



ANNO DECIMO

# GEORGII IV. REGIS.

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## *Cap. vii.*

An Act for increasing the Number of Vestrymen, and regulating the Nomination and Appointment of Vestrymen and Parish Officers, for the Parish of *Saint Mary Stratford Bow* in the County of *Middlesex*, and providing for the better Relief, Maintenance, and Employment of the Poor of the said Parish. [13th April 1829.]

**W**HEREAS by an Act of Parliament made and passed in the Ninth Year of the Reign of Her late Majesty Queen Anne, intituled *An Act for granting to Her Majesty several Duties upon Coals for building Fifty new Churches in and about the Cities of London and Westminster, and Suburbs thereof, and other Purposes therein mentioned*, it was amongst other Things enacted, that it should and might be lawful to and for Her Majesty, by Letters Patent under the Great Seal of *Great Britain*, to nominate, constitute, and appoint such Persons as Her Majesty should think fit to be Commissioners to inquire and inform themselves in what Parishes the said new Churches were most necessary to be built, and of proper Places for the Sites of the said respective new Churches, and also a Cemetery or Churchyard for each of the said Churches; and also what Chapels were fit to be made Parish Churches; and to ascertain the several  
[Local.]                      N n                      Houses,



Houses, Lands, Tenements, and Hereditaments, and the Bounds and Limits, which, in their Judgment or Opinion, might be fit to be made distinct Parishes; and for other Purposes therein mentioned: And whereas by an Act of Parliament made and passed in the Tenth Year of the Reign of Her said late Majesty, intituled *An Act for enlarging the Time given to the Commissioners appointed by Her Majesty pursuant to an Act for granting to Her Majesty several Duties on Coals for building Fifty new Churches in and about the Cities of London and Westminster, and Suburbs thereof, and other Purposes therein mentioned; and also for giving the said Commissioners farther Powers for better effecting the same; and for appointing Monies for rebuilding the Parish Church of Saint Mary Woolnoth in the City of London*, it was amongst other Things enacted, that it should and might be lawful to and for the said Commissioners, by Instrument in Writing under their Hands and Seals, to be enrolled in Her Majesty's High Court of Chancery, to describe and ascertain the District and Division of each Parish that should be appointed for every Church to be erected or constituted pursuant to that or the above recited Act; and it was further enacted, that the said Commissioners should nominate and elect the first Churchwardens and Overseers of the Poor, and other Parish Officers, for every such new Parish, and that all succeeding Churchwardens, Overseers of the Poor, and other Parish Officers, should be nominated, chosen, and appointed, sworn, constituted, and admitted annually within every such new Parish, according to the Laws then in force; and it was further enacted, that it should and might be lawful to and for the said Commissioners, by Instrument in Writing under their Hands and Seals, to be enrolled in the High Court of Chancery, to name a convenient Number of sufficient Inhabitants in each such new Parish to be the Vestrymen of such new Parish, and that from Time to Time, upon the Death, Removal, or other Voidance of any such Vestryman, the rest, or the Majority of them, might elect a fit Person, being an Inhabitant and Householder in the said Parish, to supply the same: And whereas by an Act of Parliament made and passed in the First Year of the Reign of His late Majesty King George the First, intituled *An Act for making Provision for the Ministers of the Fifty new Churches which are to be built in and about the Cities of London and Westminster, and Suburbs thereof; and for rebuilding and finishing the Parish Church of Saint Mary Woolnoth in the said City of London*, it was amongst other Things enacted, that it should and might be lawful for His said late Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of Great Britain, from Time to Time to nominate, constitute, and appoint such Persons as His Majesty, His Heirs and Successors, should think fit, to be Commissioners, who should have Power to execute all and every the Powers, Matters, and Things in and by the said recited Acts appointed to be done and performed: And whereas His said late Majesty King George the First did, by Letters Patent under the Great Seal of Great Britain, bearing Date the Second Day of December in the Year of our Lord One thousand seven hundred and fifteen, nominate and appoint certain Persons Commissioners under the said last-recited Act; and the said Commissioners did, by their Instrument in Writing, bearing Date the Sixth Day of February in the Year of our Lord One thousand seven hundred and seventeen, enrolled in His Majesty's High

10 Anne, c. 11.

1 G. 1. c. 23.



High Court of Chancery, declare, direct, and appoint *Bow Chapel* or Church to be a Parochial Church; and the said Commissioners did, by their said Instrument in Writing, describe, set out, ascertain, and appoint the District and Division of and for the said Parish of *Saint Mary Stratford Bow*; and the said Commissioners did, by another Instrument in Writing, bearing Date the Twenty-eighth Day of *May* in the Year of our Lord One thousand seven hundred and nineteen, nominate and elect the first Churchwardens of the said Parish; and the said Commissioners did, by another Instrument in Writing, bearing Date the Thirtieth Day of *December* in the Year of our Lord One thousand seven hundred and nineteen, nominate, elect, and appoint the then Minister of the said Parish, and the Minister of the said Parish for the Time being, and Twelve other Persons by Name, and the Churchwardens of the said Parish for the Time being, being sufficient Inhabitants of the said new Parish, and a convenient Number of the same, to be Vestrymen of and for the said new Parish; and did appoint that the Number of the Persons whereof the said Vestry should consist should not at any Time exceed the Number of Thirteen, besides the Churchwardens for the Time being, who should be always of the said Vestry during their Continuance in such Office: And whereas the Churchwardens, Overseers of the Poor, and other Parish Officers of the said Parish of *Saint Mary Stratford Bow*, have been usually nominated, chosen, and appointed by the said Select Vestry of the said Parish, consisting of Twelve Persons only, besides the Rector and the Two Churchwardens of the said Parish for the Time being: And whereas, in pursuance of the above recited Act of Parliament made and passed in the Tenth Year of the Reign of Her said late Majesty Queen *Anne*, upon the Death, Removal, or other Voidance of any of the said Twelve Vestrymen, the rest of the said Select Vestry, or the Majority of them, have always elected a Person or Persons to supply such Vacancy or Vacancies: And whereas the open Ground in the said Parish has lately been much built upon, and new Streets, Roads, and Places formed, and the Population of the said Parish has of late Years greatly increased, and such Improvements and Population are rapidly increasing: And whereas the annual Receipts and Expenditure of the said Select Vestry are of large Amount, and, on account of the aforesaid Improvements, are likely to be greatly extended: And whereas Dissensions have long been existing between the Inhabitants of the said Parish and the said Select Vestry, respecting the Powers exercised by the said Vestry, and the Manner in which such Powers have been exercised: And whereas it would tend to quiet the above Dissensions, and promote the Peace, Happiness, and Prosperity of the said Parish, and the Inhabitants thereof, if proper and effectual Powers were granted by Parliament to increase the Number of the said Vestrymen, and to regulate the Nomination and Appointment of Vestrymen and Parish Officers of the said Parish, and to provide for the better Relief, Maintenance, and Employment of the Poor of the said Parish: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Rector for the Time being of the said Parish of *Saint Mary Stratford Bow*, and also

Vestrymen.



also the Churchwardens and Overseers of the Poor for the Time being of the said Parish, without any other Qualification, together with Twenty-four other Persons to be from Time to Time chosen and appointed as herein-after mentioned, shall be the Vestrymen for putting into execution the Purposes of this Act.

Persons appointed Vestrymen for Life.

II. And be it further enacted, That the present Twelve Vestrymen of the said Parish, (that is to say,) *Thomas Alston, Charles Brett, Robert Emans Crawley, Archibald Barclay, William Dalby, Thomas Dalby, William Gandy, John Giles, Walter Hunter, George Munday, Thomas Sadler, and John Trulock*, shall be Part of the said Twenty-four Vestrymen of the said Parish for putting into execution the Purposes of this Act; and each of them shall, without any other Qualification, remain a Vestryman for Life if he shall so long continue an Inhabitant of the said Parish, and not resign his said Office.

Appointment of other Vestrymen.

III. And be it further enacted, That it shall be lawful for the Inhabitants of the said Parish of *Saint Mary Stratford Bow*, qualified as herein-after mentioned, to meet and assemble together in the Vestry Room of the said Parish on the first *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, at Eleven of the Clock in the Forenoon; and the Inhabitants so assembled shall then and there, or at some Adjournment of the said Meeting, elect, choose, and appoint Twelve of the Inhabitants of the said Parish, qualified as herein-after mentioned, to be the remaining Twelve Vestrymen of the said Parish; and such Persons so elected, chosen, and appointed shall be Vestrymen of the said Parish for carrying the Purposes of this Act into execution, until the first *Tuesday* next after the Twenty-fifth Day of *March* which will be in the Year of our Lord One thousand eight hundred and thirty, or until others shall be appointed in their stead.

Annual Appointment of Vestrymen and Parish Officers.

IV. And be it further enacted, That it shall be lawful for the Vestrymen for the Time being acting in the Execution of this Act, together with the Inhabitants of the said Parish of *Saint Mary Stratford Bow*, qualified as herein-after mentioned, to meet and assemble together in the Vestry Room of the said Parish, or at or in such other Place, not being in the Parish Church, as the said Vestrymen shall from Time to Time appoint, on the first *Tuesday* next after the Twenty-fifth Day of *March* which will be in the said Year of our Lord One thousand eight hundred and thirty, and on the first *Tuesday* next after the Twenty-fifth Day of *March* in every succeeding Year, at Eleven of the Clock in the Forenoon; and the Vestrymen and Inhabitants so assembled shall then and there, or at some Adjournment of the said Meeting or Meetings, elect, choose, and appoint Twelve of the Inhabitants of the said Parish, qualified as herein-after mentioned, and such greater Number of the said Inhabitants so qualified as shall or may from Time to Time become necessary to supply the Vacancy or Vacancies to be occasioned by the Death, Removal, or Resignation of the above Twelve Life Vestrymen, or any or either of them, to be Vestrymen of the said Parish; and such Persons so elected, chosen, and appointed shall be Vestrymen of the said Parish from



from the Time of such respective Elections for One Year, or until other Persons shall be appointed in their stead, for carrying the Purposes of this Act into execution; and the Vestrymen and Inhabitants so assembled shall also then and there, or at some Adjournment of the said Meeting or Meetings, elect, choose, and appoint Two Churchwardens for the said Parish, out of a List, to be previously prepared by the said Vestrymen, of Ten Persons whom the said Vestrymen shall have adjudged fit and proper Persons to fill the Office of Churchwarden, to be Churchwardens for the said Parish from the Time of such respective Elections for One Year, or until other Persons shall be appointed and sworn into Office in their stead; and the Vestrymen and Inhabitants so assembled shall also then and there, or at some Adjournment of the said Meeting or Meetings, elect Two Overseers of the Poor, out of a List, to be previously prepared by the said Vestrymen, of Ten Persons whom the said Vestrymen shall have adjudged fit and proper Persons to fill the Office of Overseer, to be Overseers of the Poor for the said Parish from the Time of such respective Elections for One Year, or until other Persons shall be appointed in their stead; and the Vestrymen and Inhabitants so assembled shall also then and there, or at some Adjournment of the said Meeting or Meetings, elect One Constable and a sufficient Number of Headboroughs for the said Parish, from the Time of such respective Elections for One Year, or until other Persons shall be appointed or sworn into Office in their stead.

V. And be it further enacted, That no Person shall be capable of being elected, and no Person (except the Rector, Churchwardens, and Overseers of the Poor of the said Parish for the Time being, and the Life Vestrymen aforesaid,) shall be capable of acting, as a Vestryman in the Execution of this Act, unless he shall have been rated to and paid, for at least Two Years immediately preceding the Time of his so being elected or acting, the Rates for the Relief of the Poor of the said Parish upon a Rental of Thirty Pounds a Year or upwards; or in the Case of Two Partners, unless they shall have been rated to and paid, for at least Two Years immediately preceding the Time of their so being elected or acting, the said Rates upon a Rental of Sixty Pounds a Year or upwards; or in the Case of Three Partners, unless they shall have been rated to and paid, for at least Two Years immediately preceding the Time of their so being elected or acting, the said Rates upon a Rental of Ninety Pounds a Year or upwards; or in the Case of Four or more Partners, unless they shall have been rated to and paid, for at least Two Years immediately preceding the Time of their so being elected or acting, the said Rates upon a Rental in the like Progression.

Qualification  
of Vestry-  
men.

VI. And be it further enacted, That no Inhabitant shall be capable of voting at any Election of Vestrymen or other Parish Officers of the said Parish, or in ascertaining or making of Rates, or in auditing of Accounts, or in transacting any other Business at any of the Meetings to be held in pursuance of this Act, unless he shall have been rated to and paid, for at least One Year immediately preceding the Time of his so acting, the said Rates for the Relief of the Poor upon a Rental of Fifteen Pounds a Year or upwards; or in the Case of Two Partners,

Qualification  
of Voters for  
the Election  
of Vestry-  
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ners, unless they shall have been rated to and paid, for at least One Year immediately preceding the Time of their so acting, the said Rates upon a Rental of Thirty Pounds a Year or upwards; or in the Case of Three Partners, unless they shall have been rated to and paid, for at least One Year immediately preceding the Time of their so acting, the said Rates upon a Rental of Forty-five Pounds a Year or upwards; or in the Case of Four or more Partners, unless they shall have been rated to and paid, for at least One Year immediately preceding the Time of their so acting, the said Rates upon a Rental in the like Progression.

Meetings of Vestrymen.

VII. And be it further enacted, That it shall be lawful for the Vestrymen of the said Parish for the Time being, appointed or to be appointed under the Provisions of this Act, to meet and assemble in the Vestry Room of the said Parish on the first *Tuesday* next after the passing of this Act, at Five of the Clock in the Afternoon, in order to put this Act into execution, and afterwards to meet in the Vestry Room of the said Parish, or in or at such other Place, not being in the Parish Church, as they the said Vestrymen shall appoint, on the *Tuesday* in every subsequent Week, at the same Hour, for the Purpose of carrying this Act into execution, without any Notice being given of such Meetings; and at all Meetings to be holden in pursuance of this Act the Vestrymen and Inhabitants shall defray their own Expences.

No Vestryman to act, or Inhabitant to vote, whilst under Contract.

VIII. Provided always, and be it further enacted, That no Vestryman shall be capable of acting in the Execution of this Act, upon any Occasion whatsoever, whilst he shall enjoy any beneficial Employment or be concerned in any Contract under this Act, or be entitled to or receive any Profit or Emolument under or by virtue of this Act; and that no Inhabitant shall be capable of voting under this Act whilst he shall be concerned in any Contract under this Act.

Meetings of Vestrymen may be adjourned.

IX. And be it further enacted, That it shall be lawful for the said Vestrymen, at their said Weekly Meetings, to adjourn to any intermediate or earlier Day than the *Tuesday* following, and to any Place or Places within the said Parish, and at any Hour or Hours they the said Vestrymen shall think proper to appoint for that Purpose, and that Twenty-four Hours Notice shall be given to the said Vestrymen, by their Clerk, of the Time and Place of such adjourned Meeting or Meetings.

Special Meetings of Vestrymen may be called on Emergency.

X. Provided always, and be it further enacted, That if at any Time or Times hereafter it shall be thought necessary that a Special Meeting of the said Vestrymen should be holden on an earlier or other Day than the Day of the said Weekly Meetings, or any Adjournment thereof, then and in every such Case the Clerk to the said Vestrymen (an Order in Writing, signed by Ten or more of the said Vestrymen, although not assembled at a Meeting, mentioning the Time, Place, and Purpose of such Special Meeting, being given to him or left at his last or usual Place of Abode, to summon such Meeting,) shall forthwith give Notice by Summons to the whole of the said Vestrymen,



men, expressing the Time, Place, and Purpose or Purposes of the Meeting to be held on such earlier or other Day; and all Proceedings of such Vestrymen at such earlier Meetings, or at any Adjournment thereof, shall be as good and valid as they would have been in case such Vestrymen had met at any other Meeting to be holden in pursuance of this Act.

XI. And be it further enacted, That no Act of the said Vestrymen, or of the said Vestrymen and Inhabitants conjointly, shall be or be deemed to be good or valid, unless made and done at a Meeting to be holden pursuant to the Provisions of this Act; and all the Powers and Authorities by this Act granted to or vested in the said Vestrymen, or in the said Vestrymen and Inhabitants conjointly, shall from Time to Time be exercised by the major Part of them present at any Meeting to be holden pursuant to the Provisions of this Act, the Number present at any such Meeting not being less than Five, exclusive of the Rector, Churchwardens, and Overseers of the Poor; and all the Orders and Proceedings of the major Part of the said Vestrymen, or of such Vestrymen and Inhabitants conjointly, present at any such Meeting, shall have the same Force and Effect as if the same were made or done by all the said Vestrymen, or by all the said Vestrymen and all the said Inhabitants conjointly; and at every Meeting One of the said Vestrymen or Inhabitants, to be elected by a Majority of the Vestrymen or of the Vestrymen and Inhabitants present, shall be Chairman, except in the Case of the Rector being present, who shall always in such Case be entitled and have the Right to take the Chair; and in all Cases the said Vestrymen, or the said Vestrymen and Inhabitants, shall vote by Ballot, in case the same shall be desired by any Three or more of the Vestrymen, or of the Vestrymen and Inhabitants, then present; and in case of an equal Number of Votes upon any Question, including that of the Chairman, such Chairman shall have the decisive or casting Vote.

Regulations  
as to Meet-  
ings of Ves-  
trymen, and  
also of Ves-  
trymen and  
Inhabitants  
conjointly.

XII. And be it further enacted, That all the Powers, Authorities, Directions, Regulations, Matters, and Things which the Vestrymen of the said Parish were vested with, or authorized to do and perform, before the passing of this Act, shall be vested in and done and performed by the Vestrymen for the Time being acting under and by virtue of this Act; and all Books, Papers, and Writings whatsoever which belonged to the Vestrymen of the said Parish before the passing of this Act, shall become vested in and belong to the Vestrymen for the Time being acting under and by virtue of this Act; and the said Vestrymen acting under and by virtue of this Act shall take upon themselves all the Liabilities of the late Select Vestry, Churchwardens, and Overseers of the Poor, provided such Liabilities shall have been fairly and justly incurred; and provided always, that this Act shall not extend to subject the late Select Vestry, Churchwardens, and Overseers of the Poor, to any Action at Law in respect of any Matter heretofore done or committed, to which they would not have been subject in case this Act had not passed.

Duties of  
Vestrymen.

XIII. And

Poor Laws  
to continue  
in force.

XIII. And be it further enacted, That the several Laws relating to the Overseers of the Poor, and for the Relief and providing for the Poor, shall continue in force within the said Parish of *Saint Mary Stratford Bow*, except where the same are altered by this Act.

Vestrymen to  
keep Minute  
Books.

XIV. And be it further enacted, That the said Vestrymen shall cause to be provided and kept a proper Book or Books, in which fair and regular Entries shall be made of all Acts, Orders, and Proceedings of the said Vestrymen, and of the said Vestrymen and Inhabitants conjointly, relative to the Execution of this Act, and of the Names of the Vestrymen, and of the Vestrymen and Inhabitants, who shall be present at the respective Meetings to be holden in pursuance of this Act; and such Entries, being signed by the Chairman of each respective Meeting, shall be deemed Originals, and shall be allowed to be read in Evidence, in all Courts whatsoever, in all Cases, Suits, Actions, and Proceedings touching or concerning any thing done in pursuance of this Act.

Accounts to  
be kept of  
Receipts and  
Disburse-  
ments, which  
shall be open  
to Inspection.

XV. And be it further enacted, That the said Vestrymen shall and they are hereby required to cause a Book or Books to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received, paid, laid out, and expended by or on account of the said Vestrymen, in carrying into execution the Purposes of this Act, and of the several Articles, Matters, and Things for which such 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 Inhabitants of the said Parish paying the Rates or Assessments hereby granted, or any Creditor or Creditors on the same, without Fee or Reward, during or within Thirty Days after the auditing of every annual Account; and the said Inhabitants or Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and if the Clerk or Clerks to the Vestrymen, or other Person or Persons with whom the Books, Accounts, and Papers belonging to the said Vestrymen shall have been deposited, shall, on any reasonable Demand, refuse to permit or shall not permit the said Inhabitants or other Person or Persons as aforesaid, or any of them, to inspect the said Books, Accounts, and Papers, or to take such Copies or Extracts as aforesaid, such Clerk or Clerks or other Person or Persons so refusing shall forfeit and pay for every such Offence a Sum not exceeding Forty Shillings.

Officers to be  
appointed,  
&c.

XVI. And be it further enacted, That the said Vestrymen shall and may from Time to Time, at any of their Meeting or Meetings, elect and appoint a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Monies to be raised and paid under or by virtue of this Act, and such other Officers or Persons as the said Vestrymen shall think proper for carrying this Act into execution; and also shall and may from Time to Time remove and displace them, or any of them, and appoint others in the room of those removed; and, out of the Monies to be raised by virtue of this Act, shall and may pay such Salaries, Wages, or Allowances



ances to the said Officers and other Persons as the said Vestrymen shall think reasonable; and the said Vestrymen shall and they are hereby authorized, directed, and required to take sufficient Security from every such Treasurer and Collector for the true and faithful Execution of his Office, and may also take such Security from any other Officer as they shall think reasonable, which Security or Securities shall or may be taken either in the Name or Names of the Clerk or Clerks to the said Vestrymen, or in the Names of any Five or more of the said Vestrymen for the Time being.

Treasurer to  
give Security.

XVII. And be it further enacted, That the Treasurer to the said Vestrymen for the Time being shall and he is hereby authorized and required, out of the Money which shall or may from Time to Time be in his Hands belonging to the said Vestrymen, to pay all Sums of Money which the said Vestrymen shall order him to pay; and the said Treasurer shall and he is hereby required to keep clear, regular, and distinct Entries in a Book or Books to be kept for that Purpose, provided by the said Vestrymen, of all and singular his Receipts and Payments on account of the said Vestrymen, and shall, as often as required by the said Vestrymen, produce his Accounts at the Meetings of the said Vestrymen, and of the said Vestrymen and Inhabitants conjointly.

Treasurer to  
pay Monies  
by Order,  
and to keep  
Accounts.

XVIII. And be it further enacted, That the Churchwardens and Overseers of the Poor of the said Parish, and all such Officers so to be appointed as aforesaid, shall, under their Hands, (at such Time and Times and in such Manner as the said Vestrymen shall direct,) deliver to the said Vestrymen, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Churchwardens, Overseers, Officers, and other Persons respectively, by virtue or for the Purposes of this Act, specifying how much thereof hath been paid and disbursed, and for what Purposes, and shall also produce and deliver the Vouchers and Receipts for such Payments, and shall also pay all such Money as shall remain in their Hands, or be due from them respectively upon such Accounts, to the said Vestrymen, or to such Person or Persons as they shall appoint; and if any such Churchwarden, Overseer, Officer, or Person shall, for the Space of Fourteen Days next after Notice in Writing from the said Vestrymen requiring him so to do, (to be given to or left at the last or usual Place of Abode of such Churchwarden, Overseer, Officer, or Person,) refuse or wilfully neglect to make and render such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Vestrymen, or to such Person or Persons as they shall appoint, all Books, Papers, Writings, and Effects belonging to the said Vestrymen in his Custody or Power, or to give sufficient Information to the said Vestrymen respecting the same, it shall be lawful for the said Vestrymen, and they are hereby authorized and empowered, to commence or cause to be commenced, in any of His Majesty's Courts of Record at *Westminster*, an Action or Actions against the Churchwarden, Overseer, Officer, or Person making such Default as aforesaid, for the Recovery of the Monies which shall be

Officers to  
account.

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in the Hands of such Churchwarden, Overseer, Officer, or Person so refusing or making Default as aforesaid; and to recover the same with full Costs of Suit; or it shall and may be lawful for the said Vestrymen, or any Person or Persons whom they shall appoint for that Purpose, to make Complaint to any Justice of the Peace having Jurisdiction in the County, City, or Place wherein such Churchwarden, Overseer, Officer, or Person so neglecting or refusing shall reside or be, and such Justice may and he is hereby authorized and empowered, by a Warrant under his Hand and Seal, to summon the Churchwarden, Overseer, Officer, or Person so refusing or making Default as aforesaid to appear before him, and upon his Appearance, or having been summoned and not appearing, (except from some reasonable Cause to be allowed by such Justice,) to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath or Affirmation, it shall appear to such Justice that any of the Money which shall have been collected or raised by virtue of this Act shall be in the Hands of such Churchwarden, Overseer, Officer, or Person, or shall be unaccounted for by him, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Churchwarden, Overseer, Officer, or Person, together with the Costs and Charges of making such Complaint, and of making such Distress and Sale; and if no Goods or Chattels of such Churchwarden, Overseer, Officer, or Person, can be found sufficient to answer and satisfy the said Money, and the Charges as aforesaid, or if it shall appear and be proved to the said Justice, after such Summons as aforesaid, that such Churchwarden, Overseer, Officer, or Person shall have refused or wilfully neglected to render or give such Account, or to produce and deliver the Vouchers relating thereto, or that any Books, Papers, Writings, or Effects belonging to the said Vestrymen shall be retained in the Custody or Power of such Churchwarden, Overseer, Officer, or Person, and that he hath refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in either of the said Cases such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, Borough, Precinct, Liberty, or Place where such Offender shall be or reside, there to remain, without Bail or Mainprize, until he shall have made and given a true and perfect Payment and Account as aforesaid, or until he shall have compounded with the said Vestrymen for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Vestrymen are hereby empowered to make and receive,) or until he shall have delivered such Books, Papers, Writings, and Effects as aforesaid, or have given Satisfaction in respect thereof to the said Vestrymen: Provided always, that no Person who shall be committed by virtue of this Act, on account of his not having sufficient Goods or Chattels, shall be detained in Prison on that Account for any longer Term than Six Calendar Months: Provided also, that if any Money shall be due from such Churchwarden, Overseer, Officer, or other Person, his Commitment to Prison as aforesaid shall not (without the Consent of the said Vestrymen) be deemed a Discharge for the same, nor exonerate the Surety



or Sureties for such Churchwarden, Overseer, Officer, or Person, but such Churchwarden, Overseer, Officer, or Person, and his Surety or Sureties, shall remain liable to the Payment thereof in the same Manner as if such Churchwarden, Overseer, Officer, or Person had not been committed to Prison.

XIX. Provided always, and be it further enacted, That it shall not be lawful for the said Vestrymen to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be 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, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under this Act other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred 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, Complaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer  
and Clerk  
not to be the  
same Person.

XX. And be it further enacted, That the said Vestrymen shall and may in all Cases sue and be sued in the Name of their Clerk, or any One of the Vestrymen; and no Action which may be brought or commenced by or against the said Vestrymen by virtue or on account of this Act, in the Name of such Clerk or Vestryman, shall abate or be discontinued by the Death or Removal of such Clerk or Vestryman, or by the Act or Default of such Clerk or Vestryman, without the Consent of the said Vestrymen, but such Clerk or Vestryman shall always be deemed Plaintiff or Defendant in such Action or Suit, as the Case may be: Provided always, that such Clerk or Vestryman in whose Name any Action or Suit shall be commenced or defended in pursuance of this Act shall always be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such Costs, Charges, and Expences as by the Event of any such Proceedings

Vestrymen  
to sue and be  
sued in the  
Name of  
their Clerk,  
or of One  
Vestryman.



ings he shall sustain or be put unto or become chargeable with by reason of his being made Plaintiff or Defendant therein; and such Clerk or Vestryman shall not be personally answerable or liable for the Payment of the same or any Part thereof, unless such Action or Suit shall have arisen in consequence of his own wilful Neglect or Default, or have been brought or defended without the Order of the Vestrymen: Provided also, that such Clerk or Vestryman shall not, by reason of his being such Clerk or Vestryman, be deemed an inadmissible Witness in any such Action or Suit, unless it be on his own personal Account.

Vestrymen  
to provide  
for the Poor.

XXI. And be it further enacted, That it shall be lawful for the said Vestrymen from Time to Time to maintain and employ the Poor of the said Parish in the present Workhouse of the said Parish, and to hire any House or Houses and Ground, in or out of the said Parish, for the better receiving, employing, and maintaining the Poor of the said Parish, and to buy and purchase Meat, Drink, Clothing, and other Necessaries for such Poor, or to contract with any Person or Persons for the same; and the Costs and Charges thereof shall be and are hereby charged upon and made payable out of the Rates to be made for the Relief of the Poor.

Vestrymen  
to regulate  
the Poor.

XXII. And be it further enacted, That it shall also be lawful for the said Vestrymen and they are hereby empowered from Time to Time to make and issue such general Rules, Orders, and Regulations as they shall adjudge necessary for maintaining, regulating, and employing the Poor of the said Parish, provided that the same be not inconsistent with or repugnant to the Laws of this Realm, or the Provisions and Directions in this Act contained.

Vestrymen  
may contract  
for keeping  
the Poor, and  
subscribe to  
Hospitals.

XXIII. And be it further enacted, That it shall be lawful for the said Vestrymen, if they shall think fit, to contract from Time to Time with any Person or Persons for the clothing, lodging, keeping, maintaining, and employing of all or any of the Poor of the said Parish; and the said Vestrymen may, if they think fit, subscribe annually or otherwise to any Hospital, and may send any of the poor Persons who may be afflicted with any Complaint or Disorder to any such Hospital, or to any House or Place the said Vestrymen may think proper, for the Benefit of such poor Person or Persons; and may defray the Monies which may become due upon any such Contracts, or on account of any such Subscription, out of the Monies to be raised under this Act for the Relief of the Poor.

For making  
Poor Rates.

XXIV. And be it further enacted, That it shall be lawful for the said Vestrymen and Inhabitants of the said Parish, qualified as aforesaid, to assemble and meet together Twice or oftener in every Year, at such Time and Place as shall be appointed by the said Vestrymen, to settle and ascertain the Sum or Sums of Money necessary to be raised for the Relief of the Poor of the said Parish, and for the raising thereof to make at the said Meeting, or at any Adjournment thereof, an equal Pound Rate or Assessment upon all Persons who shall occupy, hold, or use any Houses, Buildings, Shops, Warehouses, Wharfs, Docks, Lands, Tenements, or other Hereditaments within the



the said Parish, which Rates or Assessments shall be laid according to the annual Rent or Value of such Houses, Buildings, Shops, Warehouses, Wharfs, Docks, Lands, Tenements, and Hereditaments, and shall be levied and collected in manner by this Act directed: Provided always, that Three clear Days Notice of every Meeting for ascertaining and making such Rates or Assessments, signed by One or more of the Churchwardens or Overseers of the Poor of the said Parish, or Two or more of the said Vestrymen, shall be given in the Parish Church of *Saint Mary Stratford Bow*, (or in the Church of some adjoining Parish, in case the said Parish Church shall be shut up for the Purpose of Repair, or any other Cause,) by the Parish Clerk or his Deputy, immediately after Divine Service on the *Sunday* next before such Meeting, which Notice he is hereby enjoined to give, under the Penalty of Forty Shillings for every Neglect, on being directed so to do by any such Churchwardens or Overseers, or Two or more of the said Vestrymen.

XXV. And be it further enacted, That no Rate or Assessment made for the Relief of the Poor of the said Parish shall be valid, unless allowed by Two of His Majesty's Justices of the Peace for the County of *Middlesex*, and Notice thereof, signed by One or more of the Churchwardens or Overseers of the Poor of the said Parish, or Two or more of the said Vestrymen, be given in the Parish Church of *Saint Mary Stratford Bow*, (or in the Church of some adjoining Parish, in case the said Parish Church shall be shut up for the Purpose of Repair, or any other Cause,) by the Parish Clerk or his Deputy, immediately after Divine Service on the *Sunday* next after the same shall be allowed, which Notice he is hereby enjoined to give, under the Penalty of Forty Shillings for every Neglect, on being directed so to do by any such Churchwarden or Overseer of the Poor, or Two or more of the said Vestrymen.

Authoriza-  
tion and  
Publication  
of Poor Rate.

XXVI. And be it further enacted, That in case any Person or Persons liable to pay any Rate made by virtue of this Act shall refuse or neglect to pay the Money which is or shall be so rated upon or made payable by such Person, for the Space of Fourteen Days next after Demand made at his or her Dwelling House, or at his or her last or usual Place of Abode, it shall be lawful for any One of His Majesty's Justices of the Peace for the County of *Middlesex*, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the said Vestrymen, or any Two or more of them, or by the Collector or Collectors of the said Rates, to issue a Summons for all and every the Person and Persons who shall have refused or neglected to pay as aforesaid, to appear at a Time and Place to be mentioned in such Summons; before such Justice, or before any Justice or Justices of the Peace for the said County who shall be then and there present, the Collector or Collectors of such Rates having previously made Oath or Affirmation that he or they had duly demanded the said Rates, and that the same were then in arrear and unpaid; and it shall be lawful for the said Collector or Collectors, or for any Beadle or Constable of the said Parish of *Saint Mary Stratford Bow*, or for any other Person authorized by the said Vestrymen, to serve a Copy or Copies of every such Summons upon

For Recovery  
of Rates.

[Local.]

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all



all and every the Person and Persons so refusing or neglecting to pay as aforesaid intended to be summoned, or by leaving the same at his or their last or usual Place of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments, mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or they shall attend, and not shew good and sufficient Cause to such Justice or Justices as may be then and there present, that he or they is or are not chargeable with such Rate or Rates, then and in every such Case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges incurred thereon; and in all Cases where such Rate or Rates, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued, or shall have directed to be signed and issued, such Summons as aforesaid, or for any other Justice of the Peace for the said County, and he is hereby authorized and required, upon Oath or Affirmation made before him of the due Service of a Copy of such Summons as aforesaid by the Person or Persons who shall have served the same, and Proof on Oath or Affirmation that such Rate or Rates is or are actually due and owing, to grant a Warrant, under his Hand and Seal, authorizing or directing the said Collector or Collectors to levy such Rate or Rates, and all Arrears thereof, together with all Costs and Charges incidental to and attending such Complaint, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing; and in case sufficient Goods and Chattels of such Defaulter cannot be found whereon to levy such Distress, it shall be lawful for any such Justice to commit such Defaulter to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless the Money so directed to be levied as aforesaid be sooner paid.

Warrant of  
Distress.

XXVII. And be it further enacted, That every Warrant of Distress for the Nonpayment of Rates shall be in the Words or to the Effect following; that is to say,

‘ To the Overseers of the Poor and Collectors of the Rates for  
‘ the Parish of *Saint Mary Stratford Bow* in the County  
‘ of *Middlesex*, and to all Constables and other Peace  
‘ Officers of the same Parish :

‘ WHEREAS the under-mentioned present or late Inhabitants,  
‘ Landlords, Tenants, or Occupiers of Houses, Buildings, Lands,  
‘ Tenements, or Hereditaments within the said Parish, were and are  
‘ rated to and are liable to pay the Rate or Rates made for the  
‘ Relief of the Poor by virtue of an Act passed in the Tenth Year  
‘ of the Reign of His Majesty King *George* the Fourth, inti-  
‘ tuled [*here set forth the Title of this Act*]: And whereas the said  
‘ Persons have refused or neglected to pay the several Sums of  
‘ Money set opposite their respective Names hereunder written, in  
‘ discharge of Money due from them for the said Rate or Rates;  
‘ and the said several Sums are still remaining unpaid, as appears  
‘ upon Oath [*or Affirmation*] to me

One of His  
Ma-



‘ Majesty’s Justices of the Peace for the said County; and the said  
 ‘ several Persons having been summoned before me to answer the  
 ‘ Premises, as also appears to me the said Justice upon Oath [or  
 ‘ Affirmation]; and the said several Persons so summoned having  
 ‘ neglected to appear, or not having shewn sufficient Cause why  
 ‘ such Sums of Money should not be paid; These are therefore,  
 ‘ in His Majesty’s Name, to require you, or any One or more of you,  
 ‘ to levy from the several Persons whose Names are hereunder written  
 ‘ the several Sums of Money set opposite to their Names respectively,  
 ‘ by Distress and Sale of their respective Goods and Chattels, such  
 ‘ Goods and Chattels being kept for the Space of Five Days before  
 ‘ the same are sold, and the Overplus (if there be any) to be rendered  
 ‘ to them respectively, after deducting the reasonable Charges of  
 ‘ such Distress, Sale, and Keeping; and if no sufficient Distress can  
 ‘ be had or taken, then you are to certify the same to me, to the end  
 ‘ that further Proceedings may be had according to Law: And I do  
 ‘ hereby charge and command all Constables, and others His Ma-  
 ‘ jesty’s Peace Officers for the said County, to be aiding and assisting  
 ‘ in all Things relating to the Premises. Given under my Hand  
 ‘ and Seal, this                      Day of                      in the Year of our  
 ‘ Lord

Sums due.

£                      s.                      d.

‘ A. B.    -                      -                      -                      -                      -  
 ‘ C. D.    -                      -                      -                      -                      -  
 ‘ and other Defaulters.’

XXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Vestrymen to exonerate and relieve any poor Person assessed to the said Rates, or any of them, from the Payment of all or any such Rates, for such Time and to such Extent as the said Vestrymen shall believe such poor Person to be incapable of paying.

Power to re-  
mit the Rates  
of poor Per-  
sons.

XXIX. And be it further enacted, That the said Vestrymen, or their Treasurer under their Direction, shall, at the Yearly Meeting of the said Vestrymen and Inhabitants to be held on the first *Tuesday* next after the Twentieth-fifth Day of *March* in every Year, or at some Adjournment thereof, produce or cause to be produced just and true Accounts of all Monies received and paid by them the said Vestrymen, or their said Treasurer, in the Course of the preceding Year, or subsequently to the then last Audit of Accounts, and also the Vouchers verifying the same Accounts; and at such Yearly Meeting, or some Adjournment thereof, the said Accounts shall be referred to Three Auditors to be chosen at such Yearly Meeting, or at some Adjournment thereof; and the said Auditors shall examine and audit the said Accounts, and report the same to the then next Vestry Meeting; and the said Vestrymen shall, within Ten Days next after such Audit, cause the said Accounts so audited to be printed, and delivered to such of the Inhabitants of the said Parish as pay the Rates for the Relief of the Poor.

Accounts to  
be audited  
and printed  
annually.

XXX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act may, in case of Non-payment

Recovery and  
Application  
of Penalties.



payment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace for the said County of *Middlesex*, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs (if any) of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witnesses, upon Oath or Affirmation, of and concerning such Offences, Matters, and Things, and hear and determine the same; and the Overplus (if any) of the Money raised and recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same (if any such there shall be), shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Vestrymen, or their Treasurer or Clerk, to be applied for the Purposes of this Act, as the said Vestrymen shall order and direct; and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to remain, without Bail or Mainprize, for any Time not exceeding Six Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Justices may  
proceed by  
Summons.

XXXI. And be it further enacted, That in all Cases in which by this Act any Penalty is imposed or authorized, and made recoverable upon Complaint to a Justice of the Peace, it shall be lawful for any Justice of the Peace for the County of *Middlesex*, to whom Complaint



plaint shall be made of any Offence against this Act, to summon the Party complained against before him, and to hear and determine the Matter of such Complaint, and on Proof of the Offences to convict the Offender, and to adjudge such Offender to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken before or by such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as valid and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

XXXII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the Form following, or in any other Words to the same Effect, as the Case may require; (that is to say,)

County of } BE it remembered, That on the Day  
Middlesex. } of in the Year of our  
Lord A. B. is convicted before me  
of His Majesty's Justices of the Peace for the said County, of  
having [*here specify the Offence, Time and Place when and where*  
*committed, as the Case may be*], and I do adjudge the said A. B. to  
forfeit for the same the Sum of  
together with the further Sum of which  
I have ascertained and fixed as the reasonable Costs attending this  
Conviction. Given under my Hand and Seal, the Day and Year  
first above written.'

XXXIII. And be it further enacted, That if any Person summoned to appear as a Witness, either on behalf of the Complainant or Informant, or on behalf of the Person complained against or accused, before any Justice or Justices of the Peace, touching or concerning any Complaint or Information exhibited to such Justice or Justices under the Provisions of this Act, shall refuse or neglect to attend and appear at the Time and Place mentioned and appointed for that Purpose in and by the Summons, after having been paid or tendered a reasonable Sum for his or her Costs and Expences in giving such Attendance, without a reasonable Excuse for such Refusal or Neglect, or shall, after attending and appearing, refuse to be sworn, or in case of a Quaker to make Affirmation, or shall, after having been so sworn, or after having made an Affirmation, refuse to give Evidence before such Justice or Justices of the Peace touching or concerning the Subject or Matter of the said Complaint or Information, or upon any Matter or Thing incidental or relating thereto, then and in every such Case every Person so refusing shall forfeit and pay any Sum not exceeding Ten Pounds.

XXXIV. And be it further enacted, That when any Distress shall be made under the Authority of this Act, or any Warrant of Commitment shall be executed by virtue of this Act, such Distress or Commitment shall not be deemed unlawful, nor the Party making or executing the same be deemed a Trespasser or Trespassers, on  
[Local.] R r account  
Proceedings not to be unlawful for Want of Form.



account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser or Trespassers from the Beginning, on account of any Irregularity which may be done afterwards by the Party, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage by an Action on the Case; and it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall be depending, at any Time before Issue joined, to pay into Court such Sum of Money as he or they may think fit, and such Proceeding, Order, and Adjudication may be had and made in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Appeal.

XXXV. And be it further enacted, That it shall be lawful for any Person or Persons who may be dissatisfied with any Rate or Rates to be made by virtue of this Act, or with any of the Accounts of the said Vestrymen or their Treasurer, or with any Order or Determination of the said Vestrymen, or who may be aggrieved by any Order or Conviction of any Justice or Justices of the Peace under this Act, to appeal to the Justices of the Peace for the County of *Middlesex*, at some General or General Quarter Session of the Peace to be holden for the said County within Four Calendar Months next after the Matter of Appeal or Complaint shall have arisen: Provided always, that the Person so appealing shall give or cause to be given Twenty-one Days Notice in Writing at least of his Intention of appealing, and of the Matter of such intended Appeal, to the Clerk of the said Vestrymen, and within Two Days after such Notice shall enter into Recognizance before some Justice of the Peace for the same County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of the Justices at such Session, and to pay such Costs as may be awarded by them; and such Justices, upon Proof of the Appellant having given such Notice to the Clerk of the said Vestrymen, and having entered into such Recognizance, shall hear and determine such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as such Justices may think proper; and the Determination of the said Justices shall be conclusive; and no Proceeding to be had touching the Conviction of any Offender against this Act, or any Matter or Thing done or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, nor be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Limitation  
of Actions.

XXXVI. And be it further enacted, That no Action or Suit shall be brought or commenced against any Person or Persons for any thing done under colour or in pursuance of this Act, but within Six Calendar Months next after the Fact shall have been committed out of which the Cause of such Action shall have arisen; and every such Action shall be laid and brought in the County where the Cause of Action shall have arisen, and not elsewhere: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding, unless Notice in Writing shall have been given to the Person or Persons



against whom the same is intended to be brought, or left at his, her, or their last or usual Place of Abode, Ten Days before such Action shall be commenced, 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 be made by or on behalf of the Party or Parties who shall have committed or caused to be committed the said Fact before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall be depending, to pay into Court such Sums of Money as he, she, or they shall think fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court: Provided also, that the Defendant or Defendants in all and every such Action or Actions may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if upon the Trial of such Action or Suit it shall appear to be so done, or that such Action or Suit shall have been brought before the Expiration of Ten Days next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made, tendered, or paid into Court as aforesaid, or after the Time limited for bringing the same as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if a Verdict shall be found against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall have the usual Costs of Suit, and such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases of Law.

XXXVII. And be it further enacted, That the Costs, Charges, <sup>Expences of</sup> and Expences of obtaining and passing this Act, and the Costs, <sup>Act.</sup> Charges, and Expences of the late Select Vestry respecting the same, shall be paid and defrayed out of the Money to be raised for the Relief of the Poor.

XXXVIII. And be it further enacted, That this Act shall be <sup>Public Act.</sup> deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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