



ANNO SEPTIMO & OCTAVO

GEORGIIV. REGIS.

Cap. cviii.

An Act to enable the Persons interested in the Lands and Hereditaments heretofore Parcel of the Possessions of the Monastery or Abbey of *Stratford Langthorne* in the County of *Essex*, to raise Money for repairing and maintaining the Bridges and other Works liable to be repaired and maintained by such Persons.

[21st *June* 1827.]

WHEREAS the Owners, Proprietors, Lessees, and Occupiers of divers Lands, Tenements, and Hereditaments, heretofore Parcel of the Possessions belonging to the Monastery or Abbey of *Stratford Langthorne* in the County of *Essex*, are, by reason of their respective Tenures or otherwise, bound to support, maintain, and keep in repair Two Bridges, situate and being at *Stratford* in the County of *Essex*; that is to say, a certain Bridge lying and being upon the King's Highway and Turnpike Road between the Town of *Bow* in the County of *Middlesex*, and the Town of *Stratford* aforesaid, called *Bow Bridge*, and one other Bridge, near, adjoining to, or within the said Town of *Stratford*, called *Channelsea Bridge*; and also to support, maintain, and keep in

•[*Local.*]

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repair

The lands formerly belonging to Stratford Langthorne Abbey shall henceforth be managed as herein-after specified.

Time and Place for holding the First and other General and Special Meetings.

Regulations as to voting.

repair certain Parts of the Road and Foot Causeway, and the Wharfing by the Side thereof, lying and being between the said Two Bridges and the Road, to the Extent of One hundred Yards beyond such Bridges respectively: And whereas it is expedient that the Owners and Proprietors, and Lessees and Occupiers of such Lands, Tenements, and Hereditaments, should be enabled to raise the Sums requisite for defraying the Expense of supporting, maintaining, and keeping in repair the said Bridges, and the said Road, Causeway, and Wharfing, and to ensure the due Application of the same; but such Purposes cannot be fully and effectually carried into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Affairs and Concerns of the Owners, Proprietors, Lessees, and Occupiers of all the Lands, Tenements, Hereditaments, and Premises, heretofore Parcel of the Possessions belonging to the said Monastery or Abbey of *Stratford Langthorne*, shall be conducted and managed under and subject to the several Rules and Regulations herein-after mentioned, specified, and contained.

II. And be it further enacted, That the several Owners, Proprietors, Lessees, and Occupiers of all or any such Lands, Tenements, or Hereditaments as aforesaid, shall assemble together at the Hour of Eleven of the Clock in the Forenoon on some *Thursday* not more than Twenty-eight Days next after the passing of this Act, at some convenient House or Place within the Town of *Stratford* in the said County of *Essex*, and shall there proceed in the Execution of this Act, and shall and may adjourn to or shall assemble at such other Times and Places as they shall be duly convened, in manner herein-after mentioned; and Four Meetings at the least shall be held in the Year, that is to say, on the First *Thursday* in the Months of *January*, *April*, *July*, and *October*, which shall be styled Quarterly General Meetings; and Three or more of the said Owners, Proprietors, Lessees, or Occupiers may also, by Notice in Writing under their Hands, call any Special General Meeting or Meetings, so as the Objects for which such Special General Meeting shall be called be expressed in such Notice, and so as such Notice be given Ten Days at least before the Day of such Special General Meeting; and every such Quarterly General Meeting and Special General Meeting may be adjourned from Time to Time, and from Place to Place, as shall be found expedient, and at least Seven Days Notice of the Day to which every or any such Meeting shall be adjourned shall be given previously to the Day of holding such adjourned Meeting; and at every such Quarterly or Special General Meeting a Chairman shall be appointed; and all Questions shall be decided by a Majority of Votes of the Owners, Proprietors, Lessees, and Occupiers present, and not declining to vote; and every Owner, Proprietor, Lessee, and Occupier shall be entitled to One Vote, and also to a further Vote or Votes for and in respect of every One hundred Pounds to which he

he shall have been rated and assessed in the last Rate or Assessment made before the passing of this Act, by virtue of any Act then in force relating to the Owners, Proprietors, Lessees, or Occupiers of such Lands, Tenements, and Hereditaments as aforesaid, or to which he shall hereafter be rated or assessed, as is herein-after mentioned; but no Lessee or Occupier shall be entitled to vote unless he shall have been or shall be rated and assessed to the Amount of Five Pounds *per Annum* at the least; and no Person shall be allowed to vote at any such Meetings who shall be in arrear for and in respect of any Rates or Assessments which shall have been made Six Months previously to such Meeting; and not more than One Person shall be entitled to vote for and in respect of the same Land, Messuage, Tenement, or Hereditament; and if more than One Person shall claim to vote in respect of the same Land, Messuage, Tenement, or Hereditament, the Right of voting shall be in the Person who shall ultimately have to pay the Rates or allow the same out of the Rent; and in case the Number of Votes on any Question, including the Vote of the Chairman, shall be equal, such Chairman shall also have the casting Vote.

III. And be it further enacted, That it shall be lawful for the Owners, Proprietors, Lessees, and Occupiers of such Lands, Tenements, and Hereditaments as aforesaid, at such First or any Quarterly General Meeting, or at any subsequent Quarterly General Meeting, to nominate, elect, and appoint any Person or Persons to the Office of Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, or to such other Offices as may be thought requisite for the Execution of this Act, and from Time to Time, at any such Quarterly General Meeting, to remove and displace any such Treasurer, Clerk, Collector, or other Officer, and to nominate, elect, and appoint another Person or Persons in the Room or Stead of the Person or Persons so removed or displaced, and to allow and pay to every such Clerk, Collector, or other Officer, and to all such other Persons as shall be aiding or assisting or employed in the Execution of or under the Powers of this Act, such Rewards and Allowances for their respective Attendance, Care, Service, and Labour, as shall seem reasonable; and the said Owners and other Persons interested as aforesaid shall and they are hereby required to take such Security from every such Treasurer and Collector, or other Person, as they shall think proper; and at every Quarterly General Meeting, or Special General Meeting, the Sum of Two Pounds and Two Shillings, and no more, and at every Meeting of the Committee herein-after mentioned the Sum of One Pound One Shilling, and no more, shall be allowed for the Use of the Rooms, and the Expenses of the Persons attending thereat respectively.

Officers to be appointed at the First or other General Meeting.

Allowances for Room, &c. at General and other Meetings.

IV. And be it further enacted, That all such Officers so to be appointed shall, under their respective Hands, at such Time or Times and in such Manner as the said Owners and other Persons interested as aforesaid shall at any Quarterly or Special General Meeting direct, deliver to the said Owners and other Persons interested as aforesaid, or to such Person or Persons as they shall appoint, a true and

Officers to account.

and perfect Account in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been by them received by virtue or for the Purposes of this Act, specifying how much thereof hath been paid or disbursed, and for what Purposes, together with the proper Vouchers and Receipts for such Payments, and shall pay all such Monies as shall remain in their Hands respectively unto the said Owners and other Persons interested as aforesaid, or unto such Person or Persons, at such Time and Place as the said Owners and other Persons interested as aforesaid shall from Time to Time direct or appoint, and the Receipt of such Person or Persons shall be a sufficient Discharge to such Officer for the same; and if any such Officer shall refuse or wilfully neglect to make and render such Accounts, or to produce or deliver up the Voucher or Receipts relating to the same, or to make Payment as aforesaid; or shall refuse or wilfully neglect to deliver to the said Owners and other Persons interested as aforesaid, or to such Person as they shall appoint, within Twenty-eight Days next after being thereunto required by Notice in Writing, signed by the Majority of the said Owners and other Persons interested as aforesaid, and assembled at any Quarterly or Special General Meeting, or by their Clerk by their Order, and given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in their respective Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Owners and other Persons interested and assembled as aforesaid, may and are hereby authorized and empowered to bring or cause to be brought any Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against the Officer or Person making such Default as aforesaid, or against his or their Surety or Sureties, for the Recovery of such Monies as shall remain due from him, with Costs of Suit; or if Complaint shall be made by or on behalf of the said Owners and other Persons interested and assembled as aforesaid, by means of their Clerk or other Person appointed by them, of any such Default as aforesaid, to any Justice of the Peace in and for the County wherein such Officer or Person so making Default shall be or reside, such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing, or having been summoned and not appearing, (except from some reasonable Cause to be adjudged and allowed by such Justice,) or not being to be found, to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or the Testimony of any credible Witness upon Oath, it shall appear to such Justice that any of the Money which shall have been collected and received by virtue of this Act shall be in the Hands of any such Officer or Person, or be unaccounted for, such Justice is hereby authorized and required, by an Order under his Hand and Seal, to order and direct the said Officer or Person to pay the same within Three Days from the Time of making the said Order, and upon Nonpayment thereof to issue his Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person, together with the Costs and Charges of making such Complaint, and of such Order, Distress, and Sale; and if no Goods or Chattels of such

such Officer or Person can be found sufficient to answer and satisfy the said Money and the Charges as aforesaid, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render and give such Account, or to produce the Vouchers and Receipts relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and that he shall refuse or wilfully neglect to deliver up the same, or to give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Person to the Common Gaol; for the said County where such Person so making Default shall be or reside, there to remain, without Bail or Mainprize, until he shall have given and made a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Owners and other Persons interested as aforesaid for the said Money, and shall have paid such Composition, (which Composition the said Owners and other Persons interested as aforesaid are hereby empowered to make and receive,) or until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Owners and other Persons interested as aforesaid: Provided always, that no Person who shall be so committed shall be detained in Prison by virtue of this Act for any longer Term than Twelve Calendar Months: Provided also, that if any Money shall remain due from such Person, the Commitment of such Person or Persons to Prison shall not be deemed a Discharge for the same, nor shall it exonerate his or their Surety or Sureties; but such Officers or Persons, and his and their Surety and Sureties, shall remain liable to the Payment thereof in the same Manner as if such Officers or Persons had not been committed to Prison.

V. And be it further enacted, That at the First General Meeting of the Owners, Proprietors, Lessees, and Occupiers of such Lands, Tenements, and Hereditaments as aforesaid, or at some Adjournment thereof, or at some Quarterly General Meeting, Nine of such Owners, Proprietors, Lessees, and Occupiers shall be elected and chosen to be a Committee of Management for managing the Affairs relating to such Lands, Tenements, and Hereditaments pursuant to this Act; and the Members of such Committee of Management shall continue in Office, and be respectively Members of the said Committee, until the Quarterly General Meeting which shall be held in the Month of *July* which shall be in the Year One thousand eight hundred and twenty-eight, and until some other Persons or Person shall be appointed in their or either of their Steads, in pursuance of this Act, at some Quarterly General Meeting; and at the Expiration of every succeeding Year thereafter a new Committee of Owners, Proprietors, Lessees, and Occupiers shall be elected and appointed, who shall continue in their Offices for the Space of One Year, to be computed from the Day of Election, or until some other Person or Persons shall be duly elected into their or any of their Places; provided that nothing herein contained shall render any Member of such Committee ineligible to be re-elected a Member of such Committee: Provided

Committee
of Manage-
ment.

[*Local.*]

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also,

also, that no Person shall be qualified to act, nor to serve as a Member of such Committee, who shall hold any Place of Profit under this Act, or under the Owners, Proprietors, Lessees, or Occupiers of such Lands, Tenements, or Hereditaments as aforesaid, or who shall be concerned or interested in any Contract, or shall participate in any Manner in any pecuniary Profit relating to or arising from the Performance of any public Works for the Benefit of such Owners, Proprietors, Lessees, or Occupiers.

For supply-
ing Vacancies
in the Com-
mittee.

VI. And be it further enacted, That when and so often as any Person, being a Member of the Committee of Management to be elected by virtue of this Act, shall die, or shall become disqualified, or shall refuse or neglect to attend the Meetings of such Committee for the Space of Three Calendar Months at any one Period, or for Six Meetings successively, it shall be lawful for the Owners, Proprietors, Lessees, and Occupiers of such Lands, Tenements, and Hereditaments as aforesaid, at their Quarterly General Meeting to be held pursuant to the Directions of this Act, to elect some other fit and proper Person to be a Member of the said Committee; and every such Person so elected to fill any such Vacancy shall continue in his Office as a Member of the said Committee so long as the Person in whose Place or Stead he was elected would have been entitled to have continued if such Death, Disqualification, Refusal, or Neglect had not happened.

Meetings of
the Com-
mittee, and
Regulations
for their
Proceedings.

VII. And be it further enacted, That it shall be lawful for such Committee of Management to meet and hold their Meetings on such Day and Days, at such Place and Places within the Town of *Stratford*, and at such Times, and adjourn their Meetings from Time to Time, and from Place to Place, as they shall think fit; and any Five or more of the said Committee shall be a sufficient Number to constitute a Meeting, and to execute all such Powers and Authorities as the whole Committee might do if assembled together; and One of the Committee shall in the first place be elected Chairman of the Meeting, and all Questions, Matters, and Things which shall be proposed, discussed, or considered by them, shall be decided and determined by the Majority in Number of the Committee then present, and in case of an equal Division the Chairman shall have the casting Vote, over and besides his other Vote; and every Meeting of such Committee shall be attended by the Clerk, or some Officer elected and appointed by the Owners, Proprietors, Lessees, or Occupiers of the Lands, Tenements, and Hereditaments aforesaid: Provided always, that if on the Day appointed for any Meeting of such Committee Five or more of such Committee shall not attend within Two Hours after the appointed Time for such Meeting, the Meeting of the Committee shall be adjourned for One Week by the Members or Member then present, if any, or otherwise by the Clerk or other Officer attendant upon such Committee; and any Three or more of the Committee may, at any Time when they shall see fit or occasion, call a Meeting of the Committee, by Notice in Writing signed by such Three or more Members, or by the Clerk or other Officer by their Direction and Authority, and sent to every Member
of

of such Committee Three Days at the least before such intended Meeting.

VIII. And be it further enacted, That the Committee so to be chosen as aforesaid, or any Five of them, shall from Time to Time have full Power and Authority, and they are hereby authorized and required to direct and manage all and singular the Affairs and Business relating to the Repairs of, and Works necessary to be done on behalf of the Owners, Proprietors, Lessees, and Occupiers of the Lands, Tenements, and Hereditaments aforesaid, in supporting and maintaining the Roads, Causeways, and Bridges herein-before mentioned and specified, and to give Orders for all Proceedings, and to do all such Acts as may be requisite or advisable relating thereto, and to make and enter into all Contracts, Bargains, and Agreements in anywise concerning the same: Provided always, that it shall not be lawful for any Treasurer or Treasurers appointed under this Act to issue any Sum or Sums of Money on account of such Repairs or Works, or any Matter relating thereto, or to the Execution of this Act, without an Order signed by the Chairman and Two of the Owners, Proprietors, Lessees, or Occupiers present at some Quarterly General Meeting or some Special General Meeting.

Powers of
the Com-
mittee.

Issuing Mo-
ney by the
Treasurer.

IX. And be it further enacted, That all Notices by this Act directed to be given of any Special General Meeting, or of any Adjournment of any Quarterly or Special General Meeting respectively, or of the Meetings or Adjournments of the Committee, or to the said Owners, Proprietors, Lessees, or Occupiers for any Special Purpose, shall and may be given to the said Owners, Proprietors, Lessees, or Occupiers, by leaving Notice at the Houses of the respective Occupiers, or to the Members of such Committee by Letter or Notice from the Clerk, Collector, or other Officer, and sent by the Post or otherwise to the Residence of the Party to whom they shall be addressed, or to the Residence of any Occupier, on behalf of any Owner, Proprietor, or Lessee; and the same Letters or Notices so sent or left as aforesaid shall be deemed and considered as Personal Notices.

Notice of
Meetings,
how and to
whom to be
given.

X. And be it further enacted, That it shall not be lawful for the said Owners, Proprietors, Lessees, and Occupiers to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of the Partner of such Treasurer, to be the Clerk to the said Owners, Proprietors, Lessees, and Occupiers, nor 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 other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, to be the Treasurer for the Purposes of this Act; and if any Person shall act in both Capacities of Treasurer and Clerk for the Purposes of this Act, or if any Person being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer, or of the Partner of such Treasurer, shall act as Clerk, or as Deputy of such Clerk, or in any

Same Person
not to be the
Treasurer
and Clerk.

Manner

Manner officiate for such Clerk, or being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, shall act as Treasurer in the Execution of this Act, or as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or if any Treasurer shall hold any Office or Place of Trust under this Act (other than that of Treasurer), every Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who may sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Proceedings
to be entered
in Minute
Book.

XI. And be it further enacted, That all Orders and Proceedings of the Quarterly General Meetings and Special General Meetings, and of the Committee, shall be entered by the Clerk, or some Person on his Behalf, in a Minute Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered, and signed by a Majority of the Persons present at each Meeting or Committee respectively, shall be deemed and taken to be original Orders and Proceedings; and every such Book shall be open at all seasonable Times for the Inspection of any of the Owners, Proprietors, Lessees, and Occupiers of such Lands, Tenements, or Hereditaments as aforesaid, without Fee or Reward; and every such Minute Book, and all Rate Books, and all other Books whatsoever kept under the Authority of this Act and all Entries in such Books respectively, together with all Books, Maps, Muniments, Records, Memoranda, and Evidences respecting the said Lands, Tenements, and Hereditaments, which shall at any Time before the passing of this Act have been placed in the Care, Custody, and Possession of any Treasurer, Solicitor, Clerk, and Collector, or other Persons, on behalf of such Owners, Proprietors, Lessees, and Occupiers, shall and may be read and given in Evidence in all Courts whatsoever, in all Cases of Appeal, and in all Prosecutions, Suits, Proceedings, and Actions whatsoever.

Accounts to
be kept by
the Trea-
surer, Clerk,
and Col-
lector.

XII. And be it further enacted, That the Treasurer, Clerk, and Collector to the said Owners and other Persons interested as aforesaid, shall and they are hereby required respectively to keep regular and clear Entries in a Book or Books to be for that Purpose provided by the said Owners and other Persons interested as aforesaid, of all Sums of Money received, paid, laid out, and expended for or on account 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; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Owners and other Persons interested as aforesaid, and of every Creditor of the Rates or Assessments by this Act authorized to be made, and of every Person paying any such Rate or Assessment without Fee or Reward; and the said Owners and other Persons interested as aforesaid, Creditors and other Persons as aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, without paying any thing for the same; and

and in case the said Clerk or Collector, or either of them, shall refuse to permit, or shall not permit such Person as aforesaid to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk and Collector shall respectively forfeit and pay any Sum not exceeding Twenty Pounds for each Offence.

XIII. And be it further enacted, That it shall and may be lawful for the Owners, Proprietors, Lessees, and Occupiers of the Lands, Tenements, and Hereditaments aforesaid, from Time to Time, at any General or Special General Meeting to be held under this Act, to make any Rate or Assessment for the Purposes of this Act, in respect of such Lands, Tenements, or Hereditaments, by a Pound Rate upon all such Owners, Proprietors, Lessees, or Occupiers, according to the Rents or Values of the respective Lands, Tenements, or Hereditaments, and according to the several Interests of the Owners, Proprietors, Lessees, and Occupiers thereof respectively, and to apportion such Rates according to such several Interests, and to moderate or regulate such Rates with respect to any Houses, new Buildings, or Improvements, in such Manner as shall be agreed on by the major Part of the Persons present at any such Quarterly or Special General Meeting; and a Table of such Rates and Assessments, being from Time to Time made and signed by the Persons, or the major Part of them, present at any such Meeting, shall be good and binding upon all such Owners, Proprietors, Lessees, and Occupiers respectively, and upon all other Persons concerned.

Abbey Land Owners, &c. empowered to make Rates.

XIV. And be it further enacted, That all Money which shall be collected and received from any such Rate or Assessments shall and may be applied in the maintaining and keeping in repair of the Roads, Causeways, and Bridges aforesaid, and also in the Payment of all Arrears and Sums of Money due from the Owners, Proprietors, Lessees, and Occupiers of the Lands, Tenements, and Hereditaments aforesaid, in respect of any such Roads, Causeways, and Bridges, and incurred at any Time before the passing of this Act, and remaining due and unpaid, and also in the reimbursing and repayment of any Sum or Sums of Money to any Person or Persons who shall have paid and advanced, or shall pay and advance, any Sum and Sums of Money for or on account or on behalf of such Owners, Proprietors, Lessees, or Occupiers respectively, in respect of such Roads, Causeways, or Bridges, or on whom any Distress or Distresses may have been made or may be made for any Rates, or Composition for Rates, for any of the Purposes aforesaid; and also in payment of the Charges and Expenses of making and collecting any such Rates, and the paying, remunerating, and reimbursing any Persons for Work, Labour, and Materials done, performed, and provided, and Attendances given, or to be done, performed, provided, and given, in respect of or relating to the maintaining or repairing of such Roads, Causeways, or Bridges.

Application of Rates to Repair of Roads, &c. and Payment of Debts remaining due from Abbey Land Owners, &c. in respect of such Road, &c.

XV. And be it further enacted, That if any Owner, Proprietor, Lessee, or Occupier of any Messuage, Land, Tenements, or Hereditaments, upon or in respect of which any Rate or Assessment, or

Recovery of Rates.

[*Local.*]

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any Arrears of Rates or Assessments heretofore made, or which shall be charged or imposed by virtue of this Act, shall neglect or refuse to pay the Rates and Sums of Money which shall have been or shall hereafter be so rated or assessed as aforesaid, for the Space of Fourteen Days after the same shall be due, and Demand thereof made by Notice in Writing or in Print, under the Hand of the Collector of the said Rates, to be delivered to such Tenant or Occupier, or left at his or her Dwelling House or usual Place of Abode, in case such Occupier reside within the Limits of this Act, or otherwise left upon the Premises in respect of which such Rate or Assessment shall be made, then, upon Proof thereof upon Oath before any Justice of the Peace for the said County of *Essex* (which Oath such Justice is hereby empowered and required to administer), the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of every Person so making Default, by Warrant under the Hand and Seal of such Justice, such Defaulter having been first duly summoned by such Justice to appear before him at a Time and Place to be mentioned in such Summons, and to show Cause for such Neglect or Refusal; and the Overplus (if any) to be raised by such Distress and Sale shall be returned, upon Demand, to the Owner of such Goods and Chattels, after deducting all reasonable Costs and Charges previous to and attending such Distress and Sale, such Costs and Charges to be ascertained and directed by the said Justice; and in default of such Distress it shall be lawful for such Justice to commit such Person to any House of Correction for the County or Place within which such Offence shall be committed, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless Payment shall be sooner made of such Sum or Sums of Money as shall have been found to be due and in arrear upon all or any such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expenses attending the Recovery thereof, such Costs, Charges, and Expenses to be ascertained and directed by the said Justice.

Form of
Warrant.

XVI. And be it further enacted, That every Warrant of Distress for the Nonpayment of any Rates or Assessments to be made under this Act shall be in the Words or to the Effect following :

‘ County of Essex } To the Collector or Collectors of [*here describe*
‘ to wit. } *the Place*], and to all Constables and other
Peace Officers of the same County :

‘ **WHEREAS** [*the Name of the Person rated*] was and is duly
‘ assessed in and by an Assessment duly made for the Purposes of
‘ an Act passed in the Seventh and Eighth Years of the Reign of His
‘ Majesty King George the Fourth, intituled [*here insert the Title of*
‘ *this Act*] : And whereas the said [*the Name of the Person rated*] has
‘ refused or neglected to pay the Sum of Money set at and against
‘ his Name hereunder or hereafter respectively set down, for Money
‘ due from him for or towards the Purposes in the said Act
‘ mentioned, and the said Sum of Money is still remaining due, in
‘ arrear, and unpaid, as appeareth upon Oath to me, One of His Ma-
‘ jesty’s Justices of the Peace for the said County ; and the said [*the*
‘ *Name*

' *Name of the Person rated*] having been summoned to appear before
 ' me to answer the Premises, as also appeareth unto me the said
 ' Justice upon Oath, and the said [*the Name of the Person rated*] so
 ' summoned not having shown any sufficient Cause why such Sum of
 ' Money should not be paid; These are therefore in His Majesty's
 ' Name to will and require you or any of you forthwith to levy the
 ' said Sum of Money due from the said [*the Name of the Person rated*]
 ' hereunder or hereafter set at and opposite to his Name, by Distress
 ' and Sale of his Goods and Chattels (such Goods and Chattels
 ' being kept for the Space of Three Days before the same are sold),
 ' rendering to them respectively the Overplus (if any), the reasonable
 ' Charges of such Distress and Sale and Keeping being first deducted;
 ' and if no sufficient Distress can be had or taken, that then you
 ' certify the same, to the end that such further Proceedings may be
 ' had therein as to the Law doth appertain: And I do hereby strictly
 ' charge and command all and singular the Constables and other His
 ' Majesty'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

XVII. Provided always, and be it enacted, That whenever any
 Occupier of any such Lands, Tenements, or Hereditaments afore-
 said shall, by virtue of any Distress or otherwise, pay any Sum or
 Sums of Money charged or assessed on any Owner, Proprietor, or
 Lessee of such Lands, Tenements, or Hereditaments, or to the Pay-
 ment of which such Owner, Proprietor, or Lessee shall be liable by
 virtue of this Act, in every such Case it shall be lawful for any such
 Occupier to deduct the Money so paid out of any Rent or Rents
 then due, or then-after to grow due, to such Owners, Proprietors,
 or Lessees, for and in respect of the same Lands, Tenements, or
 Hereditaments; any Law, Usage, or Custom to the contrary
 notwithstanding.

Occupiers
 may deduct
 Rates upon
 Owners out
 of their
 Rents.

XVIII. And whereas it would be advantageous to the Owners,
 Proprietors, Lessees, and Occupiers of such Lands, Tenements, and
 Hereditaments as aforesaid, to be enabled to make a Composition in
 Money with the Trustees for carrying into Execution an Act passed
 in the Fourth Year of His present Majesty's Reign, intituled *An Act
 for more effectually repairing and improving the Roads leading from
 Whitechapel Church, in the County of Middlesex, unto, through, and to
 the several Parishes or Places of Shenfield, Passingford Bridge, and
 Woodford, in the County of Essex; and for other Purposes relating
 thereto*; and upon the Line of which Turnpike Road the said Bridges,
 Roads, Causeways, Wharfing, and other Works hereby authorized
 and directed to be repaired, maintained, and supported, are situate,
 for the Repairs and Amendments made by the said Trustees since
 the Twenty-fifth Day of *March* One thousand eight hundred and
 twenty-three, of the Portion of the said Road which is to be repaired
 and repairable by such Owners, Proprietors, Lessees, and other
 Persons, and also for the repairing, maintaining, and keeping in
 repair all the Road and Foot Causeway and the Wharfing between
 such

Abbey Land
 Owners, &c.
 may make a
 Composition
 with the
 Trustees of
 the Roads
 under 4 G. 4.
 c. 106. (Lo-
 cal), for the
 Repairs of
 their Portion
 of Road.

such Two Bridges, and the said Two Bridges, to the Repair of which such Owners, Proprietors, Lessees, or Occupiers are liable; be it therefore further enacted, That from and after the passing of this Act it shall and may be lawful to and for the said Owners, Proprietors, Lessees, and Occupiers, at their First or at any Quarterly or Special General Meeting, or any Adjournment thereof, under the Provisions of this Act, to contract and agree, and to come to a Composition with the said Trustees for the Execution of the said recited Act, for the paying and discharging of such Sum and Sums of Money as the said Trustees may necessarily have incurred, expended, and been put unto, in, about, touching, and concerning the requisite Repairs and Amendments of the said Roads, since the Twenty-fifth Day of *March* which was in the Year One thousand eight hundred and twenty-three; and also to contract and agree, and come to a Composition with the Trustees for the Execution of the said recited Act, for the paying to such Trustees a certain Sum of Money annually, or otherwise, for and towards the repairing, maintaining, and keeping in repair all such Bridges, Road, Foot Causeway, and other Works, or either of them.

Empowering
the Treasurer
to pay Com-
position, &c.
on Order of
General
Meeting.

XIX. And be it further enacted, That it shall be lawful for the Treasurer or Treasurers to be appointed under the Provisions of this Act, from Time to Time and at all Times whenever thereto authorized by any Order of any Quarterly or Special General Meeting as aforesaid, and such Treasurer or Treasurers is hereby empowered and required to pay and discharge all and every or any Disbursements, Compositions, and Sum and Sums of Money, and all Arrears thereof, due, owing, or payable, or which shall become due, owing, or payable by or on the Behalf of the Owners, Proprietors, Lessees, or Occupiers of such Lands, Tenements, and Hereditaments as aforesaid.

As to widen-
ing or re-
building Bow
and Channel-
sea Bridges.

XX. And whereas the said Bridges called *Bow Bridge* and *Channelsea Bridge* might hereafter be found requisite or necessary to be greatly improved; and it would tend greatly to the Convenience of the Public in consequence of the Increase of Traffic and Passengers passing over them, and also to the Drainage and Sewage, and to the Navigation on the Rivers over which such Bridges are constructed, if such Bridges were widened, improved, or rebuilt; be it therefore further enacted, That it shall and may be lawful for the Owners, Proprietors, Lessees, and Occupiers of the Lands, Tenements, and Hereditaments aforesaid, and they are hereby authorized and empowered to enter into and come to Agreement with the Justices of Peace and other competent Persons of the respective Counties of *Middlesex* and *Essex*, and also with the Directors of the River *Lea* Navigation (the River *Lea* passing under *Bow Bridge*), and also with all other competent and requisite Persons and Parties whatever in any way interested in or to such Bridges and Roads, or in or to the Navigation and Tolls on the said River *Lea*, and all other Persons whomsoever, for the rebuilding, repairing, widening, improving, and maintaining of such Bridges respectively.

XXI. And

XXI. And be it further enacted, That for the Purpose of making the narrow Parts of the said respective Bridges, or either of them, and also the narrow Parts of the said Road, Foot Causeway, and Wharfing, or any of them, more safe and commodious for Carriages and Passengers, and for otherwise altering or improving the same, it shall be lawful for the said Owners and other Persons interested as aforesaid to treat and agree with such Person or Persons, or Body or Bodies Politic or Corporate, Spiritual or Lay, respectively, as shall be or be deemed to be Owners of or interested in any such Houses, Buildings, Erections, Projections, Lands, Tenements, or other Hereditaments adjoining or near the said Bridges or either of them, or near to the said Road and Foot Causeway or Wharfing, or any of them, or the Neighbourhood thereof, as the said Owners and other Persons interested as aforesaid shall think right and proper to be taken or used for the Purposes aforesaid, for the absolute Purchase thereof respectively, or for the Damage to be done thereto respectively in the Execution or for the Purposes of this Act, and to take down and remove or alter all or any of such Houses, Buildings, Erections, Projections, Tenements, or Hereditaments so to be purchased, or any Part or Parts of the same respectively, and to make use of and appropriate all or any of the Ground or Sites thereof respectively, and also to make use of and appropriate all or any of the Lands to be so purchased for all or any of the Purposes aforesaid, as they the said Owners and other Persons as aforesaid shall think fit.

Power to
make Pur-
chases for
Improve-
ments.

XXII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, and all Corporations, whether Aggregate or Sole, Spiritual or Lay, and all Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of themselves, their respective Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and also to and for all Femes Covert who are or shall be seised in their own Right, and to and for all Persons, whether Tenants for Life or Tenants in Tail, General or Special, and to and for all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in any Houses or other Buildings, Erections, Lands, Tenements, or other Hereditaments, or any Part thereof, for any of the Purposes of this Act, to treat, contract, and agree with the said Owners and other Persons interested as aforesaid, for the Sale thereof or any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, or Interest whatsoever of, in, and to the same, to the said Owners and other Persons interested as aforesaid, and their Successors, or to such Persons and their Heirs for ever, as the said Owners and other Persons interested as aforesaid shall direct, in Trust for them the said Owners, and other Persons interested as aforesaid, for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances

Power for
Bodies
Politic, &c.
to sell.

[*Local.*]

31 G

which

which shall be so made by virtue and in pursuance of this Act, shall, without any Fine, Recovery, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment and Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their several and respective Cestuique Trusts, and all Persons claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be considered and deemed to bar and shall bar the Dower of the Wife or Wives of such Party or Parties, and all Estates Tail and other Estates, in Possession, Reversion, Remainder, or Expectancy, and all the Issue or Issues of the Party claiming under them or any of them respectively, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby fully indemnified for what they respectively shall do by virtue and in pursuance of this Act.

Application
of Compen-
sation Money
if amounting
to 200*l.*

XXIII. Provided always, and be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money 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 Court of Exchequer, to be placed to his Account there *ex parte* the said Abbey Land Owners, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King

1 G. 4. c. 35. *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in there remain, until the same shall (by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said

Lands,

Lands, Tenements, or Hereditaments,) be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and 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, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime, and until such Order can be made, the said Money may, 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 Three Pounds *per Centum* Reduced Bank Annuities or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and Annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

XXIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act, 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 amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Abbey Land Owners, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the said Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or

Where less than 200*l.* and not less than 20*l.*

Persons

Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the said Abbey Land Owners, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

When less than 20*l.*

XXV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, and their own Use and Benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out Titles, or Persons entitled not being found.

XXVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Abbey Land Owners; or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall be lawful for the said Abbey Land Owners to order the said Sum or Sums so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto,

thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

XXVII. 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 said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, 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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Persons in Possession presumptively entitled.

XXVIII. 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, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act; it shall be lawful for the said Court to order the Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expenses as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Abbey Land Owners out of the Monies to be received by virtue 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 may order reasonable Expenses to be paid by the said Abbey Land Owners.

Power to
borrow
3,000*l.* upon
Mortgage.

XXIX. And be it further enacted, That it shall and may be lawful to and for the said Owners, Proprietors, Lessees, and Occupiers, or any Seven or more of them, by virtue of an Order made at any Quarterly or Special General Meeting, and they are hereby authorized and empowered to borrow and take up at Interest, on the Credit of any Rates assessed and made payable under this Act, such Sum and Sums of Money, not exceeding the Sum of Three thousand Pounds, as such Owners, Proprietors, Lessees, or Occupiers shall from Time to Time think proper, and respectively to demise and mortgage such Rates, or any Part or Parts thereof, (the Costs and Charges of which Mortgages shall be paid by the Party borrowing the same,) as Security to any Person or Persons, or their Trustees, who shall advance such Sum and Sums of Money.

Form of
Mortgage.

XXX. And be it further enacted, That every such Mortgage shall be in the Words or to the Effect following; (that is to say,)

‘ BY virtue of Act passed in the Seventh and Eighth Years of
 ‘ the Reign of His Majesty King George the Fourth, intituled
 ‘ [*here set forth the Title of this Act*], we whose Hands are hereunto
 ‘ subscribed, and whose Seals are affixed, being Seven of the Owners,
 ‘ Proprietors, Lessees, and Occupiers of the said Lands, Tenements,
 ‘ and Hereditaments, in consideration of the Sum of
 ‘ Sterling advanced and paid by _____ to the Treasurer
 ‘ of the said Owners, Proprietors, Lessees, and Occupiers, do hereby
 ‘ grant and assign unto the said _____, and his Executors,
 ‘ Administrators, and Assigns, such Proportion of the Rates to be
 ‘ made and levied under the said Act, &c. as the said Sum of
 ‘ _____ doth bear to the whole Sum now or hereafter to
 ‘ become due and owing on the Security thereof; to have, hold,
 ‘ receive, and take the said Proportion of Rates unto the said
 ‘ _____ and his Executors, Administrators, and Assigns, until
 ‘ the said Sum of _____, together with Interest thereon for
 ‘ the same at the Rate of _____ per Centum per Annum,
 ‘ shall be repaid and satisfied.’

Mortgages to
be entered in
a Book.

XXXI. And be it further enacted, That Copies of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk of such Owners, Proprietors, Lessees, and Occupiers, for which Entry such Clerk shall be respectively paid the Sum of Two Shillings and Sixpence, and no more, out of the Rates to be made and levied as directed by this Act; and every such Book shall and may, at all seasonable Times, be perused and inspected without Fee or Reward.

Assignment
of Mortgage.

XXXII. And be it further enacted, That it shall be lawful for all Persons respectively to whom any Mortgage shall be made as aforesaid, or who shall be from Time to Time entitled to the Money thereby secured, to assign or transfer his, her, or their Right, Title, and Interest in and to such Mortgage, and the Principal Money and Interest thereby secured, to any other Person or Persons whomsoever; and such Assignment or Transfer may be made in the following
 Words,

Words, or Words to the like Effect, to be indorsed on such Mortgage Security, or to be underwritten or thereunto annexed, and signed in the Presence of and attested by some credible Witness or Witnesses; (that is to say,)

' [*A.B.* [*or I C.D.*, Assignee, Executor, or Administrator of *A.B.*,
' as the Case may happen,] do hereby assign and transfer this Form of
' Mortgage Security, with all my Right and Title to the Principal Assignment.
' Money thereby secured, and all Interest now due and hereafter to
' grow due upon the same, unto *E.F.*, his [*or her*] Executors,
' Administrators, and Assigns. Dated this Day
' of
' Witness, *G.H.* (Signed) *A.B. or C.D.*'

And every such Transfer shall, within Two Calendar Months next Assignment
after the Day of the Date thereof, be produced and notified to the to be entered.
Clerk of the said Owners, Proprietors, Lessees, and Occupiers, who shall enter the same into a Book to be kept for that Purpose, for which Entry the said Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and such Transfer shall then entitle such Assignee, his Executors, Administrators, and Assigns, to the full Benefit of such Mortgage Security; and it shall and may be lawful for every such Assignee in like Manner to assign or transfer such Mortgage, and so *toties quoties*; and it shall not be in the Power of any Person or Persons, other than the Person or Persons to whom such Mortgage shall be last transferred, or his, her, or their respective Executors or Administrators, to release, discharge, or make void the original Mortgage Security, or the Monies due thereon, or any Part thereof; and all Persons to whom any such Mortgage or Transfer shall be made as aforesaid, shall, in proportion to the Sum or Sums of Money thereby secured, be Creditors on such Rates in equal Degree one with another, or in such Order as shall be agreed upon and stipulated by the Owners, Proprietors, Lessees, and Occupiers, at the Time of the Advance of their respective Shares. Mortgage
not to be vitiated, excepting by the Person entitled to the Money.
Mortgagees to be interested *pari passu*.

XXXIII. And be it further enacted, That the Interest upon all Interest to
and every such Sum and Sums so borrowed shall have the Preference have Priority
and Priority, and be the first Item paid out of such Rates. to all other
Payments.

XXXIV. And be it further enacted, That it shall be lawful for the Abbey Land
Owners or Proprietors, Lessees and Occupiers of the Lands, Tenements, Owners may
and Hereditaments aforesaid, if they shall so resolve and sue and be
order at any Quarterly or Special General Meeting, to sue for and sued, and
Recovery of any Rates or Arrears of Rates, if amounting in the prefer Indict-
whole to the Sum of Five Pounds or upwards, and to be sued in any Name of
Matter relating to this Act where the Sum sought to be recovered Treasurer
shall amount to Five Pounds or upwards, in the Name or Names of or Clerk.
any Treasurer or Clerk for the Time being to be appointed under
this Act, and also to prefer and prosecute, or to order and direct the
preferring and prosecuting, of any Information or Indictment against
any Person or Persons who shall wilfully dig up, spoil, destroy, injure,
or damage any Part of the Road or Causeway, or any Wharfing, Posts,
Rails, Fences, or other Things thereto belonging, or who shall wil-
fully.

fully pull down, destroy, injure, or damage any Bridge, Parapet, Building, or Erection belonging to, or which ought to be repaired, maintained, and kept in repair by such Owners, Proprietors, Lessees, or Occupiers, on behalf of such Owners, Proprietors, Lessees, or Occupiers; in all which Proceedings it shall be sufficient to state generally that such Matters, Works, and Things respectively were the Property of such Treasurer or Clerk as aforesaid; and no Action, Suit, Information, Indictment, or other Process to be brought or commenced by or on behalf of such Owners, Proprietors, Lessees, and Occupiers, by virtue of this Act, in the Name or Names of any such Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of such Treasurer or Clerk, or any of them, or by the Act of such Treasurer or Clerk, or either of them, without the Directions and Consent of such Owners, Proprietors, Lessees, and Occupiers, assembled at some Quarterly or Special General Meeting under this Act, or Three or more of the Committee of Management under this Act; but such Treasurer or Clerk for the Time being shall always be deemed to be the Plaintiff in every such Action, Suit, Information, Indictment, and other Process: Provided always, that every such Treasurer and Clerk shall be reimbursed and paid, out of the Monies belonging to or to be raised by such Owners, Proprietors, Lessees, and Occupiers, all such Costs, Charges, and Expenses as any such Treasurer or Clerk shall be put unto, or become chargeable with or liable to, by reason of his or their being so made Plaintiff, Prosecutor, or Defendant as aforesaid.

Evidence as
to Plaintiff
being Treas-
urer, &c.

XXXV. And be it further enacted, That in all Cases where any Action, Suit, Information, Indictment, or other Process shall be brought by such Treasurer or Clerk, the Minute or Entry of the Appointment or Election of such Treasurer or Clerk, entered and written in the Minute Book of any General or Special Meetings held under this Act, shall be sufficient Proof of his or their being such Treasurer or Clerk respectively.

Proceedings
in Appeals
on the ground
that the Pre-
mises rated
are not Ab-
bey Land,
&c.

XXXVI. Provided always, and be it enacted, That whenever, upon any Appeal against any Rate or Assessment under this Act, the Person or Persons appealing shall claim to be exempt from such Rate or Assessment by reason that the Lands, Tenements, or Hereditaments in respect of which such Rate or Assessment shall be made are not Part and Parcel of the Lands, Tenements, and Hereditaments, or built upon Land Part and Parcel of the Lands, Tenements, and Hereditaments heretofore Part and Parcel of the Possessions belonging to the said Monastery or Abbey of *Stratford Langthorne*, or for any other Cause or Reason, and which Lands, Tenements, or Hereditaments, or the Land or Site of which said Tenements or Hereditaments shall or may have been rated under the Provisions of any existing or former Act of Parliament, and such Rates have been paid, the whole Proof of the Exemption claimed and Allegation made by the Person or Persons so appealing shall lie with and be upon such Person and Persons so appealing; and such Person or Persons, and the Clerk or Secretary of such Owners, Proprietors, Lessees, and Occupiers respectively, shall and they are hereby directed and required on all such

such Appeals, and in all Suits, Actions, and other Proceedings whatsoever under this Act, to produce and show forth to the Court and Jury, or other Persons before whom any such Appeal, Suit, Action, or other Proceeding shall be heard, all Maps, Deeds, Abstracts, Books, Writings, Records, and Muniments whatsoever, in their respective Power, Possession, or Custody, relating thereto, or in any Manner touching, concerning, relating to, or descriptive or explanatory thereof.

XXXVII. Provided always, and be it further enacted, That whenever any Rate or Assessment shall be made, assessed, collected, and levied for reimbursing and paying any Arrears or Sums of Money remaining due and owing from any Owners, Proprietors, Lessees, or Occupiers of such Lands, Tenements, and Hereditaments as aforesaid, such Rate and Assessment shall and may be made and assessed, rated, collected, and levied upon such Owners, Proprietors, Lessees, and Occupiers, for the Portions of Time (so far as the same can be ascertained at the Time of making such Rate) during which such Owners, Proprietors, Lessees, or Occupiers, or any of them respectively, were interested in or possessed of such Lands, Tenements, and Hereditaments, and who at any Time after the making of the last preceding Rate should and ought to have been rated and assessed for and in respect of such Lands, Tenements, and Hereditaments, although any Person having been such Owner, Proprietor, Lessee, or Occupier, may not at the Time of the making of such Rate continue to be such Owner, Proprietor, Lessee, or Occupier; and that all and every such Rates and Assessments, and all Arrears thereof, shall and may be sued for, levied, recovered, and obtained by Distress and Sale, or by Action at Law, according to the Provisions of this Act.

In Rates for discharging Arrears, Persons then liable shall be rated for the Proportion of Time they held the Lands, &c.

XXXVIII. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner hereby directed for the levying of any Penalties or Forfeitures.

Damages and Charges in case of Dispute, to be settled by Justice.

XXXIX. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of the Offence, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited

Justices may proceed by Summons in the Recovery of Penalties.

hibited or taken by or before such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

In case of Nonpayment of Compensation for Damages, &c. the same to be levied by Distress of the Goods of their Treasurer.

XL. And be it further enacted, That when and as often as any Sum of Money shall be directed or ordered to be paid by any Justice of the Peace in pursuance of this Act, or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Owners and other Persons interested as aforesaid, or any Person acting by or under their Authority, and such Sum of Money shall not be paid by the said Owners and other Persons interested as aforesaid, to the Party or Parties entitled to receive the same, within Fourteen Days after Demand in Writing shall have been made of the said Owners and other Persons interested as aforesaid, in pursuance of the Direction or Order made by such Justice, and in which Demand the Order of such Justice shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Owners and other Persons interested as aforesaid, by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, (unless such Treasurer shall pay such Sum out of any Money belonging to the said Owners and other Persons interested as aforesaid, in his Hands, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any such Materials, Cost, Damage, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expenses of hearing and determining the Matter in dispute, and also the Costs and Expenses of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Owners and other Persons interested as aforesaid, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expenses as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Appeal to the Quarter Sessions.

XLI. Provided always, and be it enacted, That if any Body Politic, Corporate, or Collegiate, or any Person or Persons, shall think himself, herself, or themselves aggrieved by any Rate or Rates to be made, or by any thing which shall be done by virtue of this Act, or by any Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, it shall be lawful for such Bodies or Persons respectively to appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be held for the County where the Matter complained of was done, within Four Calendar Months next after the Cause of Complaint shall have arisen, every such

such Appellant or Appellants giving Fourteen Days Notice in Writing of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk or Collector of the Owners, Proprietors, Lessees, and Occupiers aforesaid, (as the Case may be,) and within Seven Days after the Delivery of such Notice entering into Recognizance before some Justice of the Peace of the same County, with Two sufficient Sureties, to try such Appeal, and to abide the Order of the said General or Quarter Sessions thereon; and the said Justices, upon due Proof of such Notice having been given, and of such Recognizance having been so entered into, shall, and they are hereby authorized, empowered, and required, in a summary Way to hear and finally determine such Appeal at such General or Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be holden for the same County; and such Justices shall and may, if they see Cause so to do, by Order of such Sessions, mitigate, at their Discretion, all or any Penalty or Forfeitures incurred under this Act, and may also award such Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and the Determination of such Justices shall be binding and conclusive to all Intents and Purposes whatsoever.

XLII. Provided always, and be it further enacted, That on any Appeal from any Rate or Assessment to be made for the Purposes of this Act, the Justices of the Sessions where such Appeal shall be heard shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to the other Persons mentioned in the same.

Justices may amend the Rate without quashing the same.

XLIII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining; but the Person or Persons so aggrieved by such Irregularities shall and may recover full Satisfaction for the special Damage in an Action of Trespass upon the Case: Provided always, That no Plaintiff shall recover in any such Action for such Irregularity, or for any Trespass or other wrongful Proceeding, unless Notice in Writing shall be given to the Defendant or Defendants, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on behalf of the Defendant or Defendants,

Distress not to be deemed unlawful for Want of Form.

Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the said Defendant or Defendants in such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings
not to be
quashed for
Want of
Form.

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

Abbey Land
Owners, &c.
may be Wit-
nesses.

XLV. And be it further enacted, That no Owner, Proprietor, Lessee, Occupier, or other Person or Persons beneficially interested in any such Lands, Tenements, or Hereditaments as aforesaid, or the Treasurer, Clerk, Collector, or other Officer of such Owners, Proprietors, Lessees, and Occupiers, shall be deemed incompetent to give Evidence, or be disqualified from giving Testimony or Evidence in any Action, Suit, Prosecution, or other legal Proceeding to be brought or had in any Court of Law or Equity, or before any Justices of the Peace under or by virtue of this Act, by reason of his being such Owner, Proprietor, Lessee, or Occupier, or being so beneficially interested, or being such Treasurer, Clerk, Collector, or other Officer; nor shall such Testimony, or Evidence, for any of the Reasons aforesaid, be rejected or liable to be questioned or set aside.

For compelling
the Attendance of
Witnesses.

XLVI. And be it further enacted, That if any Person, after having been paid or tendered a reasonable Sum of Money for his or her Costs, Charges, or Expenses, shall be summoned as a Witness or Witnesses to give Evidence before any Justice of the Peace touching any Matter of Fact or Thing in any Information or Complaint under this Act, either on the Part of the Plaintiff or of the Defendant, or on the Part of the Prosecutor, or the Person or Persons accused, shall refuse or neglect to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for such Refusal or Neglect, or if any Person appearing shall (after having been paid or tendered a reasonable Sum for his, her, or their reasonable Costs, Charges, and Expenses) refuse to be examined upon Oath, and then and there testify the Truth and give Evidence, then and in either of such Cases such Person shall forfeit for every such Offence any Sum not exceeding Fifty Pounds.

Directing
what shall
be deemed a

XLVII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, Party or Parties,

Parties, to serve any Notice or Notices upon the said Owners and other Persons interested as aforesaid, or any Writ or Writs, or other legal Proceedings, the Service thereof upon any of the said Owners and other Persons interested as aforesaid, or left at his usual Place of Abode, or at the Office of such Owners and other Persons interested as aforesaid, or upon the Clerk to the said Owners and other Persons interested as aforesaid, or left at the Office of such Clerk, or at his last or usual Place of Abode, or upon any Agent or other Officer employed by the said Owners and other Persons interested as aforesaid, or left at his last or usual Place of Abode, shall be deemed a sufficient Service of the same respectively on the said Owners and other Persons interested as aforesaid.

Service of
Notice on
the Abbey
Land Owners
or their
Clerk.

XLVIII. And be it further enacted, That no Action, Suit, or Information shall be brought or commenced against any Person or Persons, for any Matter or Thing by him or them done under colour of or by the supposed Authority of this Act, unless Fourteen Days Notice to the Defendant or Defendants shall have been given, or after sufficient Satisfaction, or Tender thereof, shall have been made to the Party or Parties aggrieved, or after Three Calendar Months after the Fact committed; and every such Action, Suit, or Information shall be brought in the County or Place in which the Cause of Complaint shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action, Suit, or Information may plead specially or 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 the same shall appear to have been so done, or if any such Action, Suit, or Information shall be brought before such Fourteen Days Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, City, or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and if upon any Verdict for the Defendant in any Action or Suit, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant and Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Limitation
of Actions.

Treble Costs.

XLIX. And be it further enacted, That out of any Monies in the Hands of the Owners, Proprietors, Lessees, and Occupiers of the Lands, Tenements, and Hereditaments aforesaid, arising from any former Rates or Assessments, or out of the first Monies which shall be raised by virtue of this Act, the said Owners, Proprietors, Lessees, and Occupiers shall, by their Treasurer, pay and discharge all the Expenses and Costs relative to procuring and passing this Act, in preference to any other Payment whatsoever.

For paying
the Expenses
of this Act.

2798

7° & 8° GEORGII IV. *Cap. cviii.*

Public Act.

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 as such by all Judges, Justices, and others, without being specially pleaded.

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