



ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. lviii.

An Act for providing an additional Burial Ground for the Parish of *Saint Giles, Reading*, in the County of *Berks*, and a Room for the Use of the Minister in performing the Burial Service; and for stopping up one of the Footpaths over the present Churchyard of the said Parish. [8th May 1818.]

WHEREAS the Parish of *Saint Giles, Reading*, in the County of *Berks*, is a large and extensive Parish, and the Population thereof hath for many Years greatly increased, and become so numerous that the Churchyard belonging thereto is not sufficiently large to contain the Bodies of those who die in the said Parish, and are required to be buried therein; and it is therefore expedient that additional Ground for Burial should be provided for the said Parish, and a Room built for the Use of the Minister in performing the Burial Service: And whereas there are Two public Footways over and through the said Churchyard, one of which said Footways extends in a diagonal Direction from the North-west Corner to the South-east Corner of the said Churchyard, and the other of the said Footways extends in a right Line along the South Side of the said Churchyard, from the South-west Corner to the South-east Corner of the said Churchyard, both of which said Footways terminate in a Point in *Church Street*, in the same Parish: And whereas the said Churchyard being already fully occupied, there is not any Space left for opening new Graves for adult Persons, without interring the Dead in the said diagonal Footpath, which for some Time past has been unavoidably

[*Local.*] 14 Z made

Trustees.

made use of for that Purpose, from whence many Inconveniences and Complaints have arisen; and forasmuch as no Ground can be used for Burial, except the said Footpath, until additional Ground can be provided for that Purpose, and the said Footpath may be dispensed with without material Inconvenience to the Public; it is therefore expedient that the said Footpath should be stopped up and discontinued: But as the several Purposes before mentioned cannot be effected without the Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Reverend *Henry Robert Dukinfield*, Vicar of the said Parish of *Saint Giles*, the Reverend *John Vane*, Curate of the said Parish, *Robert Baker* and *Thomas Frankland*, Churchwardens of the said Parish, and every succeeding Vicar, Curate, and Churchwarden of the said Parish, during such Times as they shall respectively continue or be the Vicar, Curate, or Churchwardens of the said Parish for the Time being, together with *Thomas Frankland*, *James William Pile*, *William Stephens*, *William Stephens junior*, *William Blackall Simonds*, *Blackall Simonds*, *Richard Maul*, *Robert Harris*, *Thomas Letchworth*, *John Blandy*, *George Higgs*, *Edward Law*, *John Hooper*, *Stephen Maberley*, *William Champion*, *John Shackel*, *John Stephens*, *Musgrave Lamb*, *John Briscoe*, *Richard Sherwood*, *William Robinson*, *Richard Blackall Baker*, *Richard Billing*, *Richard Billing junior*, *Benjamin Moore*, *Thomas Lander*, and *Robert Baker*, and their Successors, to be elected or appointed in Manner herein-after mentioned, shall, during such Time as they shall continue to act according to the Provisions of this Act, and are Householders within the said Parish, be and are hereby appointed Trustees for carrying this Act into Execution.

Power to appoint new Trustees.

II. And be it further enacted, That when any of the said Trustees (except the Vicar, Curate, and Churchwardens of the said Parish for the Time being) shall die, neglect, or refuse to act, or cease to be resident Householders within the said Parish, then the Inhabitants of the said Parish shall at their next or any other subsequent public Meeting in Vestry assembled, after such Death, Neglect or Refusal to act, or ceasing to be a resident Householder within the said Parish, of any of the said Trustees, appoint any other fit and proper Person, being a resident Householder within the said Parish, to be a Trustee in the Room or Stead of such Trustee who shall have so died, neglected, refused, or discontinued to act, or shall have ceased to be a resident Householder as aforesaid.

When the Trustees are reduced to a certain Number, the surviving Trustees may appoint others.

III. Provided always, and be it further enacted, That from Time to Time and at all Times hereafter, if the Number of Trustees appointed by this Act, or hereafter to be elected in pursuance thereof, shall, by reason of Vacancies not being filled up, be reduced to Ten, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, by any Writing or Writings under their Hands and Seals, as Occasion shall require, to nominate, elect, and appoint other fit and proper Persons, being substantial Inhabitants and Householders in the said Parish, to be Trustees for the Purposes of this Act, so as the Trustees to be elected, together with the remaining Trustees, do not exceed the Number of Thirty, and such Person or Persons so nominated, elected, and appointed a Trustee or Trustees as last mentioned, shall and may and is and are hereby empowered

to act in the Execution of this Act, to all Intents and Purposes as fully and effectually as the Trustees hereby appointed are empowered to do.

IV. Provided also, and be it further enacted, That if any Person or Persons hereby appointed, or hereafter to be elected or appointed a Trustee or Trustees for the Purposes of this Act, or shall have any Share or Interest in any Contract for inclosing and fencing the said additional Burial Ground, or any Part thereof, or in erecting any Building therein, or otherwise relating thereto, every such Person and Persons shall from thenceforth be utterly disabled and disqualified from acting as a Trustee in the Execution of this Act.

No Trustee to act where interested.

V. And be it further enacted, That the said Trustees shall enter, or cause to be fairly entered and written and kept, in one or more Book or Books to be provided for that Purpose, all Receipts, Payments, Debts, and Credits relating to the carrying into Execution the Purposes of this Act; and all Contracts made with or by the Artificers and Workmen to be employed in or about the inclosing or fencing the said intended additional Burial Ground, or erecting any Building therein, and making the same fit and convenient for the Burial Service; or in or about the pulling down, clearing, and carrying away the Materials of any Building or Buildings standing on the additional Ground so to be purchased for the Purposes aforesaid, or with or by any Person or Persons to whom such Materials shall be sold, or any way relating thereto; and also all other Proceedings of the said Trustees in the carrying the Purposes of this Act into Execution.

Proceedings of Trustees to be entered in Books.

VI. And be it further enacted, That the said Trustees shall and they are hereby authorized and required to meet at the Vestry Room, or any other convenient Place in the said Parish of *Saint Giles*, within Forty 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 Five or more of them shall think proper; and may also meet at any Time or Times without Adjournment, upon Notice given to them by their Clerk, to be appointed as herein-after is mentioned, by the Direction of the Vicar and Churchwardens of the said Parish for the Time being, or any Five or more of the said Trustees, Ten Days at the least before every such Meeting; and that all Acts and Proceedings of the Majority of any Five or more of the said Trustees assembled at any of their Meetings, shall be as valid and binding to all Intents and Purposes as if all the said Trustees had been present and concurred therein.

First Meeting of Trustees.

Power to adjourn or to meet without Adjournment.

Five Trustees competent to act.

VII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to appoint a Treasurer and Clerk; and to allow such Clerk such Salary or Allowance as the said Trustees shall think necessary or expedient for effectuating the Purposes of this Act, and shall take Security from the Treasurer for the due Execution of his Office, and for duly accounting for the Monies to be received by him; and that it shall be lawful for the said Trustees from Time to Time to remove or discharge any such Treasurer and Clerk, or either of them, when and as they shall think proper, and to appoint others in their Stead.

Trustees to appoint a Treasurer and Clerk.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed

Clerk not to act as Treasurer, and vice versa.

to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk, in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same; to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers to
account.

IX. And be it further enacted, That the said Treasurer and Clerk, and all Officers to be appointed under and by virtue of this Act, shall, under their Hands, at such Time or Times and in such Manner as the said Trustees or any Five or more of them shall direct, deliver to the said Trustees, or to such Person or Persons as they or any Five or more of them shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officers respectively received by virtue and for the Purpose of this Act; and how much thereof hath been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Trustees, or to such Person or Persons as they or any Five or more of them shall appoint to receive the same; and every such Treasurer shall, when thereunto required by the said Trustees, or any Five or more of them, lay his Accounts before the said Trustees, in order that the same may be audited, passed, and allowed by them if approved of; and all the said Officers so accounting as aforesaid shall, whenever thereunto required by the said Trustees, or any Five or more of them, verify their said Accounts upon Oath, before any Justice of the Peace acting for the said Borough or County, which Oath such Justice is hereby empowered to administer.

Accounts to
be kept of
Receipts and
Disburse-
ments, which
shall be open
to the Inspec-
tion of the
Trustees and
Creditors.

X. And be it further enacted, That the said Trustees shall and they are hereby required to order or direct a Book or Books to be provided and kept by their Clerk, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended under or by virtue of this Act, and of the several Articles, Matters, and Things for which Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on, or any Person who shall pay to the Church Rates for the said Parish of *Saint Giles*, without Fee or Reward; and the said Trustees, Creditors, and all such Persons as aforesaid shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Clerk shall refuse to permit the said Trustees, or such Creditors or Person or Persons as aforesaid, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum
not

not exceeding Five Pounds, to be levied and recovered in Manner herein-after mentioned.

XI. And be it further enacted, That the said Trustees shall sue and be sued in the Name of their Treasurer for the Time being; and that no Action or Suit so brought or commenced shall abate or be discontinued by the Death of such Treasurer, or by any Act of the said Treasurer without the Consent of the said Trustees, but that such Treasurer shall be always deemed Plaintiff or Defendant in any Action or Suit, as the Case shall happen: Provided always, that every such Treasurer shall be reimbursed out of the Monies arising or to arise by virtue of this Act, and indemnified against all such Costs, Charges, Damages, and Expences as by the Event or in consequence of any such Action or Suit he shall be put unto, or become charged or chargeable with, by reason or on account of any such Action or Suit.

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

Treasurer to be indemnified.

XII. And be it further enacted, That neither the said Clerk or other Officer, or any Inhabitant of the said Parish, shall in any Action, Prosecution, Information, Cause, Hearing, Examination, or other Proceeding whatsoever, relating to or concerning the Execution of this Act, be deemed an incompetent Witness or Witnesses, by reason of his, her, or their being such Clerk or other Officer, or such Inhabitant or Inhabitants as aforesaid, or being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected in and for the said Parish.

Inhabitants, &c. not to be deemed incompetent Witnesses.

XIII. And be it further enacted, That it shall be lawful to and for the said Trustees or any Five or more of them (whereof the Vicar or Curate for the Time being of the said Parish shall be one), and they are hereby authorized and empowered, from Time to Time, when and so often as they shall judge it necessary and expedient to obtain additional Ground for Burial, to treat, contract, and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations Aggregate or Sole, Spiritual, Eleemosynary, or Lay, Trustee or Trustees, Lessee or Lessees, or other the Owner or Owners of and all other Persons anywise interested in any Lands, Tenements, or Hereditaments within the said Parish, for the Purchase of any Quantity of Land, not exceeding in the whole Five Acres, for an additional Burial Ground, or of any Part or Quantity thereof, or any Estate or Interest therein, for the Use of the said Parish; and the said Trustees shall and they are hereby authorized and required, by or out of the Monies which shall come to their or any or either of their Hands as Trustees as aforesaid for the Purposes of this Act, or to the Hands of any Treasurer to be by them appointed, pay for the Purchase of such additional Ground for Burial, and for the inclosing and building upon the same, and removing any Building or Buildings erected thereon, and making the same fit for the Burial of the Dead.

Power to purchase Lands, &c.

XIV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Committees, Executors, Administrators, Guardians, and other Trustees whatsoever, and for all Husbands, Females Covert, and other Persons whatsoever, seised, possessed of, or interested in any Houses, Edifices, Lands, Grounds, Tenements, or Hereditaments, from Time to Time to contract for, sell, and convey the same, for the Purposes aforesaid, not only for

Incapacitated Persons empowered to sell.

[Local.]

15 A

and

Form of Conveyance.

I of in consideration of
 the Sum of to me paid by the Trustees for car-
 rying into Execution the Provisions of an Act of Parliament passed in
 the Fifty-eighth Year of the Reign of His present Majesty King
 George the Third, intituled *An Act [here set forth the Title of this*
Act], the Receipt of which said Sum of I do hereby
 admit and acknowledge, and in pursuance of the said Act, 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 the same with the Appurtenances to the said Trustees
 and their Successors, to the Use of and in Trust for the Vicar and
 Churchwardens of the said Parish for the Time being, and their Suc-
 cessors for ever, [*or, for such Estate, Term, and Interest as I have now*
therein, as the Case may be] by virtue and according to the true Intent
 and Meaning of the said Act. In Witness whereof I have hereunto set
 my Hand and Seal, this Day of in the
 Year of our Lord One thousand eight hundred and .

**Lands vested
in the Vicar
and Church-
wardens, and
Materials,
&c. vested in
Trustees.**

XVI. And be it further enacted, That the Property of and in the Lands, Grounds, Buildings, Tenements, and Hereditaments so to be purchased as aforesaid, and of and in all Brick Walls and other Fences and Buildings to be erected on the said additional Burial Ground, and in fencing in the present Churchyard, shall belong to and be the Property of, and the same are hereby vested in the Vicar and Churchwardens of the said Parish

Parish of *Saint Giles* for the Time being, for ever; and the Property of and in all Tools, Implements, Materials, and other Matters and Things which shall be provided or made use of for the Purposes of this Act, shall belong to and be the Property, and the same are hereby vested in the said Trustees; and they, the said Vicar, Churchwardens, and Trustees, are hereby severally authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer, or cause, direct, or order to be preferred, any Bill or Bills of Indictment (as the Case shall require), against any Person or Persons who shall disturb them or any of them in the Possession thereof respectively, or who shall steal, take, carry away, or detain all or any of the Tools, Materials, Implements, and other Matters and Things which shall be so purchased, provided, or made use of for the Purposes of this Act; and in every such Action or Bill of Indictment it shall be sufficient to state generally, that the Lands, Grounds, Buildings, Tenements, or Hereditaments, or the 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 Vicar and Churchwardens of the Parish of *Saint Giles, Reading*, in the County of *Berks*, or of the Trustees for providing an additional Burying Ground for the Parish of *Saint Giles, Reading*, in the County of *Berks*, (as the Case may be), without particularly naming or specifying the Names of the said Vicar and Churchwardens, or of the said Trustees, or any or either of them.

XVII. And be it further enacted, That all Money which shall be paid for the Purchase of any Lands, 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, Husband, Guardian, Committee, or other Trustee 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 Persons 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, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or discharging any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the said Lands, Tenements, or Hereditaments, or affecting any other Lands, Tenements, or Hereditaments, standing settled 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, Tenements, or Hereditaments, which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased as aforesaid stood settled or limited,

Directions
for applying
Purchase
Money, if
200l. and
upwards.

or

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 meantime, 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 or Reduced Bank Annuities; and in the meantime until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so directed to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

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

XVIII. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments purchased 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 Cases the same shall, at the Option of the Person or Persons for the Time being, entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, 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 to 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 Five or more of the 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 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 Court of Chancery.

Where less
than 20l.

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

The Trustees
under this
Act indemni-
fied in paying

XX. 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 there-
unto

unto 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, and the Receipt and Receipts of such other Person and Persons to whom the said Purchase Money and Purchase Monies are herein-before authorized to be paid, 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, Administrators, and Assigns, for so much of the said Purchase Money for which such Certificate or Certificates, and Receipt or Receipts as aforesaid, shall respectively be given; and that after the filing of such Certificate or Certificates, and 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, Misapplication, or Non-application thereof, or of any Part thereof.

Purchase
Money into
Court.

XXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, 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, Tenements, or Hereditaments, or some Estate or Interest therein.

Provisions
where Questions
shall
arise touching
the Titles
to Money
paid into the
Bank.

XXII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, or into the Bank of *England* in the Name and with the Privity of the Accountant General of that Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall 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.

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

[Local.]

15 B

XXIII. And

Trustees to
inclose
Ground, &c.

XXIII. And be it further enacted, That the said Trustees or any Five or more of them shall, when and as soon as any such Purchase or Purchases shall be made and completed by virtue of this Act, of any additional Ground for Burial, cause the same, or such Part or Parts thereof as they or any Five or more of them shall judge necessary, to be cleared of all Erections and Buildings which shall or may be standing thereon or therein, and to be enclosed and fenced in with good and substantial Brick Walls or other Fences, and do all other Things necessary and proper for making such Ground fit and convenient for the Burial of the Dead, and may, if they think necessary, cause a convenient Room or Building to be erected on some Part of the said Ground for the Accommodation of the Officiating Minister in performing the Burial Service.

Power to
fence the
present
Churchyard
on the South
Side.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Vicar and Churchwardens of the said Parish for the Time being, and they are hereby required, to cause the present Churchyard to be inclosed and fenced in from the said Footpath over and along the South Side of the said Churchyard with an Iron Pallisadoed Fence, or other good and sufficient Fence or Fences, in such Manner and Form and at such Time or Times as they shall think proper; and that the Expences of such Inclosure and fencing in shall be borne and paid by the said Trustees, by and out of the Monies which shall come to their or any of their Hands as Trustees as aforesaid for the Purposes of this Act, or to the Hands of the Treasurer.

Footpath
across the
old Church-
yard to be
stopped up.

XXV. And be it further enacted, That from and immediately after the passing of this Act, the said diagonal Footpath, and any Way now leading from the North-west Corner of the present Churchyard over and through the same to *Church Street* aforesaid, shall be and the same is hereby stopped up and discontinued, to the Intent that the same shall be no longer used as a public Footpath or Way by any Person or Persons whomsoever; and it shall be lawful for the Churchwardens of the said Parish for the Time being, and they are hereby empowered, to cause the same to be fenced in at both Ends with Brick Walls and Iron Rails, or other good and sufficient Fences; and such Footway shall from henceforth be considered and used as Part and Parcel of the present Churchyard of the said Parish of *Saint Giles*, any Law, Right, Custom, or Usage to the contrary notwithstanding; and the Vicar, Churchwardens, and Sexton of the said Parish, and each and every of them, and all other Person and Persons whomsoever, who hath or have opened and dug or caused to be opened and dug any Grave or Vault, Graves or Vaults in the said diagonal Footpath, or done any other Act or Acts relating to the Burial of the Dead therein, before the passing of this Act, shall be and they are hereby severally indemnified and fully discharged of and from all Actions and Indictments whatsoever for or on account of the same.

Walls, &c. to
be kept in
Repair, &c.

XXVI. And be it further enacted, That all such Brick Walls, or other Fences and Buildings so to be erected on the said additional Burial Ground, and in fencing in the present Churchyard as aforesaid, shall for ever thereafter be kept and maintained in good and proper Repair and Condition, and the Expences thereof shall be paid and defrayed by the Churchwardens of the said Parish of *Saint Giles* for the Time being, by and out of the Church Rates and Assessments raised and levied or to be raised and levied in

in the said Parish, or such other Sum or Sums of Money as they shall or may from Time to Time receive by virtue of their Office.

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

XXVIII. And be it further enacted, That the Ground so purchased as aforesaid shall, when inclosed and fenced in as aforesaid, 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 *Saint Giles*. Ground to be consecrated.

XXIX. And for more effectually enabling the said Trustees to execute the Powers of this Act in the most expeditious Manner; be it further enacted, That it shall be lawful for the said Trustees or any Five or more of them, and they are hereby authorized and empowered, from Time to Time and at all Times when they shall judge it necessary, to borrow and take up at Interest, of or from any Person or Persons who shall be willing to lend and advance the same, any Sum or Sums of Money not exceeding in the whole the Sum of Three thousand Pounds, upon the Credit of the Church Rates to be made for the said Parish of *Saint Giles*; and by any Writing or Writings under their Hands to assign the said Rates or Assessments, or a competent Part thereof, to the Person or Persons who shall advance and lend such Money thereupon, as a Security or Securities for the several Sums so borrowed, with lawful Interest for the same, which Interest shall be payable and paid Half-yearly by the Churchwardens for the Time being, out of the Church Rates to be made for the said Parish of *Saint Giles*, or such other Sum or Sums of Money as the Churchwardens of the said Parish shall or may from Time to Time receive by virtue of their Office; and all and every Sum and Sums of Money so to be advanced and lent, and the Interest thereof, shall be and are hereby charged upon and shall be paid and payable by the said Churchwardens as aforesaid from Time to Time, out of the Monies in their Hands as aforesaid, free from all Charges, Taxes, and Deductions whatsoever; and every such Grant, Assignment, or Security shall be in the Form or to the Effect following; (that is to say), Power to borrow Money on the Credit of the Rates.

‘ 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]* we of the Trustees appointed by virtue of the said Act, in consideration of the Sum of advanced and paid by to the Treasurer appointed in pursuance of the said Act, do grant and assign unto the said Executors, Administrators, and Assigns, such Proportions of the Rates or Assessments to be made for the said Parish of *Saint Giles*, and other Sums of Money authorized to be received and applied for the Purposes of the said Act, as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the same Form of the Grant of Security.

‘ same Act, to be had, holden, and received by the said
 ‘ Executors, Administrators, and Assigns, from this
 ‘ Day of until the said Sum of together
 ‘ with Interest at and after the Rate of *per Centum per*
 ‘ *Annum* for the same, to be paid shall be repaid and satis-
 ‘ fied. In Witness whereof we have hereunto set our Hands and Seals this
 Day of in the Year of our Lord .’

And every such Grant or Mortgage shall be good, valid, and effectual in the Law, to all Intents and Purposes.

Trustees may
raise any Sum
by way of
Annuity.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Trustees or any Five or more of them, and they are hereby authorized and empowered, to raise, have, and receive, and take up any Part or Parts of the said Sum of Three thousand Pounds, not exceeding the Sum of One thousand five hundred Pounds, as to them shall seem meet, 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 Five or more of them, or their Treasurer for the Time being, any such Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable during the natural Life of such one Person as shall be nominated by or on the Behalf of such Contributor or Contributors respectively, at the Time of the Payment of his, her, or their Purchase Money or Monies; and the Grant of every such Annuity may be in the Form and to the Effect following; (that is to say),

Form of
Grant of
Annuity.

‘ **B**Y virtue and in pursuance of an Act 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*] we, of the Truf-
 ‘ tees appointed by virtue of the said 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 Church
 ‘ Rates and Assessments to be made for the said Parish of *Saint Giles*, and
 ‘ other Sums of Money authorized to be received and applied for the Pur-
 ‘ poses of the said Act; which said Annuity or yearly Sum of
 ‘ shall be paid to the said Executors, Administrators,
 ‘ and Assigns, by the Churchwardens of said Parish of *Saint Giles* for
 ‘ the Time being, out of the Church Rates and Assessments raised and
 ‘ levied or to be raised and levied in the said Parish, or such other Sum
 ‘ or Sums of Money as shall or may be received by them by virtue of their
 ‘ Office, by Payments, upon 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, Ad-
 ‘ ministrators, and 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 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 the several Annuities so granted shall be and they are hereby charged and made payable by the Churchwardens for the Time being of the said Parish of *Saint Giles*, out of the Church Rates and Assessments raised and levied or to be raised and levied in the said Parish, or such other Sum and Sums of Money as they shall or may receive by virtue of their Office.

XXXI. And for preventing any improvident Grants of Annuities under this Act, be it further enacted, That no Annuities shall be granted by virtue of this Act, for any single Life, at any higher Rate than the following ; (that is to say), where the Age of the Annuitant, or Person for whose Life the Annuity shall be granted, shall not exceed Thirty-five Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Three Shillings for each One hundred Pounds of the Consideration Money paid for the Purchase thereof ; where the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of such Consideration Money ; where the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration Money ; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money ; where the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money, but in no case to exceed the last-mentioned Rate ; and that all such Annuities shall be offered by a public Sale before any private Contract or Bargain shall be made for the same.

Preventing
improvident
Grants of
Annuities.

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

Assignments
and Grants
may be trans-
ferred.

‘ I *[Name and Description of the Seller]* in con- sideration of *[State 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]* Executors, Administrators, and Assigns. Witness my Hand and Seal, this Day of in the Year of our Lord

Form of
Transfer.

XXXIII. And be it further enacted, That Copies of all such Grants, Assignments, and Securities which shall be made in pursuance of this Act, and all Transfers thereof as aforesaid, or such Extracts from such Grants, Assignments, Securities, and Transfers as the said Trustees, or any Five or more of them, shall deem sufficient and necessary, shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees, or by such other Person as the said Trustees, or any Five or more of them, shall appoint ; which Book or Books all Persons interested shall, at all reasonable Times, have Access to and free Liberty to inspect, without Fee or Reward ; and for the Entry of every such Assignment or Transfer,

Copies of all
such Grants,
&c. to be en-
tered in a
Book.

[Local.]

15 C

there

there shall be paid to the said Clerk or other Person the Sum of Five Shillings and no more, by the Person or Persons requiring such Entry, or for whose Benefit such Assignment or Transfer shall be made; and after such Entry made, every such Transfer shall entitle the Person or Persons to whom the same shall be made, and his, her, or their respective Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, and the Person or Persons to whom such Grant, Assignment, Security, or Transfer shall be made, shall be Creditors on the said Rates in equal Degree one with another.

Monies borrowed to be paid off by Ballot.

XXXIV. And be it further enacted, That the Principal of the said Sum and Sums of Money to be borrowed at Interest as aforesaid, shall be paid off by Annual Instalments of One hundred Pounds at the least in every Year, until the whole thereof shall be discharged, and the first Payment thereof shall commence on the Twenty-fifth Day of *December* in the Year of our Lord One thousand eight hundred and twenty; and in order to avoid any Partiality or Preference in paying the said Instalments, the Proprietor or Proprietors of the said Assignments or Securities so to be paid off as aforesaid, shall yearly, within One Month before each respective Day of Payment, be determined by Ballot.

Church-wardens to pay to the Treasurer of the Trustees a Sum not exceeding Nine-pence in the Pound per Annum.

XXXV. And for the raising competent Sums of Money to pay the said Sum of Three thousand Pounds herein-before authorized to be raised and borrowed as aforesaid, or so much thereof as shall be so raised under or by virtue of this Act, be it further enacted, That until the whole of the principal Money so to be borrowed as aforesaid, and the Interest thereof, shall be discharged, the said Churchwarden or Churchwardens for the Time being shall from Time to Time, and they are hereby required to pay or cause to be paid to the Treasurer to the said Trustees, or to such Person or Persons as the said Trustees, or any Five or more of them, shall by any Writing or Writings under their Hands authorize and empower to receive the same, by and out of the Church Rates and Assessments raised and levied or to be raised and levied in the said Parish, or such other Sum or Sums of Money as shall from Time to Time be received by them by virtue of their Office, such a Sum of Money not exceeding the Amount of Nine-pence in the Pound of the Annual Rent of the Messuages, Lands, Tenements, and Hereditaments within the said Parish chargeable with the Church Rate, as the said Trustees, or any Five or more of them, shall from Time to Time think necessary to answer the Purposes of this Act, and shall by Writing under their Hands order and require.

Annuities and Interests of Mortgages how to be recovered.

XXXVI. And be it further enacted, That in case the Churchwardens of the said Parish for the Time being shall make Default in Payment of the said several Sums so ordered and required by the said Trustees to be paid to them for the Purposes of this Act or any Part thereof respectively, or in case the said Annuities to be purchased as aforesaid, or the Interest for the said Sums to be borrowed at Interest as aforesaid, or any of them, or any Part thereof respectively, shall be behind or unpaid by the Space of Twenty-eight Days next after the same shall become due and be payable as aforesaid, and have been demanded, then and in every or any such Case it shall and may be lawful for the said Trustees, or any Five or more of them, and they are hereby required to cause such Monies to be levied and raised by Distress and Sale of the Goods and Chattels of each and every

every such Churchwarden and Churchwardens for the Time being making Default as aforesaid, by Warrant under the Hand and Seal or Hands and Seals of any one or more of His Majesty's Justices of the Peace for the said Borough of *Reading*, or for the said County of *Berks*, which Warrant such Justice or Justices is or are hereby authorized and required to grant; and the Overplus (if any) after Payment and Satisfaction of all Sum and Sums of Money due to the said Trustees, and the said Annuity or Annuities and Interest so in arrear as aforesaid, and the Charges of levying and recovering the same, shall be returned on demand to the Owner or Owners of such Goods and Chattels; or otherwise, if such Trustees, Annuitant or Annuitants, Creditor or Creditors respectively, shall think proper, such Sum and Sums of Money so due and in arrear to them, him, or her as aforesaid, shall and may be by them, him, or her sued for and recovered of and from the said Churchwardens for the Time being, with Costs of Suit, by an Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

XXXVII. And be it further enacted, That all Sum and Sums paid by the said Churchwardens for the Time being, in pursuance of this Act, or to be levied upon them by Authority and in Manner aforesaid, shall be allowed in their respective yearly Accounts.

Sums paid by Churchwardens to be allowed in their Accounts.

XXXVIII. And be it further enacted, That the Vicar, Curate, Churchwardens, and Sexton for the Time being of the said Parish of *Saint Giles*, shall be entitled to have and receive, in respect of such new Burying Ground, all such Fees, Dues, and Emoluments as are or hereafter shall be payable, and by Law appertain or are incident to the Office of Vicar, Curate, Churchwardens, and Sexton of the said Parish for Burials in the present Churchyard of the said Parish.

The same Fees to be paid for Burials in the new Ground as are paid in the present Churchyard.

XXXIX. And be it further enacted, That if any Person or Persons shall willfully break, throw down, or otherwise damage any Tomb or Monument, erected, placed, or set up or to be erected, placed or set up, in the said Churchyard or Burial Ground, or any Rails thereto affixed, or the Rails, Doors, Gates, Walls or Fences, of or belonging to the said Churchyard or Burial Ground, it shall be lawful for any One or more Justice or Justices of the Peace for the said Borough or County, or for any One or more Magistrate or Magistrates of the County, City, or Place wherein such Person or Persons so offending shall reside or be, and such Justice or Justices, Magistrate or Magistrates, is and are hereby required, upon Oath being made by One or more credible Witness or Witnesses, before him or them, of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Person or Persons accused thereof; or it shall be lawful for any Person or Persons who shall see any such Offence committed to apprehend, and also for any 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 Borough or County, 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 or Magistrate, to be dealt with as herein-after is directed; and the Person or Persons so accused being brought before any such Justice or Justices, Magistrate or Magistrates, or who being duly summoned to appear

Penalty on Persons damaging Monuments or Tombstones.

appear shall neglect so to do, the said Justice or Justices, Magistrate or Magistrates, shall and may, either on the Confession of the Person or Persons so offending, or on Proof of such Offence by the Oath of One or more credible Witness or Witnesses, convict such Offender or Offenders of the said Offence or Offences, and order or adjudge him, her, or them to forfeit and pay any Sum of Money not exceeding Five Pounds for each and every such Offence, together with the Expences and Charges of repairing and making good the Damage by him, her, or them occasioned or committed, which Expences and Charges shall be ascertained by the said Justice or Magistrate, Justices or Magistrates, in and by the said Conviction; One Moiety of the said Forfeitures to be paid to the Informer or Informers, and the other Moiety, together with the said Expences and Charges, to be paid to the said Trustees or their Treasurer; which last Moiety is to be by them applied for the Purposes of this Act, and the said Expences and Charges to go to the repairing and making good such Damages as shall by such Offender or Offenders have been occasioned or committed; and in case any such Offender or Offenders shall not upon such Conviction pay such Forfeitures, together with the Expences and Charges so adjudged, such Justice or Justices, Magistrate or Magistrates, 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.

XL. 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 Thing, in anywise belonging to or appertaining to the said Churchyard 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 punished in like Manner as Persons convicted of Felony are directed to be punished by the Laws and Statutes of this Realm, or in Mitigation of such Punishment may award such Sentence as the Law directs in Cases 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.

Expences of
the Act how
to be paid.

XLI. 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.

Distress not
to be deemed
unlawful for
want of Form.

XLII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied in pursuance of this Act, the Distress itself shall not be deemed to be unlawful on account of any Defect

to the next General Quarter Sessions of the Peace, which shall be holden for the said Borough of *Reading*, which shall happen next after the Expiration of Eight Days after the Cause of Complaint shall have arisen; such Appellant or Appellants first giving or causing to be given, Fourteen Days Notice at the least of such Appeal, and of the Matter thereof, to the Party or Parties appealed against, and within Eight Days next after such Notice, entering into a Recognizance, in the Sum of One hundred Pounds before some Justice of the Peace for the said Borough, 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 Sessions; and the Justices assembled at such Sessions, upon due Proof of such Notice having been 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 just and reasonable.

Notice to be
given before
any Action
commenced.

XLVI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons whomsoever, for any Matter or Thing by him, her, or them done in pursuance of this Act, until Notice in Writing of such intended Action or Suit shall have been delivered to him, her, or them, or left at his, her, or their last or usual Place of Abode, by the Party intending to commence such Action or Suit, or his or her Attorney or Agent, Twenty-one Days at least before such Action or Suit shall be commenced, in which Notice shall be clearly and explicitly contained the Cause of Action which the Plaintiff hath or claimeth to have against such Person or Persons, and on the Back of such Notice shall be endorsed the Name of such Plaintiff's Attorney or Agent; and that no such Plaintiff shall recover any Verdict in any such Case where the Action shall be grounded on any Act or Acts done in pursuance or under colour of this Act, unless it be proved upon the Trial to be had thereupon that such Notice was given as aforesaid, and that in default thereof such Defendant or Defendants shall recover a Verdict, together with his, her, or their Treble Costs of Suit.

Amends may
be tendered
before Action
brought.

XLVII. And be it further enacted, That it shall be lawful for any such Defendant or Defendants, within Twenty Days next after such Notice as aforesaid, to tender Amends to the Party complaining, or to his or her Agent or Attorney, and in case the same be not accepted, to plead such Tender in Bar to any Action to be brought against him or her, together with the Plea of Not Guilty, or any other Plea, with Leave of the Court where such Action shall depend; and if upon Issue joined thereon the Jury shall find the Amends so tendered to have been sufficient, then they shall give a Verdict for the Defendant or Defendants; and in such Case, or in case the Plaintiff shall become nonsuited, or shall discontinue his or her Action, or in case Judgment shall be given for such Defendant or Defendants, such Defendant or Defendants shall be entitled to the like Costs as he or they would have been entitled to in case he or they had pleaded the General Issue only; and if upon Issue joined the Jury shall find that no Amends were tendered, or that the same were not sufficient, and also against the Defendant or Defendants on such other Plea or Pleas, then they shall give a Verdict for the Plaintiff or Plaintiffs, and such Damages as they shall think proper, which he, she, or they shall recover,
together

together with his or their Costs of Suit; and that no Evidence shall be given by the Plaintiff, on the Trial of any such Action as aforesaid, of any Cause of Action except such as is contained in the Notice hereby directed to be given.

XLVIII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Act or Thing done in pursuance of this Act, such Action or Suit shall be brought and commenced within Three Calendar Months next after such Act or Thing shall be done or committed, and not afterwards, and be laid and brought in the County or Place where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and 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 Plaintiff or Plaintiffs shall become nonsuited, or discontinue such Action or Suit, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for such Costs as any other Defendant or Defendants hath or have for Costs in any Case by Law. Limitations of Actions.

XLIX. 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 *Salisbury* for the Time being in and over the aforesaid Parish of *Saint Giles*, or over the Minister or Churchwardens, or in, over, or relative to any Matter or Thing respecting the same Parish, Minister, or Churchwardens. This Act not to abridge the Jurisdiction of the Lord Bishop of Salisbury.

L. 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 such by all Judges, Justices, and others, without being specially pleaded. Public Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1818.

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY

THE UNIVERSITY OF CHICAGO
LIBRARY