



ANNO SEPTIMO & OCTAVO

# GEORGII IV. REGIS.

\*\*\*\*\*

## *Cap. xci.*

An Act for providing the Inhabitants of the Parish of *Saint John Hampstead*, in the County of *Middlesex*, with increased Accommodation for attending Divine Service. [14th June 1827.]

**W**HEREAS the Population of the Parish of *Saint John Hampstead* in the County of *Middlesex* has been for many Years greatly increasing, and the Parish Church is become incapable of affording sufficient Accommodation to the Inhabitants of the said Parish for attending Divine Worship, and also stands in need of Repair: And whereas the said Parish Church is a Donative with Cure, and Sir *Thomas Maryon Wilson* Baronet is seised of and entitled to the Advowson or Right of Donation of the said Parish Church, and the Right of Appointment of an Incumbent, Curate, or Minister thereto, and the Reverend *Samuel White* Doctor of Divinity is the present Incumbent or Minister of the said Parish and Parish Church: And whereas certain of the Pews or Sittings in the said Church are in the Possession of the Lord or Lady of the Manor of *Hampstead* aforesaid for the Time being; others of them in the Possession of the Incumbent or Minister of the said Church for the Time being; others of them in the Possession of the Heirs or Assigns of *Henry Flitcroft* Esquire; and others of them have been let by certain Trustees at Rents pursuant to certain Articles of Agreement, by virtue whereof other Powers have been exercised by the said Trustees with respect to the said Church, but such Articles

[Local.] 25 G of



Appointment  
of Trustees.

of Agreement have been deemed to be invalid, and no longer capable of being acted upon: And whereas further Accommodation is required by the Inhabitants of the said Parish for attending Divine Worship, and may be provided in manner herein-after mentioned, but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *Thomas Maryon Wilson* Baronet, and the Patron of the said Advowson for the Time being, the Reverend *Samuel White* Doctor of Divinity, the present Incumbent or Minister of the said Parish and Parish Church, and his Successors for the Time being, and the Assistant Licensed Curate for the Time being (if any) to the Minister of the said Church, and the Churchwardens of the said Parish for the Time being and their Successors, shall be and are hereby appointed to be Trustees for putting this Act into execution, together with Twenty-one other Persons, to be elected in manner herein-after mentioned, and their Successors; which said last mentioned Twenty-one Persons, and their Successors, shall be and continue such Trustees during such Time only as they shall respectively continue to be rated in manner herein-after mentioned.

Election of  
Trustees.

II. And be it further enacted, That it shall be lawful for the Persons qualified to vote at the Vestries of the said Parish, and they are hereby required, at a Vestry to be holden for that Purpose within Six Weeks from and after the passing of this Act, to elect Twenty-one Persons, being Members of the Church of *England*, and rated or liable to be rated to the Relief of the Poor of the said Parish for or at the Rate of Forty Pounds or upwards, to be Trustees for putting this Act into execution, together with the Trustees herein-before appointed; and when any or either of the said last-mentioned Twenty-one Persons, or their Successors, to be elected in manner herein-after mentioned, shall die, or refuse or be disabled to act, or shall cease to be rated as aforesaid, or cease to be a Trustee or Trustees in manner herein-after mentioned, it shall be lawful for the Persons qualified to vote as aforesaid, from Time to Time, at a Vestry to be holden for that Purpose, to elect, of the Persons rated or liable to be rated as aforesaid for or at the Rate of Forty Pounds or upwards, some other Person or Persons, being a Member or Members of the Church of *England*, to be a new Trustee or Trustees in the Room of the Trustee or Trustees so dying, or refusing or becoming disabled to act, or ceasing to be rated as aforesaid, or ceasing to be a Trustee or Trustees; and that the Trustee or Trustees so elected, and every of them, shall and may act under the Authority and in the Execution of this Act as fully as if he and they had been for that Purpose named in and by this Act: Provided always, that every Trustee to be elected in the Room of any Trustee so dying, or refusing or becoming disabled to act, or ceasing to be rated as aforesaid, shall be considered as standing in the Room and Place of every such Trustee so dying, or refusing or becoming disabled to act, or ceasing to be rated as aforesaid, and shall retire in Rotation at the Time at which such Trustee in whose Room or Place he shall have been elected a Trustee would have



have been compelled to have retired in manner herein-after mentioned in case he had continued such Trustee.

III. And be it further enacted, That on the Twenty-fifth Day of *March* which shall be in the Third Year next succeeding the Year in which this Act shall have been passed, One Third in Number of the Twenty-one Trustees to be elected as aforesaid (to be determined as to the Individuals composing such Third by the drawing of Lots in any fair and proper Manner,) shall cease to be Trustees for the Execution of this Act; and on the Twenty-fifth Day of *March* in the Third next succeeding Year One other Third of the Twenty-one Persons so first elected (to be determined in like Manner by Lot) shall cease to be Trustees for the Execution of this Act; and on the Twenty-fifth Day of *March* in the Third next succeeding Year the remaining Third of the Twenty-one Trustees to be first elected as aforesaid shall cease to be Trustees for the Execution of this Act; and upon the said Twenty-fifth Day of *March* in each of the said Years, or within Fourteen Days afterwards, it shall be lawful for the Persons qualified to vote as aforesaid, at a Vestry to be holden for that Purpose, (of which Notice shall be given in the Church on the *Sunday* immediately preceding,) to elect an equal Number of Persons, qualified as herein-before mentioned, to be Trustees for the Execution of this Act, in the Room of the Persons who shall so cease to be Trustees as aforesaid; and in each and every Third succeeding Year One Third in Number of the Twenty-one Trustees to be so elected as aforesaid shall retire in Rotation according to the Priority of their Election, and their Places shall be supplied by a new Election, in the Manner herein-before provided: Provided always, that Persons having served the Office of Trustees, and having ceased to be Trustees as aforesaid, shall be eligible to be immediately re-elected as Trustees at any and every such Election as aforesaid.

One Third  
of Trustees  
to go out  
triennially.

IV. Provided always, and be it further enacted, That no Person appointed a Trustee for the Execution of this Act shall have any Share in, or be any way concerned or interested, directly or indirectly, in any Contract or Work to be done in or about the Execution of any of the Powers of this Act, nor shall have or enjoy, nor directly or indirectly partake in the Emoluments of any beneficial Employment under or by virtue of this Act; and if any Trustee shall be so concerned or interested, contrary to the true Intent and Meaning of this Act, he shall forfeit and pay for each and every such Offence the Sum of Five hundred Pounds, together with full Costs of Suit, to any Person or Persons being rated to the Relief of the Poor of the said Parish who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, by Bill, Plaint, or Information, wherein no Essoign or Protection of Law, nor more than One Imparlance, shall be allowed: Provided nevertheless, that all Acts and Proceedings of all and every Person or Persons acting as a Trustee or Trustees in the Execution of this Act, previous to his or their Conviction of any such Offence, shall notwithstanding such Conviction be as valid and effectual as if no such Conviction had taken place.

Trustees  
not to be  
concerned  
or interested  
in any Con-  
tract.

V. And



First and  
subsequent  
Meetings of  
Trustees.

V. And be it further enacted, That the said Trustees shall and may meet in the Vestry of the said Church, or in the Committee Room of the Workhouse, or at any other Place within the said Parish, within Two Calendar Months next after the passing of this Act, for the Purpose of carrying this Act into execution; and they, or any Five or more of them so assembled, shall and may proceed to put this Act into execution, and shall and may then and from Time to Time adjourn their Meetings, to be held at the same Place or otherwise as they shall think proper; and that they may also meet at any Time for the Purpose of carrying this Act into execution, (without any Adjournment,) upon Notice being given by their Clerk, by the Direction of the Minister or Churchwardens, or any Five of the others of the said Trustees for the Time being, Three Days at the least before such Meeting; and that all Acts and Proceedings of any Five or more of the said Trustees for the Time being, or a Majority of those assembled at any of their Meetings, shall be as valid and binding as if all the Trustees had been present and had concurred therein; and if at the Time appointed for any Meeting, or within Half an Hour afterwards, a sufficient Number of Trustees shall not attend to act, then the Trustee or Trustees present, or the Clerk to the said Trustees, shall adjourn such Meeting to any other Day, giving such Notice as is before directed to be given in Cases of Special Meetings; and the said Trustees at all their Meetings shall pay their own Expenses; and all such Trustees as are or may be Justices of the Peace may act as such in the Execution of this Act.

Trustees  
to hold  
Quarterly  
Meetings.

VI. Provided always, and be it further enacted, That a General Quarterly Meeting of the said Trustees shall be from Time to Time holden, at such Hour and Place as shall be appointed as aforesaid, on the Second *Tuesday* in *January*, the Second *Tuesday* in *April*, the Second *Tuesday* in *July*, and the Second *Tuesday* in *October*, in every Year, or within Seven Days afterwards, but such Quarterly Meetings shall not prevent or interfere with the adjourned and other Meetings to be holden in pursuance of this Act; and the same Meeting and Meetings respectively shall be subject to be adjourned, in case Five Trustees at the least shall not be present, in the like Manner as is herein-before provided and directed with respect to the other Meetings to be holden by virtue of this Act.

Disqualifi-  
cation of  
Trustees.

VII. And be it further enacted, That if any Trustee or Trustees under this Act (except the Patron of the said Advowson, Incumbent or Minister, the Curate, and the Churchwardens of the said Parish for the Time being,) shall neglect to act in the Execution of this Act for and during the Space of One whole Year, or if any such Trustee shall take or hold any Office under this Act, or shall be concerned or interested, otherwise than as such Trustee, in any Contract for doing or performing any of the Works by this Act directed to be done and performed, then and in every such Case it shall be lawful for the others of the said Trustees, and they are hereby required, to declare that such Trustee or Trustees has or have become disqualified to act, and he or they shall thenceforth cease to be a Trustee or Trustees under and by virtue of this Act: Provided always, that nothing herein contained shall prevent any Person so neglecting to act for such Time as aforesaid from being re-elected a Trustee under this Act.

VIII. And



VIII. And be it further enacted, That every Question whereon a Difference of Opinion shall arise shall be determined by the Majority of Votes of the Trustees present; and the Incumbent or Minister of the said Parish for the Time being, when present, shall, if he shall think fit, be the Chairman of and preside at every Meeting; and in case he shall not be present at any Meeting, or if, being present, he shall decline to preside, then the Trustees present shall, at such Meeting, before they proceed in Business, elect One of the other Trustees then present to be Chairman at such Meeting; and if at any Meeting of the said Trustees any Question shall be put to the Vote, and there shall happen to be an equal Number of Votes including the Chairman for and against the Question, then the Chairman shall have a Second or Casting Vote, which shall determine such Question; and no Determination of the Trustees at any Meeting shall be rescinded or altered, except by a larger Number of Trustees present at a Meeting specially convened for that Purpose.

Decision of Questions.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered from Time to Time, at any Public Meeting to be held pursuant to this Act, by Writing under their Hands, to appoint during Pleasure such Treasurer or Treasurers, and Clerk or Clerks, and Collector or Collectors, and other Officers and Persons for the Execution of this Act, as the said Trustees shall think proper, and from Time to Time to remove any such Officer, Treasurer, Clerk, Collector, or Person respectively, as the said Trustees shall see Occasion, and out of the Monies to be received by virtue of this Act to allow and pay all reasonable and proper Salaries, Wages, Gratuities, and Allowances to any and every such Clerk, Officer, or other Person (except such Treasurer); and it shall be lawful for the said Trustees, and they are hereby required, to take such sufficient Security from every Treasurer or Collector to be appointed by them the said Trustees, for the due Execution of his Office, as they shall think proper.

Appointment of Officers.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed 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 any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any 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 any such Treasurer or of his Partner, 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 other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, 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, or if any such Treasurer shall hold

Treasurer and Clerk not to be the same Person.



any Place of Profit or Trust under the said Trustees 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, 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, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Trustees  
may sue and  
be sued in  
the Name of  
their Clerk.

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

Proceedings  
to be entered  
in a Book,  
and signed by  
Chairman.

XII. And be it further enacted, That a fair and regular Entry shall be made in a Book or Books to be provided for that Purpose, and to remain in the Custody of the Clerk for the Time being to the said Trustees, of all the Acts, Orders, Rules, Regulations, Transactions, and Proceedings of the said Trustees at each and every Meeting to be held as aforesaid, with the Names of the Trustees present at every such Meeting respectively; and the Entry of the Proceedings at every Meeting respectively shall be read (as the first Business) at the next succeeding Meeting, and shall be signed or subscribed by the Chairman of the Meeting at which the same shall be so read; and all Entries so made and signed or subscribed shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Suits, Actions, and Proceedings, as well Criminal as Civil, touching anything done in pursuance of this Act, or in anywise relating thereto; and every such Book shall at all convenient Times be open, without Fee or Reward, to the Inspection of every Person interested in the Rates and Assessments imposed for the Relief of the Poor of the said Parish, or by virtue of this Act.

Officers to  
account.

XIII. And be it further enacted, That all Officers so to be appointed shall, under their respective Hands, (at such Time and Times and in such Manner as the said Trustees shall direct,) deliver to such Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and other Persons respectively by virtue or for the Purposes of this Act, specifying how much thereof hath been paid or disbursed,  
and



and for what Purpose, together with the proper Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Trustees, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render such Accounts, or to produce or deliver up the Vouchers and Receipts relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to such Person or Persons as the said Trustees shall for that Purpose appoint, within Ten Days after being thereunto required by the said Trustees or by their Clerk, by their Order, to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Information and Satisfaction to the said Trustees respecting the same, it shall be lawful for the said Trustees, and they 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, in order to recover the Monies which shall be in the Hands of such Officer or Person, with full Costs of Suit; or if Complaint shall be made by the said Trustees, or by any Person or Persons whom they may appoint for that Purpose, of any such Default as aforesaid, to any Justice of the Peace for the County or Place wherein such Officer or Person so making default shall be or reside, such Justice may, and he 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 for some reasonable Cause to be judged of 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 Parties, or by 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 raised by virtue of this Act shall be in the Hands of such Officer or Person, or be unaccounted for, 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 Officer or Person, together with the Costs and Charges of making such Complaint, and of such Distress and Sale; and if no Goods or Chattels of 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 or give such Account, or to produce the Vouchers 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 or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Officer or Person to the Common Gaol for the said County, there to remain without Bail or Mainprise until he shall have given and made a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which  
Composition



Composition the said Trustees are hereby empowered to make and receive,) and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees: Provided always, that no Person who shall be so committed by virtue of this Act, on account of his not having sufficient Goods and Chattels only, shall be detained or kept in Prison by virtue of this Act for any longer Time than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Person, Officers or Persons, and his and their Surety and Sureties, shall remain liable to the Payment thereof in the same Manner as if such Officer or Person, Officers or Persons, had not been committed to Prison.

Books of  
Account to  
be kept.

XIV. And be it further enacted, That the Treasurer for the Time being appointed by the said Trustees shall and may, and he is hereby authorized and required, out of the Monies to be received by him by virtue of this Act, to pay all Sums of Money which the said Trustees, or any Three or more of them, shall from Time to Time draw upon him for or order him to pay; and the Clerk for the Time being to the said Trustees shall and he is hereby required to keep regular and clear Entries, in a Book or Books to be for that Purpose provided by the said Trustees, 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 Trustees, and of every Creditor on the Rates or Assessments hereby made liable to the Payment of any Sum or Sums of Money advanced for the Purposes of this Act, and of every Person paying any such Rate or Assessment, or otherwise affected thereby, without Fee or Reward; and the said Trustees, Creditors, and other Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees, Creditors, or Persons aforesaid to inspect the same, or to take Copies or Extracts as aforesaid, such Clerk, or other Person or Persons as aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds for such Offence.

Treasurer's  
Accounts to  
be audited  
once a Year.

XV. And be it further enacted, That once at least in every Year (such Year to be computed from the passing of this Act) the Treasurer or Treasurers to the said Trustees for the Time being shall, and he and they is and are hereby required to make a true and just Statement or Account of all Sums of Money by him or them received and expended on account of the said Trustees; and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by the said Treasurer or Treasurers laid before the said Trustees at some Meeting to be held for that Purpose in the Month of *January*, or within Fourteen Days afterwards, in every Year, or at such other Time as such Trustees shall direct or require, to be  
by



by them examined and (if approved) allowed; and the said Trustees shall cause the Particulars and Balance of such Account to be fairly stated in the Book or Books of Accounts to be kept according to the Directions of this Act; and no Charge or Item in any of such Accounts shall be binding on the Parties concerned, or valid in Law, unless and until the same shall have been duly allowed by the said Trustees; and a Copy of every such Statement of Accounts, when so examined and allowed, shall be laid before the Parishioners of the said Parish at the Vestry which shall from Time to Time be held next after such Examination and Allowance; and such Accounts shall be subject to appeal under the Provisions of this Act.

XVI. And whereas, under and by virtue of certain Articles of Agreement, herein-before referred to, and bearing Date on or about the Twenty-fourth Day of *June* One thousand seven hundred and forty-four, and made between the then Lady of the said Manor of *Hampstead*, and the several other Persons, chiefly Landholders, Tenants, and Inhabitants within the said Parish, whose Names were thereunto subscribed; and certain other Articles of Agreement, bearing Date the Twenty-fourth Day of *August* One thousand seven hundred and forty-seven, and made between the Subscribers to the said first-mentioned Articles of Agreement, or their Representatives, whose Names were thereunder written; and certain other Articles of Agreement, bearing Date the First Day of *March* One thousand seven hundred and fifty-six, and made between the said Subscribers, or their Representatives, whose Names were thereunder written; certain Powers have been exercised with respect to the present Parish Church of the said Parish by Trustees appointed pursuant to the said Articles of Agreement respectively, and certain of the Seats in the said Church have been let to the Parishioners at Rents which have been received by the said Trustees, and which have been applied by them in the Repair of the said Church, and in defraying the Expenses incident to the Service of the same, and otherwise; but Doubts have arisen as to the Validity of the said Articles of Agreement or some of them, and the same or some of them are in many respects insufficient, and more ample Powers than were thereby given are necessary for the Collection, Management, and Application of the said Rents: Be it therefore enacted, That from and after the passing of this Act, all the said Articles of Agreement shall cease and determine, and shall be and become and be deemed and are hereby declared to be null and void, anything in the said Articles or any of them to the contrary in anywise notwithstanding, except so far as the said Articles may be legally used as Evidence of the several Matters therein contained; and the Trustees acting under the said Articles or any of them are hereby required, within the Space of Three Calendar Months next after the passing of this Act, to account with the Trustees for carrying this Act into execution for all Sums of Money which since the Sixteenth Day of *October* One thousand eight hundred and twenty-five have been received and paid under or by virtue of the said Articles of Agreement or any of them, and to transfer and pay over to the Trustees for carrying this Act into execution the Balance of such Monies, and all other Trust Funds and Securities which the

Former  
Articles of  
Agreement  
declared to  
be void.



Trustees under the said Articles or any of them shall be possessed of or entitled unto at the Time of the passing of this Act; and on Payment and Transfer thereof, the Trustees acting under the said Articles of Agreement, and every of them, shall thenceforth be and are hereby declared to be for ever exonerated, saved harmless, and indemnified from all Liabilities whatsoever incurred by them or either of them in respect of the said Trust, or of any other Matter or Thing done or performed by them or any of them by virtue or under pretext of the said Articles of Agreement or any of them, or otherwise howsoever; and the Trustees for carrying this Act into execution shall be and they are hereby authorized and empowered to apply for, obtain, and recover, by such Ways and Means as to them shall seem expedient, and to receive, all such Sums of Money as at the Time of the passing of this Act may be due and owing from any Person or Persons to the said Trustees acting by virtue of the said Articles of Agreement or any of them in respect of the said Trust, and on Receipt thereof to give Receipts and effectual Discharges for the same; and the Monies, Funds, and Securities to be received by the Trustees for the Execution of this Act, shall be applied for the Purposes of this Act, and to no other Use or Purpose whatsoever.

Church and Churchyard vested in the Incumbent or Minister.

XVII. And in order to avoid Doubts and Disputes as to the said Parish Church of *Saint John Hampstead*, and the Churchyard thereto belonging, be it further enacted, That the said Parish Church, with the Churchyard and the Appurtenances thereto respectively belonging, and any Addition to the said Church and Churchyard, and any new Church which may hereafter be erected within such Churchyard and consecrated, is, are, and shall be, and shall be deemed and taken, and is and are hereby declared to be, the Parish Church and Churchyard of the said Parish, for the Celebration of Divine Offices and the Solemnization of Marriages and Burials according to the Rites and Ceremonies of the United Church of *England and Ireland*; and the Freehold of such Church and Churchyard shall be and the same is hereby vested in the Incumbent or Minister of the said Parish for the Time being, subject nevertheless to the Powers, Authorities, Regulations, and Provisions contained in this Act.

Act not to affect Fees for Burials, nor the Rights of the Minister of the Parish, &c. unless expressly specified.

XVIII. Provided always, and be it enacted, That it shall be lawful for the Incumbent or Minister of the said Parish and Parish Church, and his Successors, to take and demand such reasonable Fees and Charges for Burials as he is legally entitled to at or immediately before the Time of the passing of this Act, or as shall be hereafter authorized by the Ordinary, according to the Course of Law: Provided also, that nothing herein contained shall be deemed or taken to alter or affect any Fees or Charges with respect to the new Burying Ground provided for the said Parish pursuant to an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for providing an additional Burying Ground for the Parish of Saint John Hampstead in the County of Middlesex*, or any of the Rights of the Minister and Churchwardens therein, or any of the Provisions of the said Act: Provided also, that nothing in this Act shall be considered, taken, or adjudged in any way to interfere with



with the Rights, Benefits, Privileges, or Duties of the Incumbent or Minister of the Parish and Parish Church of *Saint John Hampstead* for the Time being, nor with the Rights, Privileges, or Duties of the Churchwardens of the said Parish for the Time being, farther than as the same are hereby expressly enlarged, restricted, or varied.

XIX. And whereas by an Act passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*; and of another Act passed in the Fifty-ninth Year of the Reign of His said late Majesty, for amending and rendering more effectual the said Act of the Fifty-eighth Year aforesaid; and by another Act passed in the Third Year of the Reign of His present Majesty, for amending and rendering more effectual the said Two Acts of the Fifty-eighth and Fifty-ninth Years of His late Majesty; and by another Act passed in the Fifth Year of the Reign of His present Majesty, for making further Provision, and amending and rendering more effectual the said Three Acts passed in the Fifty-eighth and Fifty-ninth Years of His late Majesty and in the Third Year of His present Majesty, certain Powers are given to His Majesty's Commissioners for carrying into execution the Purposes of the said recited Acts: Be it enacted, That all and every the Clauses, Directions, Enactments, Powers, Authorities, and Provisions whatsoever, contained in the said Four last-recited Acts or either of them, or in any other Act or Acts for amending the said Acts or any of them, or such Parts thereof as shall be in force at the Time of the passing of this Act, shall and may in all respects be applied to this Act, and to the said Parish of *Saint John Hampstead*, and shall and may be used and applied in aid of this Act and for the Purpose of carrying this Act into execution, as fully and effectually, to all Intents and Purposes, as if the same, and the several Clauses therein contained, had been repeated and re-enacted in and by this Act, except only and so far as the same are altered or varied by this Act, or are inconsistent with the Powers, Provisions, Authorities, and Directions in this Act contained.

Powers of Commissioners under 58 G. 3. c. 45. 59 G. 3. c. 134. 3 G. 4. c. 72. 5 G. 4. c. 103. extended to this Act.

XX. And be it further enacted, That it shall be lawful for His Majesty's Commissioners for carrying into execution the Four hereinbefore recited Acts, or any Act or Acts for amending the same, to advance or lend such Sum or Sums of Money, or to grant such other Assistance, to the Trustees for the Execution of this Act, or to the said Parish of *Saint John Hampstead*, as the said Commissioners may think proper, for the Purpose of enlarging the said Parish Church, or building a new Church in lieu thereof, or for the Purpose of providing additional Accommodation for the Parishioners of the said Parish in attending Divine Service according to the Rites and Ceremonies of the Church of *England*, by any other of the Ways and Means mentioned in the said recited Acts or any or either of them; and that any Sum or Sums of Money which may be so advanced or lent as aforesaid shall and may, with the Consent and Approbation of the said Commissioners, be charged and chargeable upon, and made payable out of the Rates by this Act made chargeable for the Purposes of this Act, and upon and out of all other Monies applicable to the Purposes

For enabling the Commissioner for building Churches to advance Money.

of



of this Act, as fully, to all Intents and Purposes, as the Church Rates of any Parish, by the said Four recited Acts or any or either of them, or any Act for amending the same, are or may be made chargeable with or for any of the Purposes aforesaid, anything in the said recited Acts or any or either of them to the contrary in anywise notwithstanding: Provided always, that nothing in this Act contained shall extend or be construed to extend to prevent any Church Rate or Church Rates from being made and levied in the said Parish of *Saint John Hampstead*, in the usual Course prescribed by Law, for more effectually securing any Sum or Sums of Money which may be so advanced or lent by the said Commissioners as aforesaid, but so nevertheless that any Monies which shall be raised by such Church Rate or Rates for the Purposes of this Act shall be considered as raised in aid of the Monies authorized to be raised under the Powers and Authorities herein contained.

Trustees empowered to enlarge or rebuild Church according to such Plan, &c. as shall be approved by the Bishop, Patron, Minister, and Vestry.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees for carrying this Act into execution, from Time to Time as Occasion shall require, with the previous Consent and Approbation of the Lord Bishop of *London*, and of the Patron and the Incumbent of the said Church for the Time being, and of the Parishioners in Vestry assembled, of which Vestry Fourteen Days previous Notice at the least shall have been duly given, and the said Trustees are hereby authorized and empowered, with such Approbation and Consent, either to enlarge the present Church or to take down and rebuild the same, of such Size, Dimensions, and Materials, and according to such Plans and Specifications, and in such Manner as by the Trustees for the Execution of this Act shall be agreed upon; and also to cause proper and more convenient Roads, Avenues, and Approaches to be made to the said present Church and Churchyard; and to purchase any Lands, Tenements, or Hereditaments which may be necessary for those Purposes; and also to erect and set up in such Church such Pews, Seats, Sitings, Benches, Forms, Galleries, Organs, Clocks, Bells, Ornaments, and other Conveniences, and from Time to Time to alter the same; and to purchase and procure for the said Church Communion Plate, and to defray all other necessary and proper Charges and Expenses for the due Performance of Divine Service therein; and to provide from Time to Time by all or any of the Ways and Means aforesaid, or by such other Ways and Means as shall be deemed expedient, with such Consent and Approbation as last aforesaid, increased Accommodation for the Inhabitants of the said Parish attending Divine Service according to the Rites of the United Church of *England* and *Ireland* as by Law established.

Trustees not to contract till the Plan and Estimates have been laid before the Vestry.

XXII. Provided always, and be it enacted, That nothing in this Act contained shall be considered as compelling the Trustees for the Execution of this Act to enlarge the present Church in preference to any other Plan for providing greater Accommodation to the said Inhabitants in attending Divine Service; and that it shall not be lawful for the Trustees for the Execution of this Act to begin to alter or enlarge or pull down the said present Church, or to contract for such Alteration or Enlargement, or for the building of any new Church in lieu of the present Church, until a Plan and Elevation of all the

Works



Works necessary for such Alteration or Building, together with an Estimate of the Expense of such Alteration or Building respectively, shall have been made and delivered to the said Trustees, and submitted to and approved by the Parishioners of the said Parish at a Vestry convened for that Purpose, and also by the Lord Bishop of *London*, the Patron of the said Advowson, and the Incumbent of the said Church for the Time being respectively.

XXIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors and Administrators, and all other Persons and Trustees whomsoever, not only for or on behalf of themselves, their Heirs and Successors, but also for and on behalf of Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and for every other Person or Persons whomsoever, who shall be seised, possessed of, or interested in any Lands, Grounds, or Hereditaments which shall be required for the Purposes of this Act, to contract for, sell, and convey, or if Copyhold, to enfranchise the same and every Part thereof, unto the Trustees for the Execution of this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in the Law to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, so conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she, or they, or any of them, shall respectively make by virtue or in pursuance of this Act.

Bodies Politic  
empowered  
to sell and  
convey.

XXIV. And be it further enacted, That all Conveyances and Assurances which shall be made of any Lands or Hereditaments to the said Trustees for the Purposes of this Act, shall be made according to Form following, or as near thereto as the Circumstances of the Case will admit; *videlicet*,

Form of Con-  
veyance.

‘ I [or We] of in consideration of  
‘ the Sum of to me [or us] paid by the Trustees  
‘ for the Execution of an Act of the Eighth Year of King George  
‘ the Fourth, intituled [*here set forth the Title of this Act,*] do hereby  
‘ grant and release to the said Trustees all [*describing the Premises to*  
‘ *be conveyed*] and all my [or our] Right, Title, and Interest to and  
‘ in the same and every Part thereof; to hold to the said Trustees  
‘ and their Successors, and to be devoted to the Purposes of the  
‘ said Act. In witness whereof I [or we] have hereunto set my  
‘ Hand and Seal [or our Hands and Seals, or our Corporate  
‘ Seal, *as the Case may require,*] this . Day of  
‘ in the Year of our Lord .

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

[*Local.*]

25 K

XXV. Pro-



Satisfaction  
to be made.

XXV. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Trustees, or other Persons herein-before capacitated to sell and convey any Lands, Tenements, and other Hereditaments, or enfranchise any Copyholds, or any Owner or Owners, and the Occupier or Occupiers of any Lands, Tenements, or other Hereditaments required to be taken for the Purposes of this Act, may accept and receive Satisfaction for the Value of such Lands, Tenements, and Hereditaments, or of any such Interests as aforesaid; and from and immediately after the Time of making and executing such Sale and Conveyance, or any Contract or Contracts for the same, the Trustees for the Execution of this Act may and shall be at liberty to enter upon, and from thenceforth for ever to have, take, and use the said Lands, Tenements, and other Hereditaments for the Purposes of this Act; and in case the Parties interested in such Lands, Tenements, or Hereditaments, cannot or do not agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Verdict of a Jury, as is herein-after directed.

If Parties  
cannot agree,  
Price to be  
settled by a  
Jury.

If Parties are  
dissatisfied,  
or refuse or  
are unable to  
treat, &c. a  
Jury to be  
impannelled  
to decide the  
Manner.

XXVI. And for settling all Differences which may arise between the Trustees for the Execution of this Act, and the several Owners of or Persons interested in any Lands, Tenements, or other Hereditaments which shall or may be taken or used for the Purposes of this Act: Be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any other Person or Persons so interested, for or on his; her, or their Part or Parts, or for or on the Part of his, her, or their Cestuique Trusts, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money or other Compensation as shall be offered by them the said Trustees or their Agent by or on their Behalf, and shall give Notice thereof in Writing to the Clerk for the Time being to the said Trustees within Seven Days next after such Offer shall have been made, and the Party or Parties giving such Notice as aforesaid shall therein request that the Matter or Matters in dispute may be submitted to the Determination of a Jury; or if any Body Politic, Corporate, or Collegiate, or any other Person or Persons seised or possessed of or interested in any such Lands, Tenements, or Hereditaments as aforesaid, shall refuse to treat or agree, or shall not agree, or by reason of Absence or Disability cannot agree with the said Trustees, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Trustees, or of the Person or Persons authorized by them; then and in every such Case the said Trustees shall and they are hereby empowered and required from Time to Time to issue a Warrant, under the Hands and Seals of any Five or more of them the said Trustees, to the Sheriff of the County in which such Lands, Tenements, or Hereditaments shall lie, or the Matter in question or dispute shall arise; or in case such Sheriff or his Under Sheriff shall happen to be One of the said Trustees, or shall enjoy any Office of Trust or Profit under them, or shall be otherwise interested in the Matter or Matters in question, then to the senior Coroner  
of



of the said County; and in case he shall be so interested, then to the next Coroner of such County in point of Seniority, who shall not be so interested as aforesaid; commanding such Sheriff or Coroner or other Person (and the Sheriff or Coroner or such other Person is hereby empowered and required) to impanel, summon, and return not less than Twenty-four nor more than Forty-eight substantial and indifferent Persons qualified to serve on Special Juries; and the Persons so to be impanelled, summoned, and returned as aforesaid are hereby required to come and appear before the Justices of the Peace for the County wherein the Premises shall lie, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same County, or at some Adjournment thereof, as in such Warrant shall be directed and appointed, and to attend such Court of General or Quarter Sessions from Day to Day until discharged by the said Court; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the Clerk of the Peace for the County wherein such Jury shall be returned, or his Deputy, in such Manner as Juries for Trials of Issues joined in His Majesty's Courts at *Westminster* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, the said Clerk of the Peace, as before mentioned, or his Deputy, shall return other substantial, honest, and indifferent Men of the By-standers, or of others who can be speedily procured to attend that Service, to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Clerk of the Peace, or his Deputy, is hereby empowered and required to summon and call before the said Justices any Witnesses touching the Matters in question, and may order and authorize the said Jury, or any Three or more of them, to view the Place or Places or Matters or Things in controversy; and such Jury shall upon their Oaths (which Oaths, as well as the Oaths to such Witnesses, the said Justices are hereby empowered and required to administer,) inquire of, assess and ascertain, and give a Verdict for the Sum or Sums of Money which shall be paid for the Purchase of such Lands, Tenements, or Hereditaments, or Compensation for any Interest therein as aforesaid; and the said Justices shall give Judgment for such Purchase Money or Compensation so assessed by such Jury; which said Verdict, and the Judgment thereupon, shall be binding and conclusive to all Intents and Purposes, upon all Bodies Politic, Corporate, or Collegiate, and upon all Persons whomsoever, provided that Fourteen Days Notice in Writing at the least of the Hour and Place at which such Jury are so required to be returned be given to the Bodies Politic, Corporate, or Collegiate, or to the Person or Persons interested or claiming so to be, before the Time of the Meeting of the said Justices and Jury as aforesaid, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued.

XXVII. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been

Expenses of Jury how to be paid.



been previously offered or tendered by the said Trustees, for the Purchase of any Lands, Tenements, or Hereditaments to be used or taken by them for the Purposes of this Act, or as a Compensation or Re-compence for any Damages, Loss, or Injury which may happen or arise in the Execution of any of the Powers hereby granted, all the Costs of summoning such Jury, and the Expense of Witnesses, shall be defrayed by the said Trustees; and such Costs and Expenses shall be settled and determined by some Justice of the Peace for the said County, not interested in the Matter in question, who is hereby authorized and required to settle the same at a Time and Place to be by him appointed (after summoning the Parties interested therein to attend him for that Purpose); and in case such Costs and Expenses shall not be paid to the Party entitled to receive the same within Ten Days after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels vested in the said Trustees or their Treasurer (unless such Treasurer shall pay such Costs and Expenses out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expenses; but if the Verdict of the Jury shall not be given for a greater Sum than shall have been previously offered or tendered by or on behalf of the said Trustees, then and in every such Case one Moiety of the Costs and Expenses shall be defrayed by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute, and the other Moiety thereof shall be defrayed by the said Trustees; and the Moiety of such Costs and Expenses, having been ascertained and settled by some Justice of the Peace for such County, in manner herein-before described, shall and may be deducted out of the Money to be determined or adjudged to be paid to such Person or Persons as aforesaid, as so much Money advanced to and for his, her, or their Use, and the Payment or Tender of the Remainder of the Money so to be determined or adjudged shall be deemed and taken, to all Intents and Purposes whatsoever, to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in all Cases where by reason of Absence in Foreign Parts, or from any other Cause or Disability not herein-before provided for, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such Charges and Expenses shall be borne and paid by the said Trustees.

Penalty on Sheriff refusing to summon a Jury, and on Witnesses refusing to attend.

XXVIII. And be it further enacted, That if the Sheriff or other Person so directed to summon and return a Jury as aforesaid, or his Deputy or Agent, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing



appearing shall refuse to be examined or give Evidence, every Person so offending (having no reasonable Excuse to be allowed by the said Justices) shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty so recovered from any Person who shall have been so summoned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Party who shall appear to the said Justice to be injured by the Default of such Person.

XXIX. And be it further enacted, That all the said Judgments and Verdicts (being first signed by the Clerk of the Peace or his Deputy present at the taking of such Verdicts and pronouncing of such Judgments respectively) shall be kept by the respective Clerks of the Peace amongst the Records of the Quarter Sessions of the County, as the Case shall require, and shall be deemed to be Records of the said Quarter Sessions to all Intents and Purposes whatsoever; and the same or true Copies thereof shall be allowed to be good Evidence; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Verdicts to be recorded.

XXX. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury or Juries in manner aforesaid, for the Purchase of any such Lands, Tenements, or Hereditaments, to the Proprietor or Proprietors of such Lands and other Hereditaments and Premises, or such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, within One Calendar Month after the same shall have been so agreed for, determined, or awarded, if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then upon Payment of the said Sum or Sums of Money into the Bank of *England*, as herein-after directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Trustees, and their Agents, Servants, and Workmen, or any other Persons authorized by them in their Behalf, immediately to enter upon such Lands, Grounds, and other Hereditaments respectively; and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in such Trustees for the Purposes of this Act; and such Tender, Payment, or Investiture shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also

Power to enter upon and take possession of Lands, &c. on Payment or Tender of Purchase Monies.

[*Local.*]

25 L

shall



shall extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person, and all Incumbrancers whomsoever therein: Provided nevertheless, that before such Payment it shall not be lawful for the said Trustees, or any Person acting under their Authority, to dig into such Lands or Grounds, for the Purpose of making any Foundation or erecting any Building thereon, without Leave of the respective Owners or Occupiers thereof in Writing under their respective Hands.

Application  
of Compen-  
sation when  
amounting to  
200*l.*

1 G. 4. c. 35.

XXXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any Disability or Incapacity, as herein-before mentioned, 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 at *Westminster*, to be placed to his Account *ex parte* the Trustees for the Execution of this Act, together with the Name or Names of such Person or Persons as any Five of the Trustees shall by Writing signed by them direct and appoint, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, 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; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed 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 and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated  
or



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

XXXII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed 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 case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, to be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Three Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the Trustees for the Execution of this Act, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends arising thereon may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where less than 200*l.* and exceeding 20*l.*

XXXIII. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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, as the Trustees for the Execution of this Act or any Five or more of them shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When less than 20*l.*

XXXIV. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the Trustees for the Execution of this Act, or any Five of them; or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum

In case of not making out Title, &c.



Sum or Sums of Money shall be so ordered to be paid 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 Trustees, or any Five or more of them, to order the said Sum or Sums so awarded 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, Control, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or 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, 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, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money.

XXXV. 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, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have 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 of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, 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.

The Court may order reasonable Expenses of

XXXVI. 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



to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof respectively, 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 the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the Trustees for the Execution of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Purchases  
to be paid  
by the Trus-  
tees.

XXXVII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments to be taken or used for the Purposes of this Act, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by or on behalf of the Trustees for the Execution of this Act, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Trustees; or in case such Mortgagee or Mortgagees shall have Notice in Writing from or on behalf of the said Trustees, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months (to be computed from the Day of giving such Notice); that then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Trustees; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained as directed by this Act, then the said Trustees shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as is hereinbefore directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in trust for him, her, or them, shall vest in the said Trustees, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, for the Purposes of this Act, to all Intents and Purposes whatsoever: Provided also, that if such Mortgage or Mortgages

Mortgagees  
to convey.

[*Local.*]

25 M

comprise



comprise any other Lands, Tenements, or Hereditaments than those which shall be so purchased or taken by the said Trustees, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained as the Value of the said Lands, Tenements, or Hereditaments, as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, or Hereditaments to the said Trustees; and in default of their doing so, and on Payment of such Money into the Bank of *England* for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above mentioned; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in trust for them, in the said Lands, Tenements, or Hereditaments, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Trustees, and they shall be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever, and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

Trustees  
empowered  
to resell  
Lands not  
wanted.

XXXVIII. And whereas the said Trustees may purchase Lands to be made use of for the Purposes of this Act, and it may become necessary to resell the same; be it therefore further enacted, That it shall be lawful for the Trustees for the Execution of this Act, by Indenture under the Hands and Seals of any Five or more of them, to grant and convey, by way of absolute Sale, for a Consideration in Money, such Lands, Tenements, or Hereditaments, or any such Part or Parts thereof as shall not be wanted for the Purposes of this Act; and all such Conveyances from the said Trustees shall be valid and effectual, anything in this Act contained, or any other Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by Sale or Sales of such Lands, Tenements, and Hereditaments, it shall and may be lawful for the Treasurer for the Time being to the said Trustees to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands or Buildings shall be so sold, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof: Provided always, that the said Trustees, before they shall sell and dispose of such Lands, Tenements, or Hereditaments, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, or would have been then entitled thereto, in case the same had not been purchased by the said Trustees, the Price at which the same shall be resold being adjusted and settled by a Jury, in like Manner as the Price for any Land to be taken in pursuance of this Act is herein-before directed to be settled; in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree or shall refuse to repurchase the same, it shall and may be lawful to and for any Person or Persons;

not



not interested in the Premises, to make an Affidavit, to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Lands shall be situate, stating that such Offer was made by or on behalf of the said Trustees, and that such Person or Persons did not agree or refused to purchase such Lands or Buildings, as the Case may be; and such Affidavits shall in all Courts be sufficient Evidence and Proof that such Offer was made, and not agreed to, or refused.

XXXIX. And be it further enacted, That all Ground which shall be purchased by the Trustees for the Execution of this Act, and applied to the Purposes of this Act, (other than and except such Ground as may be added to and made Part of the Churchyard of the said Parish,) and the Freehold of such Ground (except as aforesaid), shall be and the same is hereby vested in the Trustees for the Execution of this Act for the Time being; and that any Organ or Organs, Bell or Bells, Clock or Clocks, and all Communion Plate, and all Fixtures, Furniture, or Effects, which at the Time of the passing of this Act shall belong or appertain, or which at any Time after the passing of this Act shall belong or appertain to or be used in and about the said present Church or any Addition thereto, or any new Church which may be erected in lieu thereof by virtue of this Act, shall be and the same are hereby vested in the Trustees for carrying this Act into execution for the Time being; and it shall be lawful for the said Trustees from Time to Time to repair or renew the same by and out of the Monies to be received by virtue of this Act; and it shall be lawful for the said Trustees, by and with the Consent of the Inhabitants in Vestry assembled, from Time to Time to apply the said Monies or any Part thereof to or for any Purpose connected with the said present Church, or any new Church which may be erected in lieu thereof as aforesaid, and to or for the due Performance of Divine Service therein, although such Purpose be not in this Act particularly mentioned and specified; and that until such Church, together with the Vaults, Catacombs, and Appurtenances to the same, shall be enlarged, rebuilt, and completed, all the Stones, Bricks, Tiles, Timber, Iron, Lead, and other Materials to be purchased or procured for enlarging or rebuilding such Church, or for any Works to be erected or executed by virtue of this Act at any Time hereafter, either for the repairing, altering, or enlarging the said present Church, or for the building any new Church in lieu thereof, or for altering the Pews or Seats in the said Church, or for any of the Purposes of this Act, shall belong to and be the Property of and the same is and are hereby vested in the said Trustees for executing this Act; and it shall be lawful for the said Trustees to bring or cause to be brought any Action or Actions, or to direct the preferring of any Bill or Bills of Indictment (as the Case may require), against any Person or Persons who shall steal, take, or carry away any such Stones, Bricks, Tiles, Timber, Iron, Lead, or other Materials, Articles, Matters, or Things, or shall spoil, injure, deface, or destroy any of them, or any of the Works, Erections, or Buildings to be made or erected by virtue of this Act; and in all such Actions and Bills of Indictment and legal Proceedings it shall be and be deemed and taken to be sufficient to state generally that the

Organs, Fixtures, and Furniture vested in the Trustees;

also all Materials, &c.



Churchwardens to be repaid.

the Article or Articles, or Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Trustees for carrying into execution this Act, without particularly specifying or stating the Name or Names of all or any of the said Trustees: Provided always, that whenever it shall appear to the Churchwardens of the said Parish for the Time being to be necessary or expedient to provide any Article, Matter, or Thing for the Use of the said Church, and the due Performance of Divine Service therein; before any Meeting of the said Trustees can be conveniently held respecting the same, it shall be lawful for the Churchwardens to provide the same, if the Expense thereof shall not exceed the Sum of Ten Pounds at any One Time; and that the said Churchwardens shall report the same from Time to Time to the said Trustees at their then next Meeting for the carrying this Act into execution, who are hereby authorized to repay the same.

Free Seats to be provided.

XL. And be it further enacted, That in the said present Parish Church of *Saint John Hampstead* or any Enlargement thereof, and also in any new Church which shall or may be built in lieu thereof under the Provisions of this Act, it shall and may be lawful for the Trustees for the Execution of this Act, with the Consent of the Lord Bishop of *London* for the Time being, and they are hereby authorized, empowered, and required, to set out and appropriate, in a convenient Manner, a sufficient Number of Sittings, not being less than One Half of the whole Number of Sittings in such Church, which shall for ever afterwards be free and open to be used and occupied, during the Time of Divine Service and the Administration of the Holy Sacrament of the Lord's Supper, by any Person or Persons, being Inhabitants of the said Parish, who shall be willing to use and occupy the same, without any Payment, Appointment, Pre-emption, or Permission whatsoever, but subject nevertheless to such Regulations as the said Trustees for the Time being, with the Approbation of the Lord Bishop of *London* and of the Incumbent or Minister of the said Church for the Time being respectively, shall make and agree to as meet to be observed by the Person or Persons so using such Sittings, or any of them, during the Times aforesaid; provided always, that it shall be lawful for the said Trustees to set out and allot a sufficient Number of the said Free Sittings to or to the Use of all or any such Children as shall be receiving Education in any Free School or Charity School in the said Parish, or otherwise to set out and allot for such Children such other fit and convenient Seats in the said present Church or any Enlargement thereof, and in any new Church to be built in lieu thereof, as to them the said Trustees, with the Consent of the Lord Bishop of *London* and of the Incumbent or Minister for the Time being respectively, shall seem proper or necessary.

Pews to be allotted to the Lord of the Manor, &c.

XLI. And whereas certain of the Pews in the said present Church, containing Thirty-six Sittings, have been for a long Time held by the Lord of the Manor of *Hampstead* for the Time being, and others of the said Pews, containing One hundred and thirty-one Sittings, by the Incumbent or Minister of the said Parish Church for the Time being, and another of the said Pews, containing Ten Sittings, by the Heirs or Assigns of *Henry Flitcroft* Esquire, for their own Benefit respectively; be



Be it further enacted, That it shall be lawful for the Trustees for the Execution of this Act, and they are hereby required, upon any Alteration being made in the said present Church, or upon the Completion of the Body of any new Church which may be built in lieu thereof, to set out and allot therein, to or to the Use and Benefit of the Lord or Lady of the Manor of *Hampstead* for the Time being, and of the Incumbent or Minister of the said Parish Church for the Time being, and of the Heirs and Assigns of the said *Henry Flitcroft* respectively, so many Pews and Sittings as they respectively now hold and enjoy in the said present Church; and which several Pews and Sittings so to be set out and allotted shall respectively be of equal Dimensions and as nearly in the same Situations as may be to the Pews or Sittings now enjoyed by the said Parties respectively; and that such Pews and Sittings, when so set out and allotted as aforesaid, shall be thenceforth held by the said Parties respectively on the same Title as the said Pews and Sittings herein-before mentioned are now held by them respectively; and that any Suit or Action which might have been instituted or brought against the said Parties respectively on account of the said Pews and Sittings now held by them respectively, or any of them, may also be instituted and brought on account of the Pews or Sittings so to be set out and allotted as aforesaid, or any of them; anything in this Act contained to the contrary thereof in anywise notwithstanding: Provided always, that the Right or Title of the said Parties respectively to such Pews or Sittings or any of them shall not be in any Manner whatsoever confirmed or affected by this Act or anything herein contained, or anything to be done under or in pursuance of the same.

XLII. And be it further enacted, That it shall be lawful for the said Trustees, if in their Discretion it shall seem fit, to contract and agree with the present or any future Incumbent or Minister of the said Parish, with the Consent of the Lord Bishop of *London* and of the Patron of the said Advowson for the Time being respectively, for the Surrender by the said Incumbent or Minister to them the said Trustees of any Pews or Sittings held by him in the said Church, and in consideration of the Surrender thereof to pay to the said Incumbent or Minister for the Time being, out of the Pew Rents to be received by the said Trustees as herein-after mentioned, such Sum or Sums of Money yearly as the said Trustees, with such Consent as aforesaid, shall think proper: Provided always, that the Right or Title of the said Incumbent to any Pews or Sittings whatever shall not be in any Manner confirmed or affected by any such Contract or Agreement.

Trustees may contract for the Surrender of the Incumbent's Pews.

XLIII. And be it further enacted, That it shall be lawful for the said Trustees to set out and allot to any Assistant Curate for the Time being of the said Parish Church One Pew, containing at least Five Sittings, for the Use of himself and his Family; but if there shall be no such Assistant Curate, or if there be such, and he or his Family shall not use or occupy such Pew, it shall be lawful for the said Trustees to let the same in manner herein-after mentioned.

A Pew to be allotted to the Assistant Curate.

[*Local.*]

25 N

XLIV. And



Other Seats  
to be let by  
Trustees.

XLIV. And be it further enacted, That all other the Pews and Seats in the said present Church and in any Enlargement thereof, or in any new Church which may be built in lieu thereof as aforesaid, shall and may be let by the Trustees for the Execution of this Act to Inhabitant Householders of the said Parish, for such Time or Times, and at or for such annual Rents, and subject to such Rules, Orders, and Regulations, as the said Trustees shall think proper, and shall from Time to Time make in that Behalf; and that the Rents or Sums of Money to be paid for the Use and Occupation of any such Pews or Seats shall be paid, applied, and disposed of for the Purposes of this Act, and shall be recovered and recoverable in such Manner as herein-after mentioned: Provided always, that no Person or Persons shall be entitled to take any such Pew or Seat for any longer Term or Period than One Year, and so on from Year to Year.

Powers for  
recovering  
Rents.

XLV. And be it further enacted, That if any of the Rents agreed to be paid for any of the said Pews or Seats hereby authorized to be let by the Trustees for the Execution of this Act shall remain in arrear or unpaid for the Space of Twenty-one Days next after the same shall become due, and the Payment thereof shall have been duly demanded by Writing under the Hand of the Person or Persons appointed by the said Trustees to collect and receive the same, and left at the usual or last known Place of Abode of the Person renting, occupying, or contracting for such Pews or Seats, then it shall be lawful for the Trustees for the Time being for the Execution of this Act to re-enter into and upon the Pew or Pews, Seat or Seats, the Rent whereof shall be so in arrear and unpaid, and to take possession of the same, and thereby to determine and put an end to the holding of such Person or Persons so in arrear, and to let such Pew or Pews, or Seat or Seats, to any other Person or Persons, according to the Provisions herein-before contained, and also to sue for and recover the Rent or Rents of such Pew or Pews, or Seat or Seats, by Action of Debt or on the Case, or by Bill, Complaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Privilege, Protection, Wager of Law, or more than One Imparance shall be allowed: Provided always, that in Cases where the Amount of the Rent or Rents sought to be recovered shall not exceed Ten Pounds, it shall and may be lawful for the said Trustees to cause the Amount to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons neglecting or refusing to pay the same, in his, her, or their Dwelling House or Dwelling Houses, in such and the like Manner as any Rate for the Relief of the Poor of the said Parish may be levied and recovered by Law.

Pews to be  
numbered.

XLVI. And be it further enacted, That the said Trustees shall and they are hereby required to cause the several Seats or Pews in the said present Church, and in any Enlargement thereof, and in any new Church which may be built in lieu thereof as aforesaid, to be numbered, and the several Numbers of such Seats to be entered in a Book, and also the several annual Rents with which the same or any of them shall be chargeable, which Book shall be signed by the Trustees for the Execution of this Act, or any Five of them; and a  
Copy



Copy of such Book shall be deposited in the Registry of the Lord Bishop of *London*, and a Duplicate thereof shall be kept by the Clerk to the said Trustees, and shall be open to the Inspection of all or any of the rated Inhabitants of the said Parish, without Fee or Reward, together with the Names of the Persons by whom the appropriated Pews or Seats shall from Time to Time be rented or occupied.

XLVII. Provided always, and be it further enacted, That it shall be lawful for the Trustees for the Execution of this Act for the Time being, from Time to Time, with the Consent in Writing of the Lord Bishop of *London* for the Time being, to alter any such Rents for the Pews or Seats in such Church; and in any such Case a new List or Schedule of such Rents shall be signed by the said Trustees, and be deposited in the Registry of the Lord Bishop of *London*, and a Duplicate thereof shall be kept by the Clerk to the said Trustees as aforesaid.

Trustees may, with Consent of the Bishop, alter Pew Rents.

XLVIII. And be it further enacted, That it shall be lawful for the Trustees for the Execution of this Act from Time to Time to assign out of the Rents of any Pews in such Church reasonable Salaries or Compensations to the Clerk, Sexton, Organist, Pew-openers, and other Officers or Servants of such Church, and from Time to Time to increase or diminish the same; and the said Trustees are hereby required to pay such Salaries and Compensations out of such Pew Rents.

Power to assign out of the Pew Rents Salaries to the Clerks, Sextons, &c.

XLIX. And be it further enacted, That it shall be lawful for the respective Renters of all such Pews or Seats so hereby authorized to be let, for and during such Term as he, she, or they shall have respectively agreed for or taken such Pews or Seats, and shall respectively pay the Rents for the same, and be resident within the said Parish, and conform to the Rules, Orders, and Regulations which the said Trustees shall make as aforesaid, to hold and enjoy such Pews or Seats so to be let or set to him, her, or them, without any Disturbance or Molestation whatsoever, at the respective Rents by him, her, or them agreed to be paid to the said Trustees or to the Person or Persons to be appointed to receive the same: Provided always, that no such Renter or Occupier of such Pews or Seats shall directly or indirectly let or demise the same or any of them, or any Kneeling Place or Sitting therein, to any Person or Persons whomsoever, without the Consent of the said Trustees for that Purpose first had and obtained, (such Consent to be testified by Writing under the Hand of their Clerk for the Time being,) nor for a larger or greater Rent than such Renters or Occupiers shall respectively pay for the same; and that no such Renter or Occupier shall receive any Sum of Money or other Advantage for assigning or giving up his or her Right to the Use or Occupation of such Pews or Seats, upon Pain of forfeiting the Use or Occupation of such Pews or Seats; and in any of such Cases the future Use or Possession of such Pews or Seats shall become forfeited to the said Trustees for the Time being, and it shall be lawful for them, immediately after such Event shall happen, to take possession of and to let such Pews or Seats to such Person

Renters of Pews or Seats to hold for the Term agreed on without Molestation;

but not to underlet.



Person or Persons as they shall think proper, subject to the Provisions herein contained.

Burials in the Church, &c.

L. Provided always, and be it further enacted, That no Burials shall at any Time after the passing of this Act be made or allowed under the Site of the present Church of the said Parish of *Saint John Hampstead*, or under any Enlargement of the same, or in any Catacomb, Vault, or Arch belonging to the same, except in Leaden Coffins.

The Church, &c. to be kept in proper Repair, and insured.

LI. And be it further enacted, That it shall be lawful for the Trustees for the Execution of this Act, and they are hereby authorized and required, from Time to Time to repair, and keep in good, sufficient, and proper Repair, the said present Church and any Enlargement thereof, and any new Church which may be built in lieu thereof as aforesaid, and other Buildings, Works, Conveniences, and Things which may be erected and provided by virtue of this Act, with the Pews, Galleries, and Appurtenances thereunto belonging, and also the Gates, Walls, Pales, Rails, and Fences to the said Churchyard; and it shall be also lawful for the said Trustees to insure such Church and other Buildings, with the Furniture and Fixtures therein, from Loss or Damage by Fire, and to provide and keep a Fire Engine, Engine House, Fire Ladders, and other necessary Implements for Use in case of Fire, and to defray the Expenses of all or any of the Matters aforesaid out of any Monies that may come to the Hands of the said Trustees or of their Treasurer by virtue of this Act.

Engines may be provided.

Power to receive voluntary Contributions.

LII. And be it further enacted, That it shall be lawful to and for any Person or Persons voluntarily to contribute and pay into the Hands of the said Trustees, or into the Hands of their Treasurer, any Sum or Sums of Money for the Purposes of this Act, and also to and for the said Trustees and their Treasurer for the Time being to receive and take all such voluntary Contributions, Sum and Sums of Money, and to apply the same towards carrying the Purposes of this Act into execution.

Treasurer of the Guardians of the Poor under 39 & 40 G. 3. c. 35. shall pay the Sums necessary for the Purposes of this Act to the Trustees under this Act.

LIII. And be it further enacted, That it shall be lawful for the Treasurer of the Guardians of the Poor of the said Parish for the Time being, and he is hereby authorized and required, out of the Rates for the Relief of the Poor of the said Parish to be from Time to Time collected under and by virtue of an Act passed in the Thirty-ninth and Fortieth Years of the Reign of his late Majesty King *George* the Third, for the better Relief and Employment of the Poor of the said Parish of *Saint John Hampstead*, to pay or cause to be paid to the Trustees for the Execution of this Act, or to their Treasurer, such Sum or Sums of Money, not exceeding in any One Year the Amount of Eight hundred Pounds, or Sixpence in the Pound of the annual Rent or Value of the Messuages, Lands, Tenements, and Hereditaments within the said Parish chargeable with the Poor's Rates, as the Trustees for the Execution of this Act shall from Time to Time find necessary for discharging the Interest and One Twentieth Part of the Principal of the Monies which may be borrowed, and the Annuities which may be granted, pursuant to the Power herein-after contained;



contained; and such Rate, or additional Rate, not exceeding Sixpence in the Pound as aforesaid, shall and may from Time to Time be made and levied for the Purposes of this Act, either jointly or separately, as Part of the Poor Rates of the said Parish, in like Manner as any Rates for the Maintenance of the Poor of the said Parish, and for the Purposes of the said Act, may be made and levied under the Authority of the said recited Act or any other Act or Acts; and such Sum or Sums of Money, not exceeding the annual Amount aforesaid, is and are hereby charged upon and made payable from Time to Time out of the Monies to arise by the Rate or Rates to be made yearly or otherwise under the said recited Act, and as if such Sum or Sums of Money were charged on the said Rates by the said recited Act; and it shall be lawful for the said Trustees, by Writing under their Hands, to order and require any such Sum or Sums to be paid by such Treasurer of the Guardians of the Poor for answering the Purposes aforesaid; and it shall be lawful for such Treasurer of the Guardians of the Poor for the Time being, and he is hereby authorized and required, to pay such Sum or Sums of Money as aforesaid to the Trustees for the Execution of this Act, or their Treasurer, by Two even and equal half-yearly Payments, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, and the same shall and may be received by the said Trustees in addition to all Monies arising for Pew Rents or otherwise under the Direction of this Act.

LIV. And be it further enacted, That in case of Nonpayment of any such Sum or Sums of Money as last aforesaid by the Space of One Calendar Month next over or after either of the said Days hereby appointed for Payment of the same as aforesaid, it shall be lawful to and for the said Trustees to cause such Sum or Sums of Money to be levied by Distress and Sale of the Goods and Chattels of the Treasurer of the Guardians of the Poor making default as aforesaid, together with the Charges of levying and recovering the same, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Middlesex*, and which Warrant any such Justice or Justices is or are hereby authorized and required to grant, upon Complaint on Oath of the said Trustees or any Five of them, or their Treasurer or Clerk; and all Sums of Money which shall be paid by the said Treasurer to the said Trustees or their Treasurer in pursuance of this Act, or shall be levied upon them in manner aforesaid, shall be allowed in his Accounts, anything in the said recited Act of the Thirty-ninth and Fortieth Years of His said late Majesty, for the Relief and Employment of the Poor of the said Parish, to the contrary in anywise notwithstanding.

For Recovery of Sums payable by Treasurer of the Guardians of the Poor.

LV. And whereas it is expedient for the better securing the Collection of the Poor Rates, out of which such Sum and Sums of Money are made payable as aforesaid, that further Powers should be given than now exist for the Recovery of Rates for divers Houses within the said Parish which are let at small Rents: Be it enacted, That in all Cases where any House, Tenement, or Hereditament within the said Parish shall be assessed to the Relief of the Poor thereof at or under the Rate of Ten Pounds, the Landlord or Landlords or Owner or Owners thereof shall be deemed and taken to be the Occupier

For the better enabling the Treasurer of the Guardians to pay the same.



or Occupiers, and shall be rated to and shall pay the said Rates or Assessments: Provided always, that the Goods and Chattels of any Person or Persons renting or actually occupying any such House, Tenement, or Hereditament, or any Part or Parts thereof, shall be liable at all Times to be distrained and sold for the Payment of so much of the said Rates or Assessments, and of all Arrears thereof, as accrued and became due from each of them respectively during the Time of their Occupancy only: Provided always, that no such Tenant or Occupier shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or Assessments, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Tenant or Occupier to the Landlord or Owner of the Premises occupied by him or her: Provided also, that each and every such Occupier or Occupiers as shall pay such Rates or Assessments, or the Person or Persons upon whom the same shall be levied, shall and may from Time to Time deduct or retain the same from or on account of the Rent due and payable from him, her, or them to the respective Landlord or Owner (unless there shall be some Agreement to the contrary between the Landlord and the Tenant), and the Receipt for such Payment shall be a sufficient Discharge to such Tenant or Occupier, or Tenants or Occupiers, to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by this Act: Provided also, that it shall be lawful for the Overseers of the Poor of the said Parish to compound with such Landlord or Landlords, or Owner or Owners, if they shall think proper, for the Payment of such Rates or Assessments at a reduced yearly Rental of not less than Two Thirds or more than Four Fifths of the Amount at which the same respectively shall then be rated or assessed.

Rates to be assessed as Poor's Rates, and specified in Receipts.

LVI. And be it further enacted, That every Rate or additional Rate which shall be made and assessed, in part or in the whole, for the Purposes of this Act, shall be made, allowed, and assessed in like Manner, and shall be subject and liable to the like Appeal, as any Rate for the Maintenance of the Poor of the said Parish; and that every Collector of the Poor's Rate shall give a separate Receipt for every such Rate or Sum as shall be applicable to the Purposes of this Act, or shall, upon every Receipt given for the Poor's Rate, specify what Proportion of the Sum mentioned in such Receipt is applicable to the Purposes of this Act.

Power to borrow Money.

LVII. And for the further and better enabling the Trustees for the Execution of this Act to carry the several Purposes of this Act fully into execution, be it enacted, That it shall be lawful for the said Trustees from Time to Time, with the Consent of the Parishioners of the said Parish at a Vestry to be convened for that Purpose, to raise or borrow and take up at Interest, upon the Credit of the Rates for the Relief of the Poor within the said Parish, and of the Pew Rents and other Sums of Money receivable by the said Trustees under the Authority of this Act, by way of Mortgage or otherwise, such Sum and Sums of Money as they shall judge necessary for the several Purposes of this Act or any of them, including the Costs and Expenses relating to the obtaining this Act; and all and every Sum of Money



so to be borrowed, and the Interest thereof, shall be and is hereby charged upon and shall be payable from Time to Time out of all Monies which shall come to the Hands of the said Trustees or be payable to them by virtue of this Act, and shall be secured by an Assignment under the Hands and Seals of any Five or more of the said Trustees, with Interest for the same not exceeding the Rate of Five Pounds *per Centum per Annum*; and the Charges and Expenses of such Assignment shall be from Time to Time defrayed by the said Trustees; and every such Assignment shall be in the Words or to the Effect following; (that is to say,)

‘ WE, Five of the Trustees acting in the Execution Form of  
Assignment.  
 ‘ of an Act passed in the Eighth Year of the Reign of King  
 ‘ George the Fourth, intituled [*here set forth the Title of this Act,*]  
 ‘ in consideration of the Sum of advanced and lent by  
 ‘ of in the County of  
 ‘ upon the Credit and for the Purposes of the said Act, do hereby  
 ‘ grant and assign unto the said [or his, or her,  
 ‘ Trustee or Trustees, *as the Case may be,*] his [or her] Executors,  
 ‘ Administrators, and Assigns, such Part or Proportion of the Rates  
 ‘ or Assessments for the Relief of the Poor of the said Parish, and of  
 ‘ the Rents of the Pews and Seats in the present Parish Church, or  
 ‘ in any Church to be erected in lieu thereof, and of all such other  
 ‘ Sums of Money as by the said Act are authorized to be taken or  
 ‘ charged for the Purposes of the said Act, as the said Sum of  
 ‘ doth or shall bear to the whole of the Sums which may  
 ‘ at any Time be borrowed, or become due and owing, or be charged  
 ‘ upon the Credit of the said Rates or Assessments, Rents, and other  
 ‘ Sums of Money; to be had or holden from this  
 ‘ Day of until the said Sum of with  
 ‘ Interest after the Rate of per Centum per Annum for  
 ‘ the same, shall be fully paid and satisfied. In witness whereof we  
 ‘ the said Trustees have hereunto set our Hands and Seals the  
 ‘ Day of in the Year of our Lord .’

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in an arithmetical Progression ascending, whereof the common Excess or Difference shall always be One in respect of every One hundred Pounds so advanced as aforesaid; and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

LVIII. And be it further enacted, That in case the Trustees for the Execution of this Act shall think it advisable to raise all or any Part of the Money for the Purposes of this Act, by granting Annuities for Lives, instead of raising the same by such Assignments as aforesaid, then and in such Case it shall be lawful to and for the said Trustees and they are hereby authorized and empowered so to do, with such Consent of the Parishioners as aforesaid; and by Writing under the Hands and Seals of any Five or more of the said Trustees, to grant any Annuity or Annuities to any Person or Persons who shall contribute, Power to  
raise Money  
by way of  
Annuity.  
 advance,



advance, and pay into the Hands of the Treasurer or Treasurers of the said Trustees any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of any such Contributor, or the natural Life of any one such Person as shall be nominated by or on behalf of any such Contributor or Contributors at the Time of the Payment of his, her, or their Contribution or Purchase Money; and the Charges and Expenses of preparing the Grant of any such Annuity shall be paid by the said Trustees; and the Grant of every such Annuity shall be in the Words or to the Effect following; (that is to say,)

Form of  
Grant of  
Annuity.

‘ WE, Five of the Trustees acting in the Execution  
 ‘ of an Act passed in the Eighth Year of the Reign of King  
 ‘ George the Fourth, intituled [*here set forth the Title of this Act,*] in  
 ‘ consideration of the Sum of \_\_\_\_\_ paid  
 ‘ by \_\_\_\_\_ of  
 ‘ to the Treasurer of the said Trustees appointed in pursuance of the  
 ‘ said Act, do hereby grant unto the said  
 ‘ an Annuity or yearly Sum of \_\_\_\_\_ to be paid  
 ‘ out of the Rates or Assessments for the Relief of the Poor of the  
 ‘ said Parish, and out of the Rents of Pews and Seats in the present  
 ‘ Parish Church of the said Parish, or in any Church to be erected  
 ‘ in lieu thereof by virtue of the same Act, and out of all such other  
 ‘ Sums of Money as by the said Act are authorized to be taken or  
 ‘ charged for the Purposes of the said Act; and which said Annuity  
 ‘ or yearly Sum of \_\_\_\_\_ shall be paid to the  
 ‘ said \_\_\_\_\_ or his [*her or their*] Assigns, during  
 ‘ the Term of his [*or her*] natural Life, [*or during the natural Life*  
 ‘ of \_\_\_\_\_ to the said \_\_\_\_\_ his  
 ‘ [*her or their*] Executors, Administrators, or Assigns,] by  
 ‘ Payments, upon the \_\_\_\_\_ Day of \_\_\_\_\_ and the  
 ‘ \_\_\_\_\_ Day of \_\_\_\_\_, or within \_\_\_\_\_ Days  
 ‘ after each of the said Days, in every Year; and the Sum of  
 ‘ \_\_\_\_\_, being a fractional Part of the \_\_\_\_\_ Payment thereof  
 ‘ shall be paid on the \_\_\_\_\_ Day of \_\_\_\_\_ next ensuing  
 ‘ the Date of these Presents; and the said \_\_\_\_\_ [*or the*  
 ‘ Executors, Administrators, or Assigns of the said \_\_\_\_\_]  
 ‘ shall be entitled to and shall receive a proportional Part of the said  
 ‘ Annuity from the last of the said Days of Payment up to the Day  
 ‘ of the Death of the said \_\_\_\_\_ . In witness  
 ‘ whereof we the said Trustees have hereunto set our Hands and  
 ‘ Seals, the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of  
 ‘ our Lord \_\_\_\_\_ .

And every such Grant shall be good, valid, and effectual in the Law; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon, and shall be payable and paid to the Grantees thereof by the Treasurer to the said Trustees, out of the Rates or Assessments, Rents and Monies respectively, according to the Grant of such Annuities.

Power of  
transferring  
Assignments  
and Annuities.

LIX. And be it further enacted, That it shall be lawful to and for the several Persons entitled to any of the Securities for the Money to be borrowed at Interest as aforesaid, or to be raised by granting of \_\_\_\_\_ of



of Annuities as aforesaid, and their respective Executors, Administrators, or Assigns, (as the Case may be,) at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say,)

‘ I *A.B.* being entitled to the Sum of \_\_\_\_\_ [or Form of  
 ‘ an Annuity of \_\_\_\_\_ ] secured to \_\_\_\_\_ and Transfer.  
 ‘ my [or his] Assigns, [or my, his, or her Executors, Administrators,  
 ‘ and Assigns, as the Case may be,] by virtue of an Assignment [or  
 ‘ Grant of Annuity] bearing Date the \_\_\_\_\_ Day of \_\_\_\_\_  
 ‘ under the Hands and Seals of Five of the Trustees acting in the  
 ‘ Execution of an Act passed in the Eighth Year of the Reign of  
 ‘ King George the Fourth, intituled [*here set forth the Title of this*  
 ‘ *Act*], upon the Credit of the Rates or Assessments for the Relief  
 ‘ of the Poor of the said Parish, and of the Pew Rents and other  
 ‘ Monies granted or payable by the said Act, do hereby transfer all  
 ‘ my Right and Interest in and to the same Sum [or Annuity], and  
 ‘ all Interest and other Money now due and arising thereon, unto  
 ‘ \_\_\_\_\_ his [or her] Executors, Administrators, and Assigns.  
 ‘ Dated the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our  
 ‘ Lord \_\_\_\_\_

And a Copy or Abstract of every such Security or Assignment, together with the Number or Numbers thereof, and of every Grant of Annuity made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and the Sums of Money thereby secured or transferred, to which Book any Person interested or claiming to be interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of Five Shillings and no more; and every such Transfer, after entering thereof as aforesaid, shall entitle the Person to whom such Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment thereof, any Law or Statute to the contrary notwithstanding.

LX. And for preventing any improvident Grants of Annuities under this Act, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rates prescribed by Two several Acts of Parliament, the one passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*, and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for*  
 [Local.] 25 P enabling

Restrictions  
asto granting  
of Annuities.



*enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities.*

Power to borrow Money at lower Interest to discharge Securities at a higher Rate.

LXI. Provided always, and be it further enacted, That in case the Trustees for the Execution of this Act can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall be lawful to and for the said Trustees from Time to Time so to do, and to charge the said Rates or Assessments, Rents and Monies, in the Manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, and to pay off and discharge the Assignments and Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

Trustees empowered to lay out Money in Government Securities.

LXII. And be it further enacted, That in the meantime, and until any Monies which shall come to the Hands of the Trustees for the Execution of this Act shall be applied for carrying the Purposes of this Act into execution, it shall be lawful to and for the said Trustees, and they are hereby authorized and empowered, from Time to Time to lay out or invest such Monies, or any Part thereof, in or upon Government or other Public Funds or Securities at Interest, in the Names of Five or more of the said Trustees, of whom the Minister of the said Parish of *Saint John Hampstead* shall always be One; and from Time to Time to sell and dispose of the Stocks, Funds, and Securities in which such Monies shall have been laid out and invested as aforesaid, and again to lay out such Monies, or any Part thereof, in the like Stocks, Funds, or Securities, and so *toties quoties*, or otherwise from Time to Time to apply and dispose of the Monies to be produced by such Sale, and the Dividends, Interest, or annual Produce thereof, for and towards carrying into execution the several Purposes of this Act.

All Sums received by virtue of the Act to be paid to the Treasurer.

LXIII. And be it further enacted, That all and every Sum and Sums of Money which shall be borrowed at Interest, or raised by way of Annuity as aforesaid, or received for Rent of Pews or Sittings in the said Church, or from the Treasurer of the Guardians of the Poor of the said Parish, or otherwise howsoever, by any of the said Trustees or their Collectors, or other Persons, by virtue or in pursuance of this Act, shall, when so received by them respectively, be paid into the Hands of the Treasurer or Treasurers to the said Trustees for the Time being, to be applied by such Treasurer or Treasurers in carrying into execution the several Purposes of this Act.

Expenses of the Act.

LXIV. And be it further enacted, That all the Costs, Charges, and Expenses relating to the passing of this Act, and all other Charges necessarily incidental to the applying for and attending the obtaining and passing the same, shall be borne, paid, and defrayed by the said Trustees, at their Discretion, out of the First Monies which shall arise and be received, or which shall be raised by virtue or for the Purposes of or under this Act.

LXV. And



LXV. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices 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 Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, 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 Trustees, 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 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.

Costs and Damages may be recovered from the Treasurer.

LXVI. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Matter or Thing to be made or done under or in pursuance or in or about the Execution of this Act, he, she, or they shall in the first place appeal and complain thereof to the Trustees for the Execution of this Act, at any Meeting of the said Trustees to be holden within Four Calendar Months next after the Cause of Complaint shall have occurred; and it shall be lawful for the Trustees assembled at any such Meeting to examine the Appellant or Appellants, Complainant or Complainants, or any Witness or Witnesses, touching or concerning the Matter of such Appeal or Complaint; and, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises and to make such Order therein as to them shall seem meet.

Persons aggrieved to appeal to the Trustees in the first instance.

LXVII. Provided also, and be it enacted, That if any Person or Persons shall conceive himself, herself, or themselves aggrieved by or be dissatisfied with the Determination of the said Trustees upon any

Persons dissatisfied with the Determination of the Trustees.



or with any Conviction, may appeal against the same to the Sessions.

any such Appeal or Complaint, or by any Order or Conviction of any One or more Justice or Justices of the Peace, then in every such Case it shall be lawful to and for any such Person or Persons to appeal to the Justices of the Peace for the said County of *Middlesex*, at the First General or Quarter Sessions of the Peace to be holden in and for the said County at any Time after the Expiration of One Calendar Month from the Time of such Determination of the said Trustees or of the making of any such Order or Conviction, the Person or Persons appealing having first given Fourteen Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Matters thereof, to the Treasurer or Clerk to the said Trustees, or other the Respondent or Respondents, and within Five Days after such Notice entering into a Recognizance, before some Justice of the Peace of the said County, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order or Award of the said Court thereon; and it shall be lawful for the said Justices at such Session, upon due Proof of such Notice and Recognizance having been given and entered into, and they are hereby authorized and required, to hear and determine the Matter of such Appeal in a summary Way, and to make such Order therein, and to award such Costs to either of the Parties, or otherwise, as they the said Justices shall judge proper; and all such Orders and Determinations of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever; and whatever Costs shall or may be awarded against the said Trustees on any Appeal to be made by or against them, and also all other reasonable Costs and Expenses which shall or may have been incurred and paid by such Trustees, shall be repaid to them out of the Monies in their Hands under the Provisions of this Act.

Rated Inhabitants deemed competent Witnesses.

LXVIII. And be it further enacted, That no Inhabitant of the said Parish of *Saint John Hampstead* shall be deemed an incompetent Witness in any Suit, Action, Information, Complaint, Appeal, Prosecution, or Proceeding to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated or assessed, or liable to be rated or assessed, to the Relief of the Poor of the said Parish, or otherwise liable to the Payment of any Rent, Rate, or Sum of Money, under and by virtue of this Act.

Limitation of Actions.

LXIX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for anything done in pursuance of or under the Authority or Colour of this Act, unless Notice in Writing of such intended Action shall have been given to the Clerk to the Trustees for the Execution of this Act Twenty-eight Days before such Action or Suit shall be commenced, signed by the Attorney for the intended Plaintiff or Plaintiffs, specifying the Cause or Causes of such Action or Suit, nor after sufficient Satisfaction or Tender of Amends has been made to the Party or Parties aggrieved, or his, her, or their Attorney or Attornies, or after Two Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried in the County where  
the



the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in such Actions or Suits may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-eight Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or Amends tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find a Verdict or Verdicts for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in any such Action or Suit shall become Nonsuit, or suffer a Discontinuance of such Action or Actions, or if, upon any Demurrer or Demurrers in such Action or Actions, Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Case by Law.

General Issue.

Treble Costs.

LXX. Provided always, and be it enacted and declared, That this Act, or anything herein contained, shall not extend or be construed to extend to invalidate or avoid any Ecclesiastical Law or Constitution of the Church of *England*, or to destroy any of the Rights or Powers belonging to the Lord Bishop of *London*, or in anywise to abridge or control the ordinary Jurisdiction of the said Lord Bishop of *London* for the Time being in and over the aforesaid Parish of *Saint John Hampstead*, or over the Ministers and Churchwardens thereof, or in, over, or relating to any Matter or Thing respecting the said Parish and the Ministers and Churchwardens thereof, except so far as relates to the letting and managing the Pews in the said Parish Church, or in any Church which may be built in lieu thereof in pursuance and by and under the Authority of this Act and the said herein-before mentioned Acts; but it shall be lawful for the said Lord Bishop of *London* for the Time being to, and such Lord Bishop shall and may, at all Times after the passing of this Act, visit and exercise Ecclesiastical Jurisdiction in the said Parish of *Saint John Hampstead*, as amply as such Lord Bishop might do immediately before the passing of this Act, and in such Manner as in any other Parishes or Places within his Jurisdiction.

Powers of Bishop of London, &amp;c. not to be abridged:

LXXI. Provided also, and be it enacted and declared, That this Act, or anything herein contained, shall not extend to affect, abridge, or interfere with the Estate, Right, and Interest of the said Sir *Thomas Maryon Wilson* Baronet, the present Patron, or of any future Owner or Owners, Patron or Patrons, of the Advowson of, or the Right of Donation or the Right of Appointment of the Minister to the said Parish Church of *Saint John Hampstead*, or any Emoluments or Advantages therefrom in anywise arising; but that the same respectively shall and may be held, exercised, had, used, and enjoyed, at all Times hereafter, in like Manner in all respects whatsoever as if

Nor the Rights of the Patron.

[Local.]

[25 Q]

this



this Act had not been made or passed; save and except only as to the Alteration or Substitution or Surrender of Pews or Seats in the said present Parish Church, or in any Church to be built in lieu thereof, as herein-before expressly mentioned and provided, to be set out and allotted for the Use of the said Lord or Lady of the said Manor of *Hampstead*, and of the Incumbent or Minister of the said Church respectively for the Time being.

Rights of  
the Vicar  
of Hendon  
not to be  
affected.

LXXII. Provided also, and be it enacted and declared, That this Act or anything herein contained shall not extend, or be construed to extend, either to prejudice or affect, or to sanction or recognize, any Right or Pretence of Right, Claim or Demand whatsoever, of the Vicar and Patrons of the Vicarage and Parish Church of *Hendon* in the County of *Middlesex*.

Public Act.

LXXIII. 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.

---

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1856.