Part or Parts thereof, concerning the Sale and Purchase whereof there shall be any Dispute or Difficulty; in which Notice a Time and Place shall be appointed for a Meeting with the Parties interested in the same, which Time shall be at the Distance of Fourteen Days at the least from the Delivery of such Notice; and in case such Owner, Occupier, Trustee, or other Person so interested as aforesaid, or some Person duly authorized in their, his, or her Behalf, shall refuse or neglect to



to attend at the Time and Place in such Notice mentioned, or shall refuse to accept the Sum or Sums of Money so offered, or shall not then produce and make out to the Satisfaction of the said Trustees, a clear Title to the Hereditaments and Premises, or to the particular Interests claimed therein, or shall, upon being required by the said Trustees, refuse to enter into a written Contract or Agreement to convey the same to the said Trustees, or to such Person or Persons and in such Way or Ways as they shall direct, then the said Trustees or any Three or more of them shall cause to be enquired into, ascertained, and assessed by and upon the Oath of Twelve indifferent Men of the said County of *Hertford*, qualified to serve as Jurymen upon the Trial of Issues at the Assizes for the said County, what Recompense or Satisfaction shall be made to the Owners, Proprietors, Occupiers, or other Persons interested as aforesaid, for or upon account of the purchasing, taking, and using such Lands, Messuages, Tenements, or Hereditaments, or of the respective Interests of the said several Parties therein, which Jury shall and may, according as the said Trustees shall deem it advisable, enquire into and ascertain either the total Recompense to be made to the Owner or Owners, and all other Persons interested in the Premises collectively, or only so much and such Part or Parts thereof, or for such Interest or Interests therein, as the said Trustees shall deem it necessary at such Time to have enquired into and ascertained; and in order thereto, the said Trustees shall and they are hereby required to give a Notice in Writing, Ten Days at the least previous to the Day on which the Jury shall be summoned to meet, in Manner hereinafter mentioned, to the Person or Persons interested in the said Lands, Messuages, Tenements, or Hereditaments, or so many of them as are at that Time known to the said Trustees; which Notice shall specify the Time and Place in which the Trustees and Jury are to meet for the Purposes of assessing and ascertaining the Amount of the said Recompense and Satisfaction for the Premises, or where they deem it advisable, of the particular Interest or Interests the Value of which is then to be assessed and ascertained, which Notice shall be signed and served in the same Manner as the Notice last herein-before by this Act required is directed to be signed, given, served, or affixed; and the said Trustees or any Three or more of them are hereby empowered and required, from Time to Time as Occasion shall require, to issue their Warrant to the Sheriff of the said County of *Hertford*, thereby commanding him to impanel, summon, and return Twenty-four disinterested reputable Persons of the said County, qualified to serve on Juries, and not being Landholders, Tenants, or Occupiers of Lands or Tenements within, or Inhabitants of the said Parish of *Chipping Barnet*, to appear before the said Trustees, or any Three or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy, is hereby required to impanel, summon, and return such Number accordingly; and the Persons so impanelled, summoned, and returned, are hereby required to appear before the said Trustees or any Three or more of them, at such Time and Place as in and by such Warrant and Summons shall be directed and appointed, and to attend there, or at any other Place or Places, within the said Parish, to which the said Enquiry shall by the said Trustees or any Three or more of them be adjourned, from Day to Day until they shall be discharged by the said Trustees or any Three or more of them; and out of the Persons so impanelled, summoned, and returned, or out of such

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of them as shall appear upon such Summons, the Clerk to the said Trustees shall draw or cause to be drawn by Ballot Twelve out of the said Twenty-four, who shall take the Oath hereinafter set forth, and against whom Cause of Challenge shall be allowed in Manner hereinafter mentioned, (which Oath the said Trustees or any Three or more of them are hereby authorized to administer;) and in Default of the Attendance of a sufficient Number of Persons so summoned and impanelled, or if their Number shall be reduced to less than Twelve by the setting aside of some for Cause of Challenge allowed in Manner as is hereinafter provided, then and in every such Case the Sheriff or his Deputy, if the Majority of the Trustees then present shall direct him so to do, shall impanel other honest and indifferent Men of the Bystanders or that can be speedily procured to attend thereon, who shall be sworn in like Manner, until the Number of Twelve shall be completed, which Twelve Persons so sworn shall be the Jury for the Purposes aforesaid, and the said Trustees and all other Persons interested or concerned shall have their lawful Challenges against any of the said Jurymen, when they come to be sworn: Provided always, that all Persons interested and concerned in the Matter of the said Enquiry, other than the said Trustees, shall join in their Challenges of the said Jurymen, or otherwise the same shall not be allowed, and shall not be permitted to challenge the Array, or more than Ten of the said Persons so impanelled or called; and the said Trustees or any Three or more of them are hereby also empowered and required, at any Time after they shall have issued their Warrant to the Sheriff aforesaid, directing him to impanel a Jury, and as often from Time to Time thereafter as Occasion shall be or require, to issue their Precept or Summons, thereby commanding any Person or Persons whomsoever to appear and be examined before the said Jury upon Oath, touching the Matters in question, (which Oath the said Trustees or any Three or more of them are hereby authorized to administer;) and the said Trustees or any Three or more of them shall and may order and cause the Jury so impanelled and sworn, to view the Premises in question, if there be Occasion, and shall use all other Ways and Means for the Information of the said Jury in the Premises which shall to them the said Trustees seem fit and expedient; and the said Trustees shall have full Power to adjourn every such Meeting or Hearing from Day to Day, and to such Hour and Place or Places within the said Parish, as Occasion shall require; and all Persons summoned on such Juries, and the said Jury when sworn, and all Witnesses and Parties shall and are hereby required to attend thereupon, until they shall be discharged by the said Trustees; and the said Trustees or any Three or more of them shall have full Power from Time to Time and at all Times to impose any reasonable Fine or Fines on such Sheriff, his Under Sheriff or Deputy, or their Bailiff or Bailiffs, Officer or Officers, Agent or Agents, making Default in the Premises, and on any Person or Persons who being summoned and returned on such Jury shall not appear and attend at each and every Meeting and Meetings and Adjournments thereof until they shall be discharged in Manner aforesaid, and on any Person or Persons who shall refuse to be sworn on such Jury, or who being so sworn shall refuse or shall not give his or their Verdict therein, or who shall in any other Manner wilfully neglect his or their Duty, for which he or they shall have been so summoned or returned or impanelled, or upon any Person or Persons who being summoned to give Evidence before the said Jury shall (without a reasonable Excuse) neglect or refuse to appear, having been



paid or tendered a reasonable Sum for his or their Costs, Charges, and Expences, or appearing shall refuse to be sworn and give Evidence therein; and from Time to Time to recover levy and apply all such Fine or Fines hereby authorized to be by them the said Trustees or any Three or more of them imposed, in the same Manner as is hereinafter mentioned and provided, so as that no such Fine shall exceed the Sum of Twenty Pounds upon the Sheriff, his Under Sheriff or Deputy, or of Ten Pounds upon any other Person, for each such Offence, and the Jury so sworn shall enquire into and assess the Value of, and the Recompense and Satisfaction to be paid or made to the Owners, Proprietors, or Occupiers of, or Persons otherwise interested in the Premises, all or any of them (as the Case may be), and shall give in their Verdict accordingly to the said Trustees.

XIV. And be it further enacted, That after the said Jury shall have enquired of, ascertained, and assessed such Recompense and Satisfaction as afore said, the said Trustees shall thereupon adjudge and determine the Sum or Sums of Money so assessed by the said Jury, to be paid or granted to the Corporation, Owner, Proprietor, Occupier, Trustee, or Trustees, or other Person or Persons afore said, according to such Verdict or Inquisition; and the Judgment and Order or Determination so had and made shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever claiming in Possession, Reversion, Remainder, or otherwise, their Heirs, Executors, Administrators, and Successors, (as well absent as present,) Infants, Females Covert, Idiots, Lunatics, *Cestuique* Trusts, and Persons under any other Disability whatsoever; and all and every such Owner, Proprietor, and Occupier, and other Persons interested in such Lands, Messuages, Tenements, Grounds, and Hereditaments, shall upon Payment or Tender of the Money so assessed as afore said, or upon Payment of the same into the Bank of *England* in Manner hereinafter directed, be from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Interest, and Property of in and to the same; and thereupon the said Lands, Messuages, Tenements, or Hereditaments, or the Rights or Interests so purchased, shall vest in the said Trustees, and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, for the Purposes of this Act.

Verdict of  
the Jury to  
be final.

XV. And be it further enacted, That each and every of the said Jury shall be sworn to ascertain and assess such Recompense and Satisfaction as afore said, in the Form following, except so far as it may be necessary to change the same for the Purpose of describing the Matter or Thing, Matters or Things for which the said Recompense or Satisfaction is to be made, ascertained, or given;

‘ I *A. B.* do swear that I will well and truly assess and enquire, without any Favour, Partiality, or Affection whatsoever, the Sum which ought to be paid or granted [*as the Case may be*] for and in Recompense of [*describing the Premises only, if the total Value thereof is to be the Matter of Enquiry, or if any separate Interest or Interests therein, then say,*] the Estate and Interest of *A. B.*, or of the several and respective Estates and Interests of *A. B.*, *C. D.*, and *E. F.*, and each and every of them, in the [*describe the Premises to be purchased*] under and by virtue

Form of  
Oath.



‘ virtue of an Act passed in the Fifty-eighth Year of the Reign of King  
 ‘ George the Third, intituled [*here recite the Title of this Act,*] and that  
 ‘ I will a true Verdict give according to the Evidence.

‘ So help me GOD.’

Verdict to be  
 recorded, and  
 Copies to be  
 Evidence.

XVI. And be it further enacted, That each and every Verdict so given, together with the Adjudication of the said Trustees thereon, shall be transmitted to, and kept by the Clerk of the Peace, or other Person or Persons, having the Custody of the Records of the Quarter Session of the Liberty of *Saint Albans*, within the said County of *Hertford*, and shall be deposited with, and deemed to be the Records of such Quarter Session to all Intents and Purposes, and the same or true Copies thereof shall be good Evidence, and be received in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of Two Shillings, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, every Figure in such Copy or Copies being calculated as a Word, and so in Proportion for any greater or less Number.

By whom the  
 Expences of  
 Jury are to be  
 paid.

XVII. And be it further enacted, That in case the Sum or Sums of Money, or other Recompense so assessed and awarded by any Jury, in consequence of any Refusal to treat and agree for any such Purchase or Purchases as herein-before mentioned, shall not exceed in the whole the Sum or Sums of Money, or other Satisfaction which the said Trustees shall have previously offered to allow as and for such Purchase and Satisfaction, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompense, and assessing and awarding the same, and in consequence thereof, to be ascertained as hereinafter is mentioned, shall be borne and paid by the Body Politic, Corporate, or Collegiate, or other Person or Persons so claiming and refusing to treat and agree as before mentioned, respectively; and the said Trustees are hereby authorized and empowered to receive and retain, or cause to be received and retained, the Amount of the said Costs, Charges, and Expences out of the Sum or Sums of Money so to be assessed or awarded, or out of any Payment or Payments thereof, and to cause the same to be applied in Discharge of such Costs, Charges, Damages, and Expences: Provided always, that before any such Costs, Charges, and Expences, shall be so retained or deducted by the said Trustees, the same shall be ascertained and allowed by Two Justices of the Peace for the said Liberty of *Saint Albans*, who are hereby respectively authorized and required to ascertain the same for the Purposes aforesaid: Provided also, that in Cases wherein any Person or Persons shall by Reason of Absence from or being out of *Great Britain* be prevented from treating with the said Trustees, then the Costs and Expences of Summoning the said Jury, and all other Expences of the said Trustees in obtaining such Assessments, shall be paid and discharged by the said Trustees or their Treasurer out of the Monies to be raised by virtue of this Act.

No Costs to  
 be deducted,  
 if Claimants  
 prevented by  
 Inability to  
 treat.

Allowance to  
 Sheriff or  
 Bailiff and  
 Jury.

XVIII. Provided always, and be it enacted, That each and every Juryman who shall be sworn for the Purposes of this Act, shall for his Trouble and Expence in the Premises be allowed the Sum of Ten Shillings and Sixpence for each Day's Attendance, and no more, notwithstanding such Juryman shall be sworn on several Enquiries and Assessments on the same Day; and that



that the Sheriff of *Herts*, for impannelling, summoning, and returning of each Jury, shall be allowed the Sum of One Pound and One Shilling and no more; which said Allowances in case of any Dispute or Difference shall be settled and determined by any Two Justices of the Peace for the said Liberty of *Saint Albans*.

XIX. And be it further enacted, That in case the Sum or Sums of Money, so assessed or awarded by any such Jury, and ordered and adjudged by the said Trustees to be paid or granted to the Owners or Occupiers and others for their respective Rights and Interests in the Premises, the Subject of such Enquiry, shall not be paid, tendered, or deposited as hereinbefore directed within Six Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such case the Verdict of the said Jury, and the Order of Adjudication thereon, shall not be binding upon the said Parties, but the same shall be null and void to all Intents and Purposes whatsoever, any Thing herein contained to the contrary notwithstanding; and thereupon the said Parties shall be entitled to the Costs and Expences by them sustained by Reason of such Enquiry; which Costs and Expences, to be ascertained in such Manner as Costs and Expences are by this Act directed to be ascertained, shall be paid by the said Trustees within Fourteen Days next after the same shall be demanded of their Clerk or Treasurer for the Time being.

Unless the  
Recompense  
awarded is  
paid or  
secured with-  
in Six  
Months,  
Verdict not  
binding.

XX. And be it further enacted, That all Money which shall be paid for the Purchase of any Land, Ground, Messuages, Tenements, or Hereditaments, purchased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other *cestuique* Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, shall in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant-General of the High Court of Chancery, to be placed to his Account *Ex parte* the Trustees for carrying this Act into Execution, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Messuages, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or discharging any Debt or Debts or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Messuages, Tenements, or Hereditaments, or affecting other Lands, Messuages, Tenements or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, the same shall be laid out and invested under the like Direction and Approbation of the said Court in the Purchase of other Lands, Messuages, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Messuages, Tenements, or Hereditaments which shall be so purchased as

Direction for  
applying Pur-  
chase-Money,  
if 200*l.* and  
upwards.



aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Messuages, Tenements, or Hereditaments so directed to be purchased by virtue of this Act, in case such Purchase or Settlement was made.

When less  
than 200l.  
and exceed-  
ing 20l.

XXI. Provided always, and be it further enacted, That if any Money to be paid for any Lands, Messuages, Tenements, or Hereditaments purchased for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Messuages, Tenements, or Hereditaments so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Lunacy, or Idiotcy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privy of the said Accountant-General of the said High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved by Three or more of the said Trustees for carrying this Act into Execution, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Where less  
than 20l.

XXII. Provided also, and be it further enacted, That where such Money so to be paid as next herein-before mentioned, shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Messuages, Tenements, or Hereditaments so purchased for the Purposes of this Act, in such Manner as the Trustees for carrying this Act into Execution or any Three or more of them shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Monies shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XXIII. And



XXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Messuages, Tenements, or Hereditaments purchased or taken by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons entitled to such Lands, Messuages, Tenements, or Hereditaments be not known or discovered, then and in every or any such Cases it shall and may be lawful to and for the said Trustees or any Three or more of them to order the said Sum of Money awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant-General of the said High Court of Chancery, to the Credit of the Parties interested in the said Lands, Messuages, Tenements, or Hereditaments, [*describing them,*] subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise as to the same Court shall seem meet, to order and direct the same to be laid out and invested in the Public Funds, and to order the said Sum or Sums to be distributed, or the Dividends thereof to be paid to the Person or Persons making Claim thereto, according to their respective Estate or Estates, Titles or Interests therein, and to make such further or other Order in the Premises as to the said Court shall seem just and reasonable.

In case of refusal to accept Money awarded; or not making out sufficient Title, or if Owners cannot be found, the Purchase Money to be paid into the Bank.

XXIV. And be it further enacted, That the Certificate and Certificates to be given by the said Accountant-General, together with the Receipt and Receipts of one of the Cashiers of the Bank of *England* to be thereunto annexed, and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* by the Trustees for carrying this Act into Execution, of their Purchase Money, or an Office Copy or Office Copies of the same Certificates and Receipts, shall from Time to Time and at all Times be and be deemed and taken to be a good and sufficient Discharge to such Trustees, their Successors, Heirs, Executors, and Administrators for so much of the said Purchase Money for which such Certificate or Certificates, Receipt or Receipts as aforesaid, shall respectively be given; and that after the filing of such Certificate or Certificates, Receipt or Receipts as aforesaid, the said Trustees, their Successors, Heirs, Executors, and Administrators shall be and are hereby absolutely acquitted and discharged of and from the same Monies, and shall not be answerable or accountable for any Loss, Mis-application, or Non-application thereof, or of any Part thereof.

The Trustees under the Act indemnified in paying Purchase Money into Court.

XXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money paid into the Bank of *England* in the Name and with the Privy of the Accountant-General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Messuages, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Messuages, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have

Provision where Questions shall arise touching the Title to Money paid into the Bank.



have been in Possession of such Lands, Messuages, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Messuages, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and all the Capital of such Bank Annuities shall be applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were entitled to such Lands, Messuages, Tenements, and Hereditaments, or some Estate and Interest therein.

The Court of Chancery may order reasonable Expences of Purchases made out of Money in Court to be paid by the Trustees.

XXVI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant-General of the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees or their Treasurer out of the Monies to be received by virtue or in pursuance of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct accordingly.

Upon the Payment of Purchase Money, and Execution of Conveyances, Lands, &c. to vest in Trustees and their Successors.

XXVII. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Messuages, Tenements, or Hereditaments by the said Trustees for carrying this Act into Execution, or any Three or more of them, to the Person or Persons respectively entitled to such Monies, or their Agent, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in Manner herein-before directed, and upon a Conveyance or Conveyances of such Lands, Messuages, Tenements, or Hereditaments being duly executed by the Person or Persons entitled thereto, or interested therein, or by his or their Guardian or Guardians, Trustee or Trustees, or Committee or Committees, in case of Infancy, Coverture, Lunacy or Idiotcy, or upon a like Payment into the Bank of *England* in case the Person or Persons, Party or Parties interested in any such Lands, Messuages, Tenements, or Hereditaments shall refuse to execute such Conveyance or Conveyances of the same, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, both at Law and in Equity, of the Person or Persons who shall have executed such Conveyance or Conveyances, and their *cestuique* Trusts respectively, or of the Person or Persons, Party or Parties, so refusing to execute such Conveyance or Conveyances, into or out of such Lands, Messuages, Tenements, or Hereditaments, shall vest in the said Trustees for carrying this Act into Execution, and their Successors for ever, for the Uses and Purposes of this Act.

XXVIII. And



XXVIII. And be it further enacted, That the Occupiers of the several Dwelling Houses, Hereditaments, Ground, and Premises so authorized to be purchased as aforesaid, and every Tenant at Will, or Lessee for a Year, or from Year to Year, or for any less Term than a Year, shall deliver up the Possession of the Premises which shall be so purchased, to the said Trustees or any Three or more of them, or to such Person or Persons as they shall authorize and appoint to take Possession of the same, upon having Three Calendar Months' Notice in Writing to quit such Possession, from the Treasurer or Clerk to the said Trustees, or from the Person or Persons so authorized by them to take such Possession, and left at or put upon such Premises, and that one such Notice only shall be sufficient for one House, notwithstanding there may be Inmates or Lodgers therein; and each and every Person and Persons in Possession shall at the End of Three Calendar Months, whether such Notice be given with Reference to the Time or Times of such Tenants holding or not, peaceably and quietly deliver up the Possession of the said Hereditaments and Premises to the said Trustees or some or One of them, or to such Person or Persons authorized by them or any Three or more of them to take Possession thereof, such Authority being signified under the Hands of the said Trustees, or any Three or more of them, immediately on the same being demanded: Provided always, that where any such last-mentioned Tenant shall be required to quit or deliver up the Possession of the Premises held by him or her before the Expiration of the then current Year of his or her holding the same, then and in every such Case the said Trustees shall pay to such Tenant so much Money as shall be sufficient to make full Satisfaction to him or her for the Loss or Damage which he or she shall sustain by reason of such quitting as last aforesaid; and the Amount of such Satisfaction (in case of any Difference respecting the same) shall be assessed by a Jury, in Manner herein-before provided, in Cases of Lands, Grounds, Tenements, and Hereditaments to be purchased by the said Trustees.

XXIX. And be it further enacted, That in all Cases where the said Trustees by virtue or in pursuance of the Provisions of this Act shall be entitled to the Possession of any Premises required for the Purposes of this Act, and the Person or Persons in Possession of such Premises shall not or shall refuse to give up such Possession, upon Demand in Writing under the Hands of the said Trustees or any Three or more of them, it shall be lawful for the said Trustees or any Three or more of them to issue their Precept or Precepts to the Sheriff of the said County of *Hertford*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts, or in Relation thereto, on any Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods and Chattels.

XXX. Provided always, and be it further enacted, That if any of the Lands, Messuages, Tenements, or Hereditaments mentioned and described in the Schedule hereunto annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners, Leaseholder or Leaseholders thereof, *Misnomers or wrong Descriptions in the Schedule not to prevent the Execution of the A&C.*

[Local.]

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thereof, or other Person or Persons interested therein, or in any Part thereof, shall happen to be misnamed or incorrectly described, then and in such Case, on the same being certified by any Two of His Majesty's Justices of the Peace for the said County of *Hertford* or Liberty of *Saint Albans*, such Misnomer or incorrect Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased, sold, assessed, and valued in Manner as in this Act mentioned, and afterwards conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same was or were properly named and described in this Act or in the said Schedule hereunto annexed.

Trustees to inclose Ground.

XXXI. And be it further enacted, That the Trustees for carrying this Act into Execution shall, when and so soon as any such Purchase or Purchases shall be made and completed under or by virtue of this Act of the said Lands, Grounds, Messuages, Tenements, or Hereditaments, or any Part or Parts thereof, cause the same or such Part or Parts thereof as they or any Three or more of them shall adjudge necessary, to be cleared of all Buildings and Erections for the Purposes of this Act, and to be inclosed, railed, and fenced in with a good and substantial Brick Wall or Walls, or Wood or Iron Railings and Gates, and do all other Things necessary and proper for making such Ground fit, convenient, safe, and proper for the Burial of the Dead.

Plan to be made of the Church-yard, and deposited with the Clerk of the Peace.

XXXII. And in order at all Times hereafter to distinguish and make known the present Church-yard or Burial Ground from the said intended additional Church-yard or Burial Ground, and to prevent all Litigation and Dispute respecting the Boundaries and Extent thereof respectively; be it further enacted, That the said Trustees shall, within One Month next after the said additional Church-yard or Burial Ground shall have been laid out and formed, put down and place proper Boundary Stones or Land-Marks, and keep and continue the same so put down and placed, and shall cause a Map, Plan, or Ground Plot of the said additional Church-yard or Burial Ground to be made, describing the Boundary Walls, Rails, and Gates, and specifying the Admeasurements and Dimensions thereof; and which said Map, Plan, or Ground Plot, shall be signed by any Three or more of the said Trustees; and when so signed, the same shall be deposited with the Clerk of the Peace of the said Liberty of *Saint Albans*, to be preserved and kept among the Records of the said Liberty, and to which all Persons whomsoever shall and may have Access, and may inspect the same upon Payment to the said Clerk of the Peace, of the Sum of Two Shillings, and who shall and is hereby required, on reasonable Notice or Request, to make; or permit or suffer Copies to be made thereof, on Payment of the Sum of One Pound and One Shilling for each Copy.

Projections into the High Street, may be laid into the same.

XXXIII. And be it further enacted, That the said Trustees shall have full Power and Authority to lay any Part of any Ground, or the Scite or Scites of any Building or Buildings to be purchased by virtue of this Act, and lying and being adjoining to the Foot-path on the South Side of the said *High Street*, in the Town of *Chipping Barnet*, and mentioned in the Schedule to this Act annexed, into the said Foot-path, and to take and inclose from and out of the said Foot-path for the Purposes of this Act, so



much and such Parts thereof as by the new Foot-path intended to be made under the Power and Authority of this Act will become no longer necessary for the Use of the Public.

XXXIV. And be it further enacted, That the said Trustees shall and they are hereby required, as soon as conveniently may be after the passing of this Act, to apply to any Two or more Justices of the Peace acting in and for the said County of *Hertford* or Liberty of *Saint Albans*, and in case such Justices shall upon View of the Premises be of Opinion that it will not in any respect be injurious or detrimental to the Public, the said Justices shall have full Power and Authority to lay out and appropriate so much of the Ground, or the Site or Sites of any Building or Buildings to be purchased by virtue of this Act, and lying and being at the West End of the said additional Church-yard, (not exceeding Eight Feet in Width,) as the said Justices shall think necessary and proper for an open public Foot-path or Way, and for erecting a Brick Wall and Wood or Iron Railings as hereafter mentioned, in lieu or stead of the Foot-path or Way across the West End of the present Church-yard leading from and out of the *High-street* aforesaid into *Wood-street* in the said Parish of *Chipping Barnet*; and thereupon the said Trustees shall and they are hereby empowered and required to inclose such new Foot-path or Way, with a Brick Wall, or Wood or Iron Railing, and Gates, and shall and may also pave, and from Time to Time keep paved, lighted, repaired, and in good Condition such new Foot-path or Way; and from and immediately after such new Foot-path or Way across the West End of the said additional Church-yard shall have been made, laid out, and completed fit for the Use of the Public, it shall and may be lawful to and for any Two or more of such Justices as aforesaid, and they are hereby empowered by Writing under their Hands and Seals, to be deposited with the Clerk of the Peace of the said Liberty of *Saint Albans*, within Fourteen Days after the same shall have been made and signed (and which shall be deemed one of the Records of the Session of the said Liberty), to order the said public Foot-path or Way now leading from the said *High-street* over and through the West End of the present Church-yard into *Wood-street* aforesaid, to be shut up and discontinued, to the Intent that the same shall be no longer used as a public Foot-path or Way by any Person or Persons whomsoever: Provided always, nevertheless, that nothing herein contained shall permit, authorize, or empower the said Justices to shut up such other Entrances to the present Church-yard as may be deemed necessary, at, in, and from the *High-street* and *Wood-street* aforesaid, or to obstruct, impede, prevent, or hinder any Person or Persons whomsoever, at all Times from using any such other Entrances or such Foot-path or Way as may be necessary as and for a Way or Passage to and from the said Church and present Church-yard for Burials or other Offices of the Church, or any other reasonable Purpose.

XXXV. And be it further enacted, That all old Materials, and all Brick, Stone, Timber, Iron, Lead, and all other Materials bought and procured by Order of the said Trustees, or under the Provisions of this Act, for inclosing or enlarging the said Church-yard, or for any other of the Purposes 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

Foot-path  
across the  
Old Church-  
yard to be  
stopped up,  
and a new  
one made in  
lieu thereof.

Vesting Ma-  
terials in  
Trustees.



said Trustees to bring or cause to be brought any Action or Actions, in the Name of their Clerk as herein directed, or to direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who shall steal, take, or carry away, spoil, injure, or destroy the Wall or Walls, Fence or Fences, Gates or Rails of such new Church-yard, or of any Building or other Works erected, made, or built by virtue of this Act, or the Stones, Timber, Iron, Lead, and other Materials thereof hereby vested in them the said Trustees as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment, it shall be and be deemed and taken to be sufficient, to state generally that the said Wall, Fence, Building, Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought or Bill or Bills of Indictment preferred, is or are the Property of the Trustees for enlarging the Church-yard of *Chipping Barnet*, in the County of *Hertford*, without particularly stating or specifying the Name or Names of all or any of the said Trustees.

Old Materials  
to be sold.

XXXVI. And be it further enacted, That all the old Materials which shall belong to the said Trustees, upon taking down any Messuages, Tenements, Buildings, Walls, and Erections for the Purposes of this Act, shall be sold and disposed of to the best Advantage, and the Money arising thereby shall be applied towards the Expences of putting this Act into Execution, or be employed in making the new Fences or Improvements hereby directed to be made, as the said Trustees or any Three or more of them shall think adviseable.

Trustees em-  
powered to  
contract for  
erecting  
Fences.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees or any Three or more of them, if they shall think fit, to receive Proposals from and contract with any Person or Persons for building or erecting the said Fences, Walls, or Inclosures, and for finding and providing proper Materials for the Purpose or Purposes aforesaid, or for any of them, or for pulling down the said Messuages, Tenements, or Buildings so purchased, or for the draining the said Burial Ground, or doing any other Act or Acts, Matter or Thing, for carrying this Act into Execution; and that the Contract or Contracts to be made on the Occasions aforesaid, shall be signed by the said Trustees or any Three or more of them, and also by the Person or Persons with whom the same shall respectively be made or entered into, and shall specify and contain the several Works and Things to be done in pursuance or in consequence thereof, and the Price or Prices to be paid for the same, and the Time or Times when such Works shall be completed, and the Penalty to be suffered in case of Non-Performance of such Contract or Contracts; and that Notice shall be given by the said Trustees on the Church Door of the said Church, or otherwise as they shall deem requisite, of their Intention to meet at a certain Time and Place in such Notice to be mentioned, for the Purpose of receiving such Proposals and contracting as aforesaid; and that it shall be lawful to and for the said Trustees or any Three or more of them to take such Security from any Person or Persons entering into such Contract or Contracts, for enforcing the due Performance thereof, as to the said Trustees shall seem necessary.

To enforce  
Contracts.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees or any Three or more of them to cause all and every



every the Works to be done in pursuance of this Act to be viewed by such Surveyor or Surveyors as they shall from Time to Time appoint, and in case the same shall not be well, sufficiently or duly performed, according to the true Intent and Meaning of such Contract or Contracts, or shall not be finished or completed within the Time or Times as the same shall be agreed to be completed, and such Surveyor or Surveyors shall report the same to the said Trustees, who are hereby empowered, in the Name of the Treasurer or Clerk to the said Trustees for the Time being, to bring an Action of Debt or upon the Case in any of His Majesty's Courts of Record at *Westminster*, against any Person or Persons making Default in the Premises, for the Recovery of any Penalty or Penalties which shall be contained in any such Contract, or for Breach of any of the Covenants or Agreements therein contained; and the Money to be received in any such Action (after deducting thereout in the first Place the Expences or Charges necessarily attending the same, and not allowed therein) shall be applied by the said Trustees for the Purposes of this Act.

XXXIX. And be it further enacted, That it shall and may be lawful to and for the said Trustees or any Three or more of them, from Time to Time to compound or agree with the Defendant or Defendants in any Action or Actions to be commenced for the Recovery of any such Penalty or Penalties as aforesaid, for such Sum or Sums of Money as they shall think reasonable. To compound Actions.

XL. And be it further enacted, That so much of the said Ground to be purchased as aforesaid as shall be used for the Enlargement of the Church-yard, shall when enclosed be consecrated according to the usage of the Church of *England*, and shall for ever thereafter be used as and for an additional Burial Ground for the said Parish of *Chipping Barnet*. Ground to be consecrated.

XLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any respect to abridge, oppose, or controul the ordinary Jurisdiction of the Lord Bishop of *London* for the Time being in and over the aforesaid Parish of *Chipping Barnet*, or over the Rector or Churchwardens, or in, over, or relative to any Matter or Thing respecting the said Parish, Rector, or Churchwardens. This Act not to abridge the jurisdiction of the Bishop of London.

XLII. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Trustees from Time to Time to ascertain and settle a Table of Rates, Duties, and Fees to be taken and paid to the Rector, Trustees under this Act, Officers, and Persons in respect of any Burial, Vaults, Monuments, Tombs, or other Stones in the said intended new or additional Church-yard or Burial Ground; which said Rates, Duties, and Fees shall and may be recovered by the said Trustees in like Manner as any other Sum of Money, Fine, Penalty or Forfeiture is in this Act hereinafter directed to be recovered; and a Table of such Rates, Dues, and Fees shall be at all Times publicly placed and kept in the Vestry and Robing Room of the Church of the said Parish. Trustees and Rector to settle Table of Fees.

XLIII. And be it further enacted, That all the Fees and Dues payable to the Rector of the said Parish for the Time being shall be and the same Application of Fees.

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are to him hereby reserved; and that all Fees and Dues payable to the said Trustees, in respect of the said new or additional Burial Ground, and Bells used on the Death or Burial of the Dead who shall be buried therein, or for the erecting or placing any Vault, Tomb, or Monument within the said intended new or additional Church-yard or Burial Ground, shall be paid to the said Trustees, or their Treasurer by their Order, for the Purposes of this Act.

Trustees may  
raise any Sum  
by way of  
Annuity, not  
exceeding  
5000l.

XLIV. And be it further enacted, That it shall and may be lawful for the said Trustees or any Threë or more of them, and they are hereby authorized and empowered to have, receive, and take up any Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds, and 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 said Trustees or any Three or more of them, or their Treasurer for the Time being, any Sum or Sums of Money, for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the Natural Life of such one Person as shall be nominated by or on Behalf of such Contributor or Contributors respectively at the Time of the Payment of his, her, or their Purchase Money or Monies; and such Annuity or Annuities is and are hereby charged on the Fees which shall be received by the Churchwardens or Trustees for the Time being on Account of the said Burials, Monuments, Tombs, and other Stones to be made or placed in the said new or additional Church-yard or Burial Ground, and also upon such Rates or Assessments as shall be made from Time to Time upon the Inhabitants of the said Parish of *Chipping Barnet* by virtue of or under this Act; and the Grant of every such Annuity may be in the Form or to the Effect following; (that is to say),

Form of  
Grant.

‘ WE Three of the Trustees  
‘ appointed by or in pursuance of an Act of Parliament, passed in  
‘ the Fifty-eighth Year of the Reign of His Majesty King *George* the  
‘ Third, intituled [*here set forth the Title of this Act*], in Consideration of  
‘ the Sum of paid by  
‘ of to us,  
‘ upon the Credit and for the Purposes of the said Act, do hereby grant  
‘ unto the said Executors, Administrators,  
‘ and Assigns, One Annuity, or clear Yearly Sum of  
‘ out of the Fees, Rates, and Assessments autho-  
‘ rized to be received, made, and applied for the Purposes of the said Act;  
‘ which said Annuity, or Yearly Sum of  
‘ shall be paid to the said  
‘ Executors, Administrators, or Assigns, by Half-yearly Payments, on the  
‘ Day of and the Day of  
‘ or within Days after each of the said Days in every Year,  
‘ during the Life of and the  
‘ Sum of being a fractional Part  
‘ of the first Payment thereof, shall be paid on the Day of  
‘ next ensuing the Date of these Presents. And the said  
‘ Executors, Administrators, or Assigns shall  
‘ be entitled to receive a proportionable Part of the said Annuity from  
‘ the last of the said Days appointed for Payment thereof, up to the Day  
‘ of



of the Death of the said . . . . . In witness  
 whereof we have hereunto set our Hands and Seals the . . . . . Day of  
 . . . . . in the Year of our Lord . . . . .

And every such Grant shall be good and valid in the Law, and shall not be subject to the Provision of any Act or Acts of Parliament now in force relative to the inrolment or registering of Annuities; and the several Annuities so granted shall be and they are hereby charged upon and made payable out of the said Fees, Rates, and Assessments herein-before mentioned.

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

For preventing improvident Grants of Annuities.

XLVI. Provided always, and be it further enacted, That in case the said Trustees or any Three or more of them shall think it most expedient and advantageous to borrow and take up at Interest the said Sum of Five thousand Pounds or any Part thereof, for the Purposes of this Act, it shall and may be lawful to and for the said Trustees, or any Three or more of them, and they are hereby authorized and empowered to borrow and take up at Interest the same or any Part thereof at as low a Rate of Interest as the same can be procured, so as such Interest do not exceed the Rate of Five Pounds *per Centum per Annum*, the Payment of which Money so to be borrowed and the Interest thereof is and are hereby charged on

Trustees may borrow the whole or any Part of the Sum.



on the said Fees, Rates, and Assessments herein-before mentioned, or made applicable to the Purposes of this Act; and for securing the Repayment of the Money so to be borrowed, and the Interest thereof, the said Trustees or any Three or more of them shall or may, by Writing under their Hands and Seals; assign over the said Fees, Rates, and Assessments to any Person or Persons who shall advance and lend the same, their respective Executors, Administrators, and Assigns, which Writing or Assignment may be in the Words or to the Effect following; that is to say,

Form of  
Assignment.

WE Three of the Trustees appointed for putting into Execution an Act of Parliament passed in the Fifty-eighth Year of the Reign of King George the Third, intituled [*here set forth the Title of the Act,*] in Consideration of the Sum of advanced and lent by upon the Credit, and for the Purposes of the said Act, do hereby assign unto the said Executors, Administrators, and Assigns, the Fees arising and payable to the Trustees under the said Act, on Account of Burials, Monuments, Tombs, and other Stones in the additional Burial Ground authorized to be made by virtue and in pursuance of the said Act, and also all Rates and Assessments to be from Time to Time assessed on the Inhabitants of the said Parish by virtue of the said Act, for the Purposes thereof, to hold the same unto the said Executors, Administrators, and Assigns, until the said Sum of together with Interest for the same, after the Rate of *per Centum per Annum*, to be paid shall be fully paid and satisfied. In Witness whereof we have hereunto set our Hands and Seals the Day of in the Year of our Lord

And the said Annuitants and all Persons to whom such Annuities or Assignments shall be made, or who shall be entitled to the Annuities or Money secured by such Assignments, shall be in Proportion to the Sums therein respectively mentioned Creditors on the Fees, Rates, and Assessments so to be assessed as aforesaid, equally one with another, without any Preference in respect of the Priority of advancing any such Monies, or the Dates of such Grants or Assignments.

Assignments  
and Grants  
may be trans-  
ferred.

XLVII. And be it further enacted, That it shall and may be lawful to and for the Person or Persons who may be entitled to any Annuity or Annuities to be granted as aforesaid, or any Monies so borrowed, by Writing under his, her, or their Hand and Seal or Hands and Seals, to transfer the same to any Person or Persons by Indorsement thereon, or otherwise, which Transfer may be in the Form or to the Effect following; that is to say,

Form of  
Transfer.

I [*Name and Description of the Seller*], in Consideration of [*state the Consideration*], do hereby assign and transfer the within Annuity [*or Assignment*], and all my Right, Title, and Interest in and to the same, and the Money thereby secured unto [*state Name and Description of Purchaser*], his Executors, Administrators, and Assigns. Witness my Hand and Seal, this Day of in the Year of our Lord And



And Copies of all Grants and Assignments which shall be made in pursuance of this Act, and all Transfers thereof as aforesaid, or such Extracts from the said Grants, Assignments, and Transfers, as the said Trustees shall deem sufficient and necessary, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees, to which Book any Person interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same; and for the Entry of every such Transfer there shall be paid to the said Clerk the Sum of Three Shillings and Sixpence and no more; and after such Entry shall be made of any such Grant, Assignment, or Transfer, but not before, every such Grant, Assignment, or Transfer so entered, shall entitle any Person to whom the same shall be made, and his, her, or their respective Executors, Administrators, and Assigns to the Benefit of the Annuity or Security so granted or transferred; and that whenever the said Trustees shall be enabled to pay off any of the Money which shall be borrowed as aforesaid, they shall ascertain the Securities so to be paid off from Time to Time by Ballot, in such Manner as they shall think proper; and after such Ballot, the said Trustees shall cause Notice, signed by their Clerk, to be given to or left at the 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 such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid at a Place to be mentioned in such Notice, at the Expiration of Three Calendar Months from the Day of giving or leaving such Notice as aforesaid, and the Interest of the said Principal Money so to be paid off, shall from and after the End of the said Three Calendar Months cease and be no longer paid or payable, unless such Money shall have been demanded pursuant to such Notice and shall not have been paid.

XLVIII. And be it further enacted, That in case it shall at any Time or Times hereafter be deemed advisable to raise any Part of the Money required for the Purposes of this Act, by a Rate or Rates upon the Inhabitants of the said Parish, instead of borrowing the same by way of Annuity or otherwise as hereinbefore authorized, it shall and may be lawful to and for the said Trustees at any Time or Times, and from Time to Time, (at the Request of the Majority of the Inhabitants of the said Parish assembled at a Vestry Meeting of the said Parish to be especially convened for such Purpose, such Inhabitants having a Right to vote at such Vestry Meeting, of which Meeting Four clear Days' Notice at the least shall be given by printed Hand Bills circulated in the said Parish, and also by like Notice read in the Parish Church during Divine Service on the *Sunday* immediately preceding the Day of such intended Vestry Meeting,) to make a Pound Rate or Rates, Assessment or Assessments upon all and every the Inhabitants of the said Parish, for the Purpose of raising such Sum or Sums of Money as should be so required as last aforesaid, in such Manner as is hereinafter provided for the making of any Rate or Assessment for the Purpose of paying off the Annuities or Monies which may be borrowed under or otherwise required for the Purposes of this Act, so as that no such Rate or Assessment shall in any One Year exceed the Sum of One Shilling in the Pound on the full Yearly Rent or Value of the Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, and other Tenements, Hereditaments, and Premises to be rated or assessed, or on such Sum as they shall respectively from Time

Trustees, with Consent of Vestry, empowered to raise Money by Rate, instead of borrowing the same.

[Local.]

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to Time be assessed at in the Rates for the Relief of the Poor within the said Parish.

All Monies to be borrowed or raised, or otherwise received by the Trustees, to be paid to the Treasurer.

XLIX. And be it further enacted, That all and every Sum and Sums of Money which shall be raised by way of Annuity as aforesaid, or borrowed or otherwise received by any of the said Trustees for the Time being, by virtue of or in pursuance of this Act, shall when so received by them be paid into the Hands of their Treasurer, to be applied by him in carrying the Purposes of this Act into Execution.

All Payments to be made by the Treasurer under a Certificate.

L. And be it further enacted, That all and every the Payments of Annuities to be granted, and Interest of Money to be borrowed by virtue of this Act, together with all other Payments, Salaries, Allowances, Charges, and Expences whatsoever incurred or to be incurred by the said Trustees, for any Matter or Thing purchased, or to be purchased, done, executed, contracted, or paid for in pursuance of this Act, and for the Purpose of carrying the same into Execution, shall be first certified to the Treasurer by Writing under the Hands of Three or more of the said Trustees; and the said Treasurer shall and he is hereby directed and required, within Fourteen Days after the Receipt of such Certificate, in case he shall then have so much Money in his Hands as Treasurer to the said Trustees, to pay the Sum or Sums of Money to be specified therein to the Person or Persons entitled to receive the same.

Trustees to make Rates.

LI. And be it further enacted, That in case the Monies to be received by the said Trustees by virtue and in pursuance of the Provisions hereof, shall not be sufficient to pay the Annuities which may be granted by the said Trustees, and the Money borrowed under this Act and the Interest thereof, then and in such Case, and as far as the same shall happen, it shall and may be lawful for the said Trustees and they are hereby required forthwith to meet, and for them or any Three or more of them by Writing under their Hands to make a Rate or Assessment upon all and every Person and Persons who do or shall then inhabit, hold, or occupy, possess, and enjoy any Land, House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, or other Tenement or Hereditament whatsoever within the said Parish, in such Manner as the said Trustees shall adjudge competent and necessary to and for the Purposes of this Act, so as that no such Rate or Assessment shall exceed the Sum of One Shilling in the Pound in any One Year, on the full yearly Rent or Value of the same Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, and other Tenements, Hereditaments, and Premises, or on such Sum as they respectively shall from Time to Time be assessed at to the Rates for the Relief of the Poor within the said Parish; and for the Purpose of preparing such Rates or Assessments, the Clerk to the said Trustees shall have free Access to the said Rates for the Relief of the Poor within the said Parish.

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

LII. And be it further enacted, That the several Lessors, Landlords, Owners, or Proprietors of all such Houses, Buildings; Tenements, or Hereditaments within the said Parish as are of the yearly Value of Thirty Pounds or under, which now are let or which hereafter shall be let out in Parts, or in separate Apartments, or ready furnished, shall respectively be deemed and taken to be the Occupiers thereof, and shall



be liable and subject to the Payment of the Rates or Assessments directed by this Act to be made, raised, levied, and received, and that each and every Person renting or occupying any such Part or separate Apartment shall be liable to the Payment of the said Rates or Assessments and all Arrears thereof to be recovered in Manner hereinafter directed; and the respective Persons renting and occupying any such Part or separate Apartment, or ready furnished House, or other Building or Tenement, who shall pay such Rates or Assessments, or any Arrears thereof, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent or any other Rent due and payable by him, her, or them to such respective Lessor or Landlord, Owner, or Proprietor; and the Receipt for such Payment shall be a sufficient Discharge for all and every such Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord for such Money as he, she, or they shall pay, or which shall be levied and recovered on the Goods and Chattels of him, her, or them respectively by virtue of this Act: Provided always, that no such Person so renting or occupying any such Part or separate Apartment as aforesaid shall be subject or liable or required to pay for or in respect of any such Rates or Assessments, or for or in respect of any Costs, Charges, and Expences, any Sum or Sums of Money beyond the Amount of the Rent which shall be then actually due or accruing due, to such Lessor, Landlord, Owner, or Proprietor, in respect of the said Premises, from him, her, or them respectively.

Tenants thereof to pay Rates, and deduct same out of the Rent.

LIII. Provided always, and be it further enacted, That every Lessor, Landlord, Owner, or Proprietor who shall or may compound for the Poor Rates in the said Parish, shall and may be rated at, and shall be deemed to compound for, and shall pay on each and every Rate or Assessment to be made in pursuance of this Act, on the same Sum or Sums as he, she, or they shall from Time to Time be rated at, compound for, and be liable to pay on, in the last preceding Rate or Assessment made for the Relief and Maintenance of the Poor of the said Parish, except such Person or Persons, being one or more of the People called Quakers, shall claim to be exempted therefrom, on the Ground of his, her, or their, compounding for the Poor Rates only.

Compound- ing for Rates.

LIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or shall be construed to extend to affect or make void any Contract, Covenant, or Agreement made between any Landlord and Tenant touching or concerning the Payment of the Rates or Assessments to be made, raised, and collected by virtue of this Act, as between such Landlord and Tenant.

This Act not to affect Agreements between Landlords and Tenants.

LV. And whereas it may be reasonable to excuse some Persons from the Payment of the said Rates on account of their real Poverty; be it further enacted, That it shall and may 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.

Persons on account of Poverty may be relieved from the Rates.

LVI. And be it further enacted, That all and every the Rate and Rates, Assessment and Assessments to be made by virtue of this Act, shall be paid by the Persons inhabiting, or occupying, or enjoying, or who by this Act shall be deemed to inhabit, occupy, or enjoy the said Lands, Houses, Shops,

Rates to be paid to the Collectors at such Times as the Treasurers,



Surer shall  
appoint.

Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, and other Tenements, Hereditaments, and Premises respectively, at such Time or Times, and in such Manner and Proportions as the said Trustees, at the Time of making such Rates or Assessments respectively, shall direct or appoint, to the Collector or Collectors to be appointed by the said Trustees as aforesaid to gather and collect the same.

Persons liable  
to the Pay-  
ment of  
Rates in Pro-  
portion to the  
Time they  
occupy.

LVII. Provided always, and be it further enacted, That whenever any Person or Persons who shall come into or occupy any House, Land, Tenement, or Hereditament, out of or from which any other Person or Persons shall be removed, or which at the Time of making any Rate or Assessment was empty or unoccupied, then and in every such Case every Person so removing from, and every Person so coming into or occupying, shall be liable to such Rate or Assessment in Proportion to the Time that such Person or Persons occupied the same respectively; and the said Proportion of Rate or Assessment shall be levied and recovered in the same Manner as if such Person so removing had not removed, or such Person so coming in or occupying had been originally rated or assessed in such Rate or Assessment, which said Proportion in case of Dispute shall be ascertained by any One or more of His Majesty's Justices of the Peace for the said County or Liberty.

For the  
Recovery of  
Rates.

LVIII. And be it further enacted, That if any Person or Persons liable to the Payment of any such Rates or Assessments shall refuse or neglect to pay the same, then and in every such Case it shall and may be lawful to and for the Collector or Collectors, and he and they is and are hereby authorized and required, by Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace acting in and for the said County or Liberty, which Warrant such Justice is hereby authorized and required to grant, upon Proof being made upon Oath of the Demand and Non-payment thereof, (which Oath and Oaths the said Justice is hereby authorized and required to administer), to levy all and every such Rates or Assessments, Sum and Sums of Money, by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the same, which shall be found either in the same Parish, or in any Parish, Liberty, or Place in the said County of *Hertford*; but if sufficient Distress cannot be found within the said County, then in any other County, City, Liberty, or Place, upon such Warrant being backed or countersigned by some One Justice of the Peace of such other County, City, Liberty, or Place, (which Warrant such Justice is hereby authorized and required to back or countersign); and if within Five clear Days after such Distress or Distresses shall be made, the said respective Rates or Assessments, and all Arrears thereof, shall not be paid, together with the Costs and Charges of taking the same, the said Collector or Collectors shall on the next Day, unless the same shall happen to be on a *Sunday*, and then on the Day next following, cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold, rendering to the said Person or Persons the Overplus, (if any there be,) after deducting the said Rates or Assessments, and all Arrears thereof, and the reasonable Costs and Charges attending such Distress and Sale, which Costs and Charges in case of Dispute shall be settled and ascertained by any One or more of His Majesty's Justices of the Peace for the said County or Liberty.

LIX. And



LIX. And be it further enacted, That any Warrant of Distress for Non-payment of any Rate or Assessment to be made by virtue of this Act may be in the Words or to the Effect following; that is to say, Form of  
Warrant of  
Distress.

‘ *Herts*, or Liberty of *Saint Albans*, to wit. To the Trustees acting under  
‘ and by virtue of an Act passed in the Fifty-eighth Year of the Reign of  
‘ His Majesty King *George* the Third, intituled [*here insert the Title of*  
‘ *this Act*].

‘ WHEREAS now or late of  
‘ *Barnet*, was duly rated and assessed in the Sum of within the said Parish of *Chipping*  
‘ respect of in  
‘ fuance of the said Act, and the said for the Purposes and in pur-  
‘ neglected to pay the said Sum of Money, and the same has been duly  
‘ demanded of and from the said has refused or  
‘ unpaid, as appeareth upon Oath before me, One of His Majesty’s Justices  
‘ of the Peace for the said County or Liberty; These are therefore in  
‘ His Majesty’s Name to will and require you, or either of you, forthwith  
‘ to cause to be levied the said Sum of but still remains due and  
‘ the said so due from  
‘ tels, (such Goods and Chattels being kept for the Space of Five clear  
‘ Days, before the same are sold,) rendering to him or her the Overplus,  
‘ (if any be), the reasonable Charges of this Warrant, and of such Distress  
‘ and Sale, and Keeping, being first deducted, and if no sufficient Distress  
‘ can be had or taken, that then you certify the same to me forthwith:  
‘ And I do hereby strictly charge and command all and singular the  
‘ Constables, and others His Majesty’s Peace Officers for the said County  
‘ or Liberty, to be aiding and assisting in all things relating to the Pre-  
‘ mises. Given under my Hand and Seal the Day of  
‘ in the Year of our Lord

LX. And be it further enacted, That it shall and may be lawful to and for any of his Majesty’s Justices of the Peace for the said County or Liberty to make, do, and execute all and every Act and Acts, Matter and Thing appertaining to their Office as a Justice or Justices of the Peace, so far as the same relates to the Execution of this Act, or the enforcing the Payment of, or levying the Rates or Assessments to be made in pursuance thereof, notwithstanding any such Justice or Justices of the Peace shall or may be a Trustee for carrying this Act into Execution, or rated or chargeable with the said Rates or Assessments. Justices may  
act in the  
Execution of  
this Act,  
although they  
may be Trus-  
tees or charg-  
able with the  
Rates.

LXI. And be it further enacted, That the Collector or Collectors of the Rates or Assessments to be made by virtue of this Act shall and he and they is and are hereby required, from Time to Time when and as they shall respectively collect, recover, and levy the Monies to arise thereby, to pay the same into the Hands of the Treasurer of the said Trustees for the Time being, to be applied and paid by the said Treasurer for the Purposes of this Act, pursuant to and under the Authority herein-before mentioned; and upon Payment of every such Sum of Money to such Treasurer, every such Collector shall take a Receipt for the same, and produce such Receipt within Seven Days next after every such Payment shall be made unto the Clerk to the said Trustees, to be by him entered in a Book to be kept for that Purpose. Collectors to  
pay to the  
Treasurer.

[Local.]

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LXII. And



As to  
Bonds given  
to the Trus-  
tees and to  
the Church-  
wardens and  
Overseers.

LXII. And be it further enacted, That from and after the passing of this Act, all Bonds to be given to the said Trustees, may be given to the Trustees for enlarging the Church Yard of *Chipping Barnet* in the County of *Hertford*, without naming them; and the said Trustees may and they are hereby respectively empowered to sue, as such Trustees, upon any of such Bond or Bonds, although such Bond or Bonds may have actually been given to their or any of their Predecessors in Office, any Thing herein before contained to the contrary thereof in anywise notwithstanding.

Application  
of Fees and  
Rates re-  
ceived under  
this Act.

LXIII. And be it further enacted, That all Rates, Dues, and Fees received by the said Trustees under this Act, in respect of any Burials, Vaults, Monuments, Tombs, or other Stones, and all Rates made upon the Inhabitants of the said Parish of *Chipping Barnet* in pursuance of this Act, and all Fines, Penalties, and other Forfeitures, and all other Monies which shall come to the Hands of the said Trustees by virtue of this Act, shall be laid out and applied by the said Trustees in defraying the necessary Expences which shall be incurred from Time to Time in carrying into Execution the Powers and Provisions of this Act, and in paying any Annuities which may be granted by the said Trustees, and the Interest of any Money borrowed by virtue and for the Purposes of this Act, and in paying off the Principal of such Money borrowed, or redeeming any such Annuities, and otherwise in carrying into Effect the general Purposes of this Act, and to or for no other Use or Purpose whatsoever, until the whole of such Money borrowed shall be fully paid off, and such Annuities shall have ceased by Redemption or Efflux of Time; and when and so soon as all such Money borrowed shall have been fully paid, and all such Annuities shall have ceased or expired, the said Trustees under this Act shall and they are hereby empowered and required, after Payment of all necessary Charges and Expences of carrying into Execution from Time to Time the several Powers and Provisions of this Act, and all Charges which may from Time to Time arise in pursuance thereof, to apply and dispose of the Surplus of all such Rates, Dues, and Fees, and also of all Fines, Penalties, and Forfeitures, and all other Monies received by them by virtue of this Act, to and for such Uses and Purposes as the Majority of the Inhabitants of the said Parish, assembled at a Vestry Meeting to be holden on *Easter Tuesday* in each Year (such Inhabitants having a Right to vote at such Vestry Meeting) shall from Time to Time direct and appoint.

Proceedings  
to be entered  
in a Book.

LXIV. 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 then present, shall be deemed Originals, and shall be allowed to be read as Evidence in all Cases, Suits, Actions, Prosecutions, and Proceedings touching or concerning any Thing done in pursuance of this Act; and that such Book or Books shall at all seasonable Times be open and liable to the Inspection of all and every the said Trustees, and of the Creditors on the Rates hereby granted and made payable; and that any of the said Trustees and Creditors shall and may have and take Copies thereof, paying for every Copy not exceeding One hundred Words the Sum of Sixpence, and so in Proportion for any greater Number of Words.



LXV. And be it further enacted, That the Clerk to the said Trustees under this Act shall and he is hereby required, in a proper Book or Books to be kept for that Purpose at the Expence of such Trustees, to enter a Memorial of all Grants of Annuity, and all Transfers or Mortgages of the Rates, Dues, and Fees; and other Money arising by virtue of this Act, executed as Security for Money borrowed by virtue of the Powers hereby granted by such Trustees, and also a Memorial of all Transfers or Assignments of such Annuities, Transfers, or Mortgages; for the Entry of each of which last-mentioned Memorials, the said Clerk shall be entitled to receive the Sum of Three Shillings and Sixpence and no more.

Clerk to keep  
Books of  
Account, &c.

LXVI. And be it further enacted, That in the Week immediately preceding *Easter Tuesday* next after the passing of this Act, and in the Week immediately preceding *Easter Tuesday* in every subsequent Year, a true Account shall be made out and stated by the Trustees appointed by and in pursuance of this Act, of all Monies received and paid by them under and by virtue of this Act, and stating to and from whom and on what Account the same has been paid or received, and for what Purpose; which said First Account shall specify all Monies received and paid as aforesaid, from the Time of passing this Act, up to and until the Week immediately preceding the *Easter Tuesday* next after the passing of this Act; and every subsequent Account shall specify all Monies received and paid as aforesaid, during the Year immediately preceding, such Account ending the Week immediately preceding *Easter Tuesday* in each Year, which said Account and Accounts shall from Time to Time be signed by the Treasurer to the said Trustees, and also entered in a Book to be kept by the Clerk to the said Trustees as aforesaid, and a Copy or Duplicate of such Account shall be by him annually laid before the Inhabitants of the said Parish to be assembled on *Easter Tuesday* in each and every Year as aforesaid, for their Perusal and Inspection; and the said Clerk to the said Trustees shall also permit any Inhabitant of the said Parish, who shall be rated to and shall have paid the Rate or Rates, Assessment or Assessments to be made upon him, her, or them by the Trustees, under or by virtue of this Act, to inspect the said Account and Accounts at all reasonable Times, upon Payment of the Sum of Two Shillings and no more for every such Inspection; and such Yearly Account of the said Trustees shall be annually printed for the Use and Information of the Inhabitants of the said Parish, if the said Trustees shall think proper to order the same.

Yearly Accounts to be  
made out by  
the Trustees.

LXVII. And be it further enacted, That all Charges and Expences attendant upon the obtaining and passing this Act, or in anywise relating or incidental thereto, shall be paid by the said Trustees out of the First Monies which may come to their Hands or to the Hands of their Treasurer by virtue of this Act, and such Trustees are hereby fully empowered and required to pay the same accordingly.

Expences of  
the Act how  
to be paid.

LXVIII. 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 present or in the said new Church-yard or Burial Ground, or any Rails thereto affixed, or to the Rails, Doors, Gates, Walls, or Fences of or belonging to the said present or new intended Church-yard or Burial

Penalty on  
Persons da-  
maging Mo-  
numents or  
Tomb-stones.



Burial Ground, it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Hertford* or Liberty of *Saint Albans*, and such Justice or Justices is and are hereby required, upon Oath being made by One or more credible Witness or Witnesses before him or them of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Person or Persons accused thereof; or it shall be lawful for any Person or Persons, who shall see any such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending any such Offender or Offenders, and by the Authority of this Act and without any other Warrant to convey him, her, or them before any Justice of the Peace for the said County of *Hertford* or Liberty of *Saint Albans*, 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 hereinafter is directed; and the Person or Persons so secured, being brought before any such Justice or Justices, or who being duly summoned to appear shall neglect so to do, the said Justice or Justices shall and may, either on the Confession of the Person or Persons so offending, or on Proof of such Offence by the Oath of One or more credible Witness or Witnesses, convict such Offender or Offenders of the said Offence or Offences, and order and adjudge him, her, or them to forfeit and pay any Sum of Money not exceeding Five Pounds for each and every such Offence, together with the Expences and Charges of repairing and making good the Damages by him, her, or them occasioned or committed, which Expences and Charges shall be ascertained by the said Justice or Justices in and by the said Conviction, One Moiety of the said Forfeitures to be paid to the Informer or Informers, and the other Moiety thereof, together with the said Expences and Charges, to be paid to the said Trustees or their Treasurer, 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 Forfeitures, together with the Expences and Charges so adjudged, such Justice or Justices is and are hereby required to commit such Offender or Offenders to the House of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Forfeiture, Expences, and Charges shall be sooner paid.

Punishment  
of Persons  
stealing Iron  
Rails out of  
the Church-  
yard.

LXIX. And be it further enacted, That if any Person or Persons shall steal, take, carry away, or remove with Intent to steal, any Iron Rail or Rails, Balustrades, or any Lead, Iron, or other Metal fastened to, or any Stone Work, Wood Work, or other Things in anywise belonging or appertaining to the said Church-yard or Burial-ground, or any Monument or Tomb therein respectively, every Person or Persons so offending, and being thereof lawfully convicted, shall be deemed and taken to be a Felon, and subject and liable to the like Pains and Penalties as if convicted of Felony, 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 transported for any Time not exceeding Seven Years, in like Manner as Persons convicted of Felony are directed to be transported by the Laws and Statutes of this Realm, or in Mitigation of



of such Punishment may award such Sentence as the Law directs in case of Petty Larceny; and that in all Indictments or Prosecutions for any of the Offences in this Act mentioned, it shall be sufficient to lay the Thing or Things therein alleged to have been feloniously taken to be the Property of the said Trustees or some Person or Persons unknown.

LXX. And be it further enacted, That in all Cases where any Person or Persons shall be convicted of any Offence committed against this Act, 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, etc.,  
 ‘ is convicted before [me, or us, one or two, etc.] of His Ma-  
 ‘ jesty’s Justices of the Peace for the County or Liberty of, etc.  
 ‘ by virtue of an Act passed in the Fifty-eighth Year of the Reign of  
 ‘ King George the Third, intituled *An Act* [here set forth the Title of this  
 ‘ Act], for that the said 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 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, or [if any given] or [if to be im-  
 ‘ prisoned, then] do adjudge the said to be  
 ‘ committed to the [naming the Gaol] for the Space of [insert the Time,  
 ‘ and if the Commitment is for the Non-payment 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.’

LXXI. And be it further enacted, That if any Person or Persons shall wilfully or corruptly give false Evidence in any Examination, Trial, or Inquiry, or other Matter or Thing to be heard or determined by virtue of this Act, or where, in pursuance of this Act, any Oath or Affirmation is required to be taken, each and every such Person or Persons so offending, and being thereof duly convicted, shall be, and he, she, and they is and are hereby declared to be subject and liable to such Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by Law subject and liable to.

LXXII. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted, or authorized to be imposed (the Manner of levying and Recovery whereof is not herein otherwise directed) shall upon Proof of the Offence respectively before any One of His Majesty’s Justices of the Peace for the County or Liberty aforesaid, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witnesses or Witnesses, (which Oath such Justice is hereby empowered and required to administer,) be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant for such Purpose, and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are recovered, and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures, and Fines,

[Local.]

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when



when paid or levied, (if not otherwise directed to be applied by this Act,) shall be from Time to Time paid to the said Trustees or their Treasurer, and applied to the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall and may be lawful for any Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the said County or Liberty, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges shall be sooner paid and satisfied.

Trustees and  
Inhabitants  
may be  
Witnesses.

LXXIII. And be it further enacted, That neither the said Trustees or any of them, nor any Inhabitant of the said Parish of *Chipping Barnet*, shall in any Action, Proceeding, or Information, Cause, Hearing, Examination, or other Proceeding whatsoever, relating to or concerning the Execution of this Act, or concerning the said Parish, or in which it is inserted, be deemed an incompetent Witness by reason of his or their being such Trustee or Inhabitant as aforesaid, or his, her, or their being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected by virtue of this Act or otherwise.

Persons dis-  
satisfied may  
appeal to the  
Quarter  
Sessions.

LXXIV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any such Rate or Assessment, Rates or Assessments, or by reason of any Order, Judgment, or Determination of any Justice of the Peace acting in the Execution of this Act, or any Penalty or Fine in pursuance thereof, then and in every such Case he, she, or they may appeal to the next General or Quarter Session of the Peace to be holden for the said Liberty of *Saint Albans*, which shall happen next after the Expiration of Thirty Days after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days' Notice at least of such Appeal, and of the Matter thereof, to the Party or Parties appealed against, and within Two Days next after such Notice entering into a Recognizance in the Sum of Thirty Pounds before some Justice of the Peace for the said County or Liberty, conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Session; and the said Justices assembled at such General or Quarter Session, upon due Proof of such Notice being given, and of entering into such Recognizance, shall hear and determine the Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they the said Justices shall think proper, and also to order and award such Satisfaction to be made to the Party injured, as they shall think reasonable.

Justices em-  
powered to  
amend the  
Rate.

LXXV. And be it further enacted, That on any Appeal from any Rate or Rates, Assessment or Assessments, to be made for the Purposes of this Act, the Justices at such General or Quarter Session shall and may amend the same if they shall so think proper, in such Manner as may be necessary for giving Relief to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate aggrieved, without quashing or altering such Rate or Rates, Assessment or Assessments with respect to any other

Person



Person or Persons, Body or Bodies Politic, or Corporate, or Collegiate mentioned in the same; but if upon Appeal from the whole Rate or Rates, Assessment or Assessments, it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Rates, Assessment or Assessments to be made in Manner herein directed.

LXXVI. And be it further enacted, That no Order or Judgment, or Proceedings any other Proceeding had, made, or done under or by virtue of this Act, or touching any of the Matters aforesaid, shall be quashed or vacated for want of Form only, or be removed or removeable by Writ of *Certiorari*, or any other Writ or Process, into any of his Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding; and that where any Distress shall be made for any Sum or Sums of Money, Rates, or Assessments to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of want of Form in any Proceeding relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damages in an Action on the Case: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-eight Days before such Action shall be commenced, and signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where any such Action shall be brought, at any Time before Issue joined to pay into Court such Sum of Money as he, she, or they shall see fit; whereupon such Proceeding, Order, and Judgment shall be had, made, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

LXXVII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be laid in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the general Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and if the Jury shall find for the Defendant or Defendants in any such Action or Suit, 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, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant hath in any other Cases to recover Costs by Law.

LXXVIII. And



General  
Saving of  
Rights.

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

Public Act.

LXXIX. 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.

The SCHEDULE to which this Act refers.

DESCRIPTION OF PREMISES.	OWNERS.	TENURE.	OCCUPIERS.
One House, with a Yard and a small Allotment of Vacant Ground in front, - - }	William Wright	Copyhold	{ Thomas Blencowe, Widow Clements, Sarah Fenfom, and David Ward.
One House, with Out-houses, and Part of the Yard, and Part of an Allotment in front, }	Richard Fletcher	Copyhold	{ Richard Fletcher, Widow Coupland, and Widow Hall.
One House, - - -	Robert Bishop	Freehold	Thomas Kirby.
One House and Stable, and Yard, in common with the other Tenants, - - }	Nathaniel Carter Egerton }	Freehold.	John Wilkins.
A Wheeler's Work Shop, - -	Ditto	Ditto	Gilbert Kinder.
One House and Yard, in common, - - - }	Ditto	Ditto	John Buckle.
One House and Yard, in common, - - - }	Ditto	Ditto	Thomas Childs.
One House and Yard, in common, - - - }	Gilbert Kinder	Ditto	Gilbert Kinder.
One House and Part of Yard, in common, - - - }	John Hayward	Copyhold	John Byford.
One Ditto, - - -	Ditto	Ditto	Odel Herbert.
One Ditto, - - -	Ditto	Ditto	James Holbourn.
A Piece of Vacant Ground, in front, formerly part of the Foot-path.			