



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. lvii.

An Act for taking down the Parish Church of *Great Marlow* in the County of *Buckingham*, and for rebuilding the same on or near the present Site thereof. [22d April 1831.]

WHEREAS the present Church of the Parish of *Great Marlow* in the County of *Bucks* is by Lapse of Time become ruinous, and it is expedient that the said Church should be taken down, and that in lieu thereof a new Church, on a more convenient and commodious Site within the present Churchyard, should be erected for the Use of the Inhabitants of the said Parish of *Great Marlow*: And whereas the Reverend *Thomas Tracy Coxwell* Clerk is Vicar of the Church of *Great Marlow* aforesaid, and *Thomas Gibbons* of *Great Marlow* aforesaid, Coal Merchant, and *Henry Webb* of *Great Marlow* aforesaid, Yeoman, are the Churchwardens of the said Parish: And whereas the Vicar and Churchwardens of the said Parish of *Great Marlow* claim to be entitled to the Rents and Profits of certain Lands and Hereditaments situate or arising in *Great Marlow* aforesaid, and have applied the same to the Defrayment of the Expences of keeping in repair the said Church: And whereas the said Rents and Profits are insufficient for the Purpose of erecting a new Church; and the Expences of erecting a new Church will considerably exceed in Amount the Value of the said Lands and Hereditaments; and the said Vicar and Churchwardens and Parishioners of the said Parish of *Great Marlow* are desirous that

[*Local.*] 11 L such

Church Es-
tates vested
in Trustees
for Sale.

such Messuages, Lands, and other Hereditaments should be sold, and that the Money produced by the Sale thereof should be applied towards and in part Payment of such Expences, in manner herein-after mentioned; but the several Purposes aforesaid 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 it shall be lawful for the Vicar and Churchwardens for the Time being of the said Parish, and they are hereby empowered, as soon as conveniently may be after the passing of this Act, to make Sale and dispose of whatever Lands and Hereditaments may be vested in the said Vicar and Churchwardens, or Churchwardens for the Time being, of the said Parish, in right of or as belonging to the said Church, either by public Auction, or (with the Consent of the general Trustees herein-after appointed, or their Successors, or the major Part of them, present at any Meeting to be held pursuant to this Act,) by private Contract, and either together or in Parcels, unto any Person or Persons who shall or may be willing to become the Purchaser or Purchasers thereof, for the best Price or Prices that can be reasonably had or gotten for the same; and upon Payment to them the said Vicar and Churchwardens, or their Successors, of the Purchase Money for which the same Hereditaments, or any Part or Parts thereof, shall be sold, they the said Vicar and Churchwardens, or their Successors, do and shall convey and assure the said Hereditaments, or such Part or Parts of them as may be so sold as aforesaid, unto and to the Use of the Purchaser or Purchasers thereof respectively, his, her, or their Heirs and Assigns, or as he, she, or they shall direct or appoint, freed and discharged as herein-before is mentioned.

Form of
Conveyance.

II. And be it further enacted, That all Conveyances to be made by the said Trustees in pursuance of this Act may be made according to the following Form; (that is to say,)

WE, [here insert the Names of the Trustees for Sale,] in consideration of the Sum of _____ of lawful Money of Great Britain to us paid by _____ (the Receipt whereof we do hereby acknowledge), do, by virtue of the Powers contained in an Act passed in the First Year of the Reign of His Majesty King William the Fourth, intituled *An Act [here set forth the Title of this Act]*, grant and release unto the said _____ all [describing the Premises to be conveyed], and all our Right, Title, and Interest in and to the same and every Part thereof, to hold unto and to the Use of the said _____ Heirs and Assigns for ever [or to such Uses as the Purchaser may require]. In witness whereof we the said _____ have hereunto set our Hands and Seals this _____ Day of _____

Receipts of
Trustees to
be sufficient
Discharges.

III. And be it further enacted, That the Receipt or Receipts in Writing of the said Vicar and Churchwardens, or their Successors, for the Purchase Monies of the said Hereditaments, or any Part thereof, and for the Rents or Profits of the said Hereditaments which

now are or shall become due previous to the Sale thereof respectively, shall be a sufficient and effectual Discharge for the Money in such Receipt or Receipts expressed or acknowledged to be received; and the Purchaser or Purchasers or other Person or Persons to whom the same respectively shall be given, his, her, or their Heirs, Executors, Administrators, or Assigns, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication, or be in anywise obliged or concerned to see to the Application, of the Money in such Receipt or Receipts expressed or acknowledged to be received.

IV. And be it further enacted, That the said Vicar and Churchwardens, or their Successors, do and shall, after deducting and retaining to themselves or himself all such Costs, Charges, and Expenses as may have been incurred in effectuating the Sale or Sales of the said Hereditaments, or any Part thereof respectively, pay the Purchase Money, and also the Rents, Issues, and Profits of the said Hereditaments, or any Part thereof respectively, until a Sale shall be effected thereof respectively, when and as they or he may receive the same respectively, without any Delay, on any Pretext whatsoever, unto the Treasurers for the Time being appointed by or by virtue of this Act; and the Receipt or Receipts in Writing of such Treasurers shall be a sufficient Discharge or sufficient and effectual Discharges for the same respectively, or for so much thereof respectively as in such Receipt or Receipts respectively shall be expressed or acknowledged to be received.

Produce of Sales to be paid to Treasurers of General Trustees.

V. And be it further enacted, That the Vicar and Churchwardens for the Time being of the said Parish of *Great Marlow*, together with Sir *William Clayton* Baronet, *William Robert Clayton*, *Wadham Wyndham*, *William James Atkinson*, *Thomas Wethered*, *Owen Wethered*, *Richard Webb*, *Richard Lovegrove*, *Ralph Spicer*, *John Crook*, *George Brangwin*, and *Thomas Rolls* of the *Bridge Wharf*, all of the Parish of *Great Marlow* aforesaid, and their Successors, shall be and are hereby appointed General Trustees for executing the several other Purposes of this Act.

General Trustees appointed.

VI. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except such Persons as are hereby appointed Trustees by virtue of their Offices and Situations) unless he shall reside within the said Parish of *Great Marlow*, and shall be in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments within the said Parish of *Great Marlow* of the clear yearly Value of Fifty Pounds, or who shall refuse or become incapable or neglect for the Space of Six Calendar Months to act as such Trustees.

Qualification of Trustees.

VII. And be it further enacted, That if at any Time hereafter, before the Purposes of this Act shall be completed, the said General Trustees shall by Death, Refusal to act, or by Disqualification, be reduced to the Number of Six, (inclusive of such Persons as are herein-before appointed Trustees by virtue of their Offices,) it shall be

Appointment of new General Trustees.

be lawful for the surviving or remaining Trustees, and they are hereby empowered, at any Meeting to be held for that Purpose in pursuance of this Act, to elect and appoint some other Person or Persons, to the Number of Six, in the Place or Stead of such Trustee or Trustees so dying, refusing or becoming incapable or disqualified to act as herein-before is mentioned; and all and every Person and Persons so from Time to Time elected and appointed in manner herein-before directed (being duly qualified as aforesaid) shall be a Trustee and Trustees, and be joined with the other Trustees, and have the like Powers and Authorities vested in him and them, in all respects whatsoever, for putting this Act into execution, as if he or they had been named a Trustee or Trustees in and by this Act.

Church-
wardens to be
Treasurers,
and to ac-
count to
General
Trustees.

Penalties on
refusing or
neglecting so
to do.

VIII. And be it further enacted, That the Churchwardens for the Time being of the said Parish shall be Treasurers and Collectors of the Monies, Rates, and Assessments to be raised for the Purposes of this Act; and such Treasurers shall, under their Hands, on their going out of Office as Churchwardens, or at such other Time and Times and in such Manner as the said General Trustees or their Successors shall direct, deliver to the said General Trustees or their Successors, 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 by virtue of this Act, and also of all Monies which shall have been by them, or either of them, received, expended, and disbursed by virtue and for the Purposes of this Act, together with the proper Vouchers for such Payment, and shall pay all such Money as shall remain due from them to the said General Trustees, or to such Person or Persons as they shall appoint to receive the same; and all such Treasurers shall, when thereunto required by the said General Trustees, lay their Accounts before the said General Trustees, in order that the same may be audited, passed, and allowed by them, if approved of; and if such Treasurers, or either of them, shall refuse or neglect to make and render any such Account as aforesaid, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said General Trustees, or to such Person or Persons as they shall appoint to receive the same, within Ten Days after having been thereunto required by the said General Trustees, or any Three or more of them, by Notice in Writing given to or left at the last or usual Place of Abode of such Treasurer or Treasurers respectively, all Books, Papers, and Writings in their or his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said General Trustees respecting the same, then and in any such Case, upon Complaint made by the said General Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place where such Treasurer so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons or Warrant under his Hand and Seal for the Treasurer or Treasurers so refusing or neglecting to appear before him, and upon his or their appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter

Matter in a summary Way ; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Money that shall have been collected or received by virtue of this Act shall remain due and unpaid from such Treasurer or Treasurers, 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 Treasurer or Treasurers ; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Treasurer or Treasurers shall have refused or wilfully neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Treasurer or Treasurers, and he or they shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall commit such Offender or Offenders to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain, without Bail or Mainprize, until he or they shall give and make a true and perfect Account and Payment as aforesaid, or until he or they shall compound with the said General Trustees for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said General Trustees are hereby empowered to make and receive,) and until he or they shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said General Trustees ; but no such Treasurer or Treasurers shall be detained or kept in such Common Gaol or House of Correction for Want of such sufficient Distress, by virtue of this Act, for any longer Space of Time than Six Calendar Months.

IX. Provided always, and be it further enacted, That the said General Trustees may and they are hereby authorized to take sufficient Security from every Treasurer to be appointed for the Purposes of this Act for the due and faithful Execution of his Office ; and if they shall think proper, the said General Trustees may and are hereby authorized to take such Security from any Clerk, Collector, or other Officer to be appointed under or by virtue or for the Purposes of this Act.

Treasurers, &c. may be required to give Security.

X. And be it further enacted, That it shall be lawful for the said General Trustees from Time to Time to appoint a Clerk, not being one of the Churchwardens of the said Parish, for the Purposes of this Act, and to order such Salary or Allowance to be paid to such Clerk, out of the Monies to be raised by virtue of this Act, as the said General Trustees shall think reasonable and proper.

General Trustees may appoint a Clerk.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said General Trustees to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the

Clerk not to act as Treasurer, and vice versâ.

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Partner

Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, 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, the Clerk to the said General Trustees; 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, or shall act as Deputy of the Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Trust or Profit under the said General 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, or Wager of Law, nor more than One Imparance, shall be allowed.

How General
Trustees shall
sue and be
sued.

XII. And be it further enacted, That the General Trustees for the Time being under and by virtue of this Act may sue and be sued for or concerning any thing relating to the Execution of this Act in the Name of their Clerk or in the Name of any One of the said General Trustees; and no Action or Suit which shall be so brought, commenced, or prosecuted, carried on or defended, by or against the said General Trustees, or any of them, in the Name of the said Clerk or of any One of the said General Trustees, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by the Death, Resignation, or Removal of such General Trustee, or by any Act or Default of such Clerk or General Trustee done or suffered without the Consent or Direction of the said General Trustees; but the Clerk or the General Trustee in whose Name such Action, Suit, or Proceeding shall have been commenced, shall be always deemed Plaintiff or Defendant in every such Action or Suit, as the Case may be.

Trustees and
Treasurers
indemnified.

XIII. Provided always, and be it further enacted, That all and every the General Trustees herein-before named, and their respective Successors, to be appointed as herein-before mentioned, and the respective Treasurers of the said Trustees, shall from Time to Time and at all Times hereafter be fully indemnified, from and out of the Monies to be raised under and by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them shall or may sustain or be put unto for or by reason of any Action, Suit, or other Proceedings which may be had, done, commenced, or prosecuted by or against them, or any or either of them, for or in respect of any Matter or Thing relating to the Execution of this Act, or the Trusts reposed in them under the same.

XIV. And be it further enacted, That the said General Trustees shall meet at the Vestry Room of the Church of the said Parish of *Great Marlow*, or at some other Place within the said Parish to be appointed by the said Trustees, within One Calendar Month next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed to carry this Act into execution, and shall and may then and from Time to Time afterwards adjourn their Meetings as they shall think proper; and the said General Trustees may also meet at any Time for the Purpose of carrying this Act into execution, without any Adjournment, upon Notice in Writing being given to or left at the respective Places of Abode of the said General Trustees residing within the said Parish of *Great Marlow*, by their Clerk, by the Direction of the Vicar or Churchwardens, or any Three of the said General Trustees, Five Days at least before every such Meeting; and if at any Meeting to be holden by virtue of this Act, a sufficient Number of General Trustees shall not attend to act, then the Trustee or Trustees present, or, in case no Trustee shall be present, the Clerk of the said General Trustees, shall adjourn such Meeting to the Place where the same was appointed to be held to that Day Week next after the Day on which such Meeting was appointed, giving such Notice as is herein-before directed to be given in case of Special Meetings.

Meetings of
General
Trustees.

XV. And be it further enacted, That all Orders and Determinations of the said General Trustees in the Execution of this Act shall be made at a Meeting or Meetings to be held in pursuance hereof, and not otherwise (except in Cases hereby otherwise particularly provided for); and no Order or Determination shall be made unless the major Part of the General Trustees present at the respective Meetings to be holden in pursuance of this Act shall concur therein; and all Acts, Orders, and Proceedings relating to the Execution of this Act which are hereby directed to be had, made, done, or executed by or before the said General Trustees, and all the Powers and Authorities hereby in them vested generally, shall and may be had, made, done, and executed by the major Part of the said General Trustees who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number of the said General Trustees present at every such Meeting not being less than Five; and all Acts, Orders, and Proceedings had, made, or done by or before such Five General Trustees shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said General Trustees.

Directing
how Trustees
are to vote.

XVI. And be it further enacted, That at every Meeting of the said General Trustees the Vicar of the said Parish shall always be the Chairman, if present, and in case he shall not be present, or if being present he shall decline to preside, then the General Trustees present shall, before they proceed to Business, elect one of the other General Trustees then present to be Chairman at such Meeting; and when and so often as it shall happen that there shall be an Equality of Votes at any such Meeting upon any Question, (including such

Proceedings
of Trustees.

Chairman's

Chairman's Vote,) then and in every such Case it shall be lawful for such Chairman to give the casting or decisive Vote ; and no Order or Determination at any Meeting of the said General Trustees once made, agreed upon, or entered into shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to propose such Revocation or Alteration shall have been given at a previous Meeting held pursuant to this Act, and shall have been entered in the Book of Proceedings of such Meeting, and unless such Notice, signed by any Three or more General Trustees, shall have also been affixed to the Door of the Room or Place of Public Worship for the Time being for the Inhabitants of *Great Marlow* Five Days at least before such Meeting, nor unless such Revocation or Alteration shall be agreed to be made by Five at the least of the said General Trustees then present ; and the said General Trustees shall, at all their Meetings to be held in pursuance of this Act, pay and defray their own Expences.

Powers of the
Trustees.

XVII. And be it further enacted, That from and immediately after the passing of this Act it shall be lawful for the said General Trustees, and they are hereby authorized and empowered, with the previous Consent of the Bishop of the Diocese in which the said Church is situate, to take down, or order and cause to be taken down, the whole of the present Parish Church of *Great Marlow*, and the Vestry Room and other Buildings adjoining and appertaining to the said Church ; and also, with such Consent as aforesaid, to build a new Church upon such new or more commodious Site within the present Churchyard, of such Size that the Interior of the said Church shall be capable of conveniently accommodating with Seats at least One thousand two hundred Persons, or of such larger Size and Dimensions, and of such Materials, and according to such Plans and Specifications, and in such Manner, as the said General Trustees shall, with such Consent as aforesaid, think proper ; and also to cause such Vaults, Catacombs, and Arches to be made, formed, and constructed under the said new Church, and to build such Vestry Room and other Buildings appertaining to the said new Church, or that may be considered necessary to appertain thereto, for the Use of the said new Church ; and also to erect and set up in the said new Church such Pews, Seats, Sittings, Benches, Forms, Galleries, Organ, Communion Table, Pulpit, Desks, Ornaments, and Conveniences, and such Clock, Bells, and other Requisites, as the said General Trustees, with such Consent as aforesaid, shall think right and proper.

Power to
purchase
more Land
for the
Churchyard.

XVIII. And be it further enacted, That the said General Trustees shall have full Power and Authority at any Time after the passing of this Act to treat and agree, or to employ any Person or Persons to treat and agree, with any Person or Persons willing and competent to sell the same, for the Purchase of any Pieces or Parcels of Land and other Hereditaments, with or without Buildings thereon, adjoining to the said present Churchyard, not exceeding in the whole Half an Acre, and of any subsisting Leases, Terms, Estates, and Interests therein, as they shall judge necessary or proper to be purchased for the Purpose of enlarging or improving the said Churchyard.

XIX. And

XIX. And be it further enacted, That all Conveyances and Assurances of any Pieces or Parcels of Lands and other Hereditaments to be purchased by the said General Trustees, for the Purpose of enlarging the said Churchyard, may be made to the Vicar for the Time being of the Church of *Great Marlow* aforesaid, in the Form or to the Effect following ; (that is to say,) Form of Conveyance.

‘ I [or We] of in consideration
 ‘ of the Sum of Pounds paid to me [or us] by the
 ‘ General Trustees acting under and by virtue of an Act passed in
 ‘ the First Year of the Reign of King *William* the Fourth, intituled
 ‘ [here set forth the Title of this Act], do hereby grant and convey
 ‘ to *A. B.* [naming him], Vicar of the said Parish of *Marlow*, and to
 ‘ his Successors, [describe the Parcels to be conveyed,] and all my [or
 ‘ our] Right, Title, and Interest to and in the same, and every Part
 ‘ thereof, to the Intent that the same may for ever hereafter form
 ‘ Part of the Churchyard of *Great Marlow* aforesaid. In witness
 ‘ whereof I [or we] have hereunto set my [or our] Hands and Seals
 ‘ this Day of in the Year of our
 ‘ Lord .’

And all Lands and other Hereditaments so purchased shall be held, used, and enjoyed as if the same had from Time immemorial formed Part of the said Churchyard.

XX. And be it further enacted, That the Purchase Monies of the said Lands and other Hereditaments, and all the Expences of Purchase payable on the Part of the Trustees, shall be defrayed out of the Monies to be produced by the Rates of the Messuages, Lands, and other Hereditaments herein-before vested in the said Vicar and Churchwardens in Trust to sell, and no Part thereof shall be defrayed out of the other Monies to be raised by virtue of this Act. How Purchase Monies are to be defrayed.

XXI. And be it further enacted, That all and every the Timber, Stones, Bricks, Iron, Lead, and other Materials of the present Church, Vestry Room, and other Buildings, and all such Articles, Matters, and Things so to be erected, made, and provided, and all the Stones, Bricks, Timber, Iron, Lead, and other Materials which shall be purchased or procured by Order of the said General Trustees for building the said new Church, Vestry Room, and other Buildings, and for making Vaults, Catacombs, and Arches under the said new Church, or for inclosing the said additional Churchyard, Cemetery, or Burial Ground, and also all Railings and Fences now used, or which shall be purchased, collected, or provided by the said General Trustees for inclosing the present or the enlarged Churchyard, Cemetery, or Burial Ground, shall belong to and be the Property of, and the same and each and every of them, and every Part and Parcel thereof, are and is hereby vested in, the said General Trustees ; and it shall be lawful for the said General 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 spoil, injure, or destroy the said Church, Vestry Room, and other Buildings so to be erected and built as aforesaid, or any Part or Parts thereof, or who shall steal, take, Property vested in the Trustees.

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remove, or carry away the Stones, Bricks, Timber, Iron, Lead, Railings, and other Materials and Things respectively vested in the said General Trustees by virtue of this Act, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the said Church, Vestry Room, and other Buildings, Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the General Trustees for taking down the Parish Church of *Great Marlow* aforesaid, and building a new Church in lieu thereof, without stating or specifying the Names or Name of all or any of the said General Trustees.

Removal of
Bodies.

XXII. And be it further enacted, That whenever it shall be necessary, in pursuance and execution of this Act, to open or disturb any Grave or Vault in the said present Burial Ground of the said Parish of *Great Marlow*, it shall be lawful for the Heirs, Executors, Administrators, Relations, or Friends of any Person or Persons who shall have been interred or deposited in such Grave or Vault, at their own Expence, with the Consent of the Vicar and Churchwardens of the said Parish, or the major Part of them, to remove and carry away the Remains of any such Person or Persons, and place the same in any other Part of such Burial Ground as aforesaid, or in the enlarged Burial Ground, or any other Churchyard or consecrated Ground, in such Manner as the Bishop of the Diocese for the Time being, or such Person as he may appoint, shall direct; and the Remains of such Person or Persons as shall have been interred or deposited in the Graves or Vaults so to be opened and disturbed as aforesaid, which shall not be removed or carried away as aforesaid, shall (except such Graves or Vaults shall be finally closed up), at the Expence of the said General Trustees, (to be paid out of the Monies to be raised by virtue of this Act,) be removed from such Graves or Vaults into and be interred in any other Part of such Burial Ground as aforesaid, or in the enlarged Burial Ground, or in any other Churchyard or consecrated Ground, in such Manner as the Bishop of the Diocese for the Time being, or such Person as he shall appoint, shall direct.

Trustees may
sell Mate-
rials, &c.

XXIII. And be it further enacted, That it shall be lawful for the said General Trustees to sell and dispose of all and every the said Timber, Stones, Bricks, Iron, Lead, and other Materials and Things, and also the said Railings and Fences, so vested in them as aforesaid, or any of them, or any Part or Parts thereof, to any Person or Persons whomsoever, either by public Auction or private Contract, as to them shall seem meet; and the Money arising by such Sale or Sales shall be applied to the Purposes of this Act; or it shall be lawful for the said General Trustees, if they shall think fit, and they are hereby empowered, to employ or apply such Timber, Stones, Bricks, Iron, Lead, and other Materials and Things, and also the said Railings and Fences, or any Part or Parts thereof, as to them shall seem right, in the building of the said new Church, Vestry Room, and other Buildings, or for other the Purposes of this Act, in such Manner as they shall think proper.

XXIV. And

XXIV. And be it further enacted, That the present Vicar, and his Successors, Vicars for the Time being of the Parish Church of *Great Marlow*, shall continue to be Vicars of the said new Church in like Manner as if the old or present Church; and the Person or Persons who for the Time being has or have a Right of presenting, nominating, or appointing a Vicar to the said old or present Church, or in whom such Right would hereafter be in case the same had not been taken down by virtue of this Act, shall have the Right, Presentation, Nomination, or Appointment to the said new Church upon every future Vacancy or Avoidance; and every such Person so to be presented, nominated, or appointed as aforesaid, being duly instituted and inducted, shall be the Vicar of such new Church, and shall have and enjoy such and the same Profits, Privileges, Commodities, and other Ecclesiastical Dues and Duties arising within the said Parish of *Great Marlow*, and all such other Benefits and Endowments whatsoever, as the present Vicar of the said Church of Right has or ought to have and enjoy.

The Vicarage and Advowson to be unaltered.

XXV. And be it further enacted, That Divine Service, Baptisms, Churchings, Marriages, and all other Matters or Things which were or used to be celebrated, solemnized, administered, had, done, or performed by the Vicar and Curate for the Time being in the said present Church, (except the Burials, which may be solemnized as usual in the present Churchyard,) shall and may, from and after the passing of this Act, be celebrated, solemnized, administered, had, done, and performed, and all Notices which by Law are required to be read, published, and given in the Church of the said Parish of *Great Marlow*, shall and may be read, published, and given, in like Manner in the said present Church or any Part thereof, or in the Parish Church of *Bisham* in the County of *Berks*, until such Time as the said new Church to be erected by virtue of this Act shall be built, completed, and consecrated; and that all Publications of Banns of Marriage and Solemnization of Matrimony, which by Law are required and allowed to be published and solemnized in the said present Church, may be published and solemnized in any Part of the said present Church, or in the said Parish Church of *Bisham* aforesaid, in the same Manner and at the same Times as the same should or might or ought to have been published or solemnized in the said present Church of *Great Marlow* if the same had been standing and fit for Divine Service, until such Time as the new Church to be built and erected by virtue of this Act shall be completed, finished, and rendered fit for Divine Service as herein directed; and all Publications of such Banns of Marriage so made and published, and all Baptisms celebrated or administered, as herein-before authorized, and all Registers thereof, and all Marriages solemnized as aforesaid, and all Notices read, published, or given as aforesaid, shall be as good, valid, and effectual in the Law, to all Intents and Purposes whatsoever, as if such Banns had been made and published, and such Baptisms had been celebrated or administered, and such Marriages had been solemnized, and such Notices had been read, published, and given, in the present Church of *Great Marlow* aforesaid, any Law, Statute, or Ordinance to the contrary thereof in anywise notwithstanding; and all Baptisms and Marriages which shall be solemnized

Celebration of Rites before the Completion of the new Church.

nized as-aforesaid shall be entered and registered in the Register or Registers kept for and belonging to the said present Church, in the same Manner as if the same had been solemnized, celebrated, administered, or performed in the same Church.

Power of
General
Trustees to
contract.

XXVI. And be it further enacted, That it shall be lawful for the said General Trustees and they are hereby authorized to contract and agree with any Person or Persons for the taking down the said present Church, Vestry Room, and other Buildings, and for providing Materials for building, erecting, finishing, and completing the said new Church, and also for taking down and rebuilding the Walls or Fences of the said Cemetery or Burial Ground, or of the enlarged Cemetery or Burial Ground, and generally to make and do all such Orders, Matters, and Things as they shall think proper and necessary fully and effectually to carry this Act into execution; and all such Contracts and Agreements, when made and entered into by or between the said General Trustees and any other Person or Persons, shall be reduced into Writing by or by the Order of the said Trustees, and signed by the Parties thereto, and shall be good, valid, and binding as well upon the said General Trustees as upon all other Parties thereto, his, her, and their Successors, Executors, Administrators, and Assigns respectively; and the said General Trustees shall and may pay or order Payment to be made of the Monies due upon any such Contracts and Agreements, to the Person or Persons entitled to receive the same, out of the Monies to be raised by virtue of this Act.

Indemnity of
Trustees.

XXVII. And be it further enacted, That no Trustee or Treasurer acting in the Execution of this Act shall be deemed to be personally liable or responsible for any Act, Deed, Matter, or Thing whatsoever made or done in the Execution thereof, except for his own personal Acts, Conduct, or Default; nor shall any Action, Bill, or Suit at Law or in Equity, be brought, commenced, or prosecuted against any such Trustee or Treasurer personally or in his individual Character, for or by reason of any such Act, Deed, Matter, or Thing whatsoever, except as aforesaid.

Privileges
of the new
Church.

XXVIII. And be it further enacted, That the new Church to be built by virtue of this Act shall, when the same shall be built, completed, and consecrated, from thenceforth and for ever be called and known by the Name of, and to all Intents and Purposes be, the Church of the Parish of *Great Marlow* aforesaid; and Divine Service, the Solemnization of Matrimony, Baptisms, the Burials of the Dead, and all other Rites and Ceremonies, Notices, Matters, and Things whatsoever, which were or of Right have been used to be celebrated, solemnized, administered, read, or published, had, done, or performed by the Vicar or Minister of the present Church, or by the Parish Clerk thereof, shall and may be celebrated, solemnized, administered, read, and published, had, done, and performed, in such and the like Manner by the said Vicar or Minister of the said Parish Church for the Time being, and the Parish Clerk thereof for the Time being, in the said new Church to be built by virtue of this Act; any Law, Statute, Custom, or Usage to the contrary notwithstanding.

XXIX. And be it further enacted, That when the said new Church shall be completed, and previous to the Consecration thereof, a Seat or Pew thereof shall be provided and set apart by the said General Trustees, with the Consent of the Bishop of the Diocese, for the Dean and Chapter of *Gloucester*; a Seat or Pew for the Lord of the Manor; and a Seat or Pew, sufficient to hold Six Persons at the least, shall be set apart in the Body or Ground Floor of the said Church, and contiguous or near to the Pulpit, for the Use of the Minister of the said Church for the Time being, and his Family; and one other Seat or Pew in some convenient Part of the said Church (not among the free Seats), capable of containing Four Persons at the least, shall also in like Manner be set apart for the Use of the Minister's Servants; and also a Pew to each and every Person who shall establish a Right thereto in the said old Church either by Faculty or Prescription.

Disposition
of Pews.

XXX. And be it further enacted, That the said General Trustees shall, with the Consent of the Bishop of the Diocese, cause to be set out and appropriated in a convenient Manner such a Number of Sitings in the Gallery and also in the Body of the said new Church, not being less than One Fifth Part of the whole Sitings, 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 poor Person or Persons, being an Inhabitant or Inhabitants of the said Parish of *Great Marlow*, who shall be willing to use the same, without any Payment, Appointment, or Permission whatever, and on which Seats the Words "Free Seats" shall be marked: Provided always, that it shall be lawful for the said General Trustees, with the Consent of the Bishop of the Diocese, to set out of and allot out of the said Free Seats, to or to the Use of all such Children as shall be receiving Education in any Charity School in the said Parish of *Great Marlow*, such a Number thereof as the said General Trustees shall think proper, without receiving for the same any Payment or Emolument whatsoever.

Free Seats.

XXXI. And be it further enacted, That the Residue of the said Pews shall be disposed of according to Law.

Disposition
of Residue.

XXXII. And be it further enacted, That it shall be lawful for the said General Trustees and they are hereby empowered to raise, either by Loan or Loans, at as low a Rate of Interest as the same can conveniently be procured, or by way of any re-purchaseable Annuities or Annuity for Life or Lives, or for Periods not exceeding Forty Years, or by any of the said Means, any Sum or Sums of Money, not exceeding in the whole the Sum of Ten thousand Pounds; and such Principal Monies and Interest, and such Annuities, shall be charged upon the Rate or Rates, Assessment or Assessments, to be made, levied, and collected by virtue of this Act.

Power to
raise Money
by Loan or
Annuity.

XXXIII. And be it further enacted, That all Charges of Principal Monies and Interest to be made by virtue of this Act shall

Form of
Charges.

[Local.]

11 O

or

or may be made in the Form or to the Effect following; (that is to say,)

‘ WE [*state the Names*] being of the General Trustees
 ‘ appointed by an Act passed in the First Year of the Reign
 ‘ of King *William* the Fourth, intituled *An Act [here set forth the*
 ‘ *Title of this Act]*, in consideration of the Sum of
 ‘ advanced and lent to us by of
 ‘ for the Purposes of the said Act, do hereby charge the Rates of
 ‘ the said Parish with the Repayment to the said
 ‘ his Executors, Administrators, and Assigns, of the said Principal
 ‘ Sum of on the Day of
 ‘ [or by equal Instalments of each to be made on
 ‘ the Day of in every Year], until the said
 ‘ Principal Sum of shall have been duly repaid;
 ‘ and also with the Payment to the said his
 ‘ Executors, Administrators, and Assigns, in the meantime, by half-
 ‘ yearly Payments on the Day of and the
 ‘ Day of in every Year, of Interest on the
 ‘ said Principal Sum of or on so much thereof as
 ‘ for the Time being shall be unpaid, after the Rate of *per*
 ‘ *Centum per Annum*. In witness whereof we have hereunto set
 ‘ our Hands and Seals on the Day of in the
 ‘ Year of our Lord .’

Form of
Grant of
Annuity.

XXXIV. And be it further enacted, That all Grants of Annuity to be made by virtue of this Act shall or may be made in the Words or to the Effect following; (that is to say,)

‘ WE [*state the Names*] being of the General Trustees
 ‘ appointed by an Act passed in the First Year of the Reign of
 ‘ King *William* the Fourth, intituled *An Act [here set forth the Title*
 ‘ *of this Act]*, in consideration of the Sum of
 ‘ advanced to us for the Purposes of the said Act by
 ‘ of do hereby grant unto the said
 ‘ his Executors, Administrators, or Assigns, an Annuity or yearly
 ‘ Sum of , to be paid by equal half-yearly Payments
 ‘ on the Day of and the Day of
 ‘ in every Year during the Term of Years, to
 ‘ commence from the Day of the Date of these Presents, [(or if the
 ‘ said Annuity shall be granted for a Life or Lives) during the Life
 ‘ or Lives of and and
 ‘ and the Survivors and Survivor of them], the first half-yearly
 ‘ Payment to be made on the Day of now next
 ‘ ensuing [if the said (or any of them) shall be
 ‘ then living; and in case the said or the Survivor
 ‘ of them, shall die before the said Day of
 ‘ next, or shall survive the said Day of next,
 ‘ and die on any other Day than one of the said half-yearly Days of
 ‘ Payment, a proportionate Part of the said Annuity to be immediately
 ‘ paid for the Time which shall have elapsed of the current Half
 ‘ Year]: And we the said and
 ‘ do hereby charge the said Annuity [and proportionable Part] on
 ‘ the Rates of the said Parish: Provided always, that the said Annuity
 ‘ hereby

‘ hereby granted shall always be repurchaseable on Three Months
 ‘ Notice in Writing being given of such Intention by the said
 ‘ or other the Trustees or Trustee for the Time
 ‘ being, or the major Part of them, at any Meeting of the said
 ‘ Trustees convened for that Purpose, acting in the Execution of
 ‘ the said Act, at the said Sum of being the
 ‘ Consideration Money paid for the same as aforesaid, and a Propor-
 ‘ tion of the said Annuity due up to the Time of such Repurchase.
 ‘ In witness whereof we have hereunto set our Hands and Seals this
 ‘ Day of in the Year of our Lord .’

XXXV. And be it further enacted, That all such Charges or An- Charges, &c.
 nuities shall be numbered progressively, commencing with Number to be num-
 One, but shall have no Preference between one another in respect of bered.
 Priority of Dates, or otherwise.

XXXVI. And, for preventing any improvident Grants of An- Restriction
 nuities, be it further enacted, That the Amount of every Annuity to as to Grants
 be granted by virtue of this Act shall be regulated according to the of Annuities.
 Price of the Three Pounds *per Centum* Consolidated Bank Annuities
 at the Time of granting the same, in the Manner and at the Rate,
 and not exceeding by more than One Fifth the Rate, prescribed by
 any Act or Acts for the Time being in force for granting Annuities
 on Government Securities.

XXXVII. And be it further enacted, That in case the said Trustees may
 General Trustees can at any Time borrow or take up any Sum of borrow at a
 Money at a lower Rate of Interest than the Securities which shall lower Rate
 be then in force shall bear, it shall be lawful for the said General to pay off
 Trustees from Time to Time to charge the said Rents, Rates, or Securities at
 Assessments, in manner aforesaid, with such Sum or Sums of Money a higher
 as they shall think proper, and the Interest thereof, at such lower Rate.
 Rate as aforesaid, and to pay off and discharge the Securities bearing
 a higher Rate of Interest, according to the Time or Times of Payment
 as shall be agreed upon as aforesaid.

XXXVIII. And be it further enacted, That it shall be lawful for Annuities
 the several Persons for the Time being entitled to any of the Charges may be
 or Annuities to be made or granted in pursuance of this Act, from transferred.
 Time to Time, by Writing under their Hands and Seals, to transfer
 such Charges or Annuities, and the full Benefit thereof, to any Person
 or Persons whomsoever; and such Transfers shall or may be made in
 the Words or to the Effect following; (that is to say,)

‘ I being entitled to the Principal Sum Form of
 ‘ of now unpaid, [or to an Annuity of Transfer.
 ‘] by virtue of a Charge or Grant of Annuity
 ‘ bearing Date the Day of under the
 ‘ Hands and Seals of Trustees appointed by
 ‘ an Act passed in the First Year of the Reign of King *William* the
 ‘ Fourth, intituled *An Act [here set forth the Title of this Act]*, do
 ‘ hereby transfer all my Right, Title, and Interest in and to the
 ‘ same Principal Sum [or Annuity], and all Interest [or Payments]
 ‘ due

‘ due and to become due thereon, unto his Executors,
 ‘ Administrators, and Assigns, in consideration of the Sum of
 ‘ to me paid by the said in full for
 ‘ the Transfer thereof [*or otherwise, as the Case may require*]. As
 ‘ witness my Hand this Day of in the Year
 ‘ of our Lord ,

Charges of
 Annuities to
 be registered.

XXXIX. And be it further enacted, That the Copy of every Charge or Grant of Annuity, including the Number thereof, and an Extract or Memorial of every Transfer thereof, specifying the Date; Parties, and Subject Matter of such Transfer, shall be from Time to Time entered in a Book or Books to be provided and kept for that Purpose by the Clerk for the Time being of the said General Trustees, to which Book or Books any Person interested shall at all seasonable Times have Access, for the Purpose of inspecting the same, without Fee or Reward; and for the Entry of every such Charge or Grant of Annuity, the said Clerk shall be entitled to the Sum of Two Shillings and Sixpence, and no more, and for the Entry of every such Transfer the Sum of One Shilling, and no more.

Power to
 make Church
 Rates.

XL. And be it further enacted, That it shall be lawful for the said General Trustees for the Time being by virtue of this Act, and they are hereby authorized and empowered, until all the Monies necessary to be borrowed under and by virtue of this Act, and the Interest thereof, shall be paid off and discharged, at any Meeting or Meetings to be holden for that Purpose to make a Rate or Rates, Assessment or Assessments, not exceeding Two Shillings in the Pound in any One Year, on the full annual Rent or Value of the Houses, Warehouses, Shops, Buildings, Lands, Tenements, and Hereditaments rated or rateable for the Relief of the Poor of the said Parish of *Great Marlow* aforesaid, on all and every the Tenants or Occupiers of the said Parish; and such Rate or Rates, Assessment or Assessments, shall be made at any Time after the passing of this Act, and shall be paid to, and raised, levied, and collected by, the General Trustees for the Time being of this Act, or their Treasurer for the Time being; and such Rates or Assessments shall be appropriated in Payment every Year of the Interest of the Sums so borrowed, and not less than the Fortieth Part of the Principal, at such Time or Times as shall be agreed upon with the Person or Persons lending or advancing the same, and in Payment of the said Annuity or Annuities (if any), and if there shall be any Surplus, in the Repurchase of any such Annuity or Annuities, or in further Discharge of the Principal Monies so to be borrowed, until the whole of such Principal Sums and Interest shall have been repaid, and all the said Annuity or Annuities shall have been repurchased or extinguished.

Omissions of
 Persons in
 Rates may
 be corrected.

XLI. Provided always, and be it further enacted, That if it shall appear to the said General Trustees, at any Time after making any Rate or Assessment to be made under the Authority of this Act, that the Name of any Person or Persons liable to be included in such Rate or Assessment hath been omitted therein, it shall be lawful for the said General Trustees to add or cause to be added to such Rate or Assessment the Name or Names of any Person or Persons so omitted,

omitted, together with the Sum or Sums for which he, she, or they ought to be so rated, and the Amount of such Rate or Assessment in respect thereof; and every such Addition made to any of the said Rates shall be as valid and effectual in the Law to all Intents and Purposes as if the same had been inserted in the Rate at the Time when the same was first made.

XLII. And be it further enacted, That in case any Person or Persons charged with any Rate or Assessment to be made by virtue of this Act shall refuse or neglect, after Demand made by the Churchwardens, or either of them, to the said General Trustees for the Time being, to collect and receive the same, to pay the Money rated or assessed upon him, her, or them respectively, it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Buckingham*, and he is hereby authorized and required, to summon, by Writing under his Hand, all and every Person or Persons so charged, and who shall have so refused or neglected as aforesaid, on Oath being made before such Justice by the Churchwardens for the Time being of the said Parish, or either of them, of their or his having attended at the Place of Abode of such Person or Persons then intended to be summoned, and had demanded, or having left Notice in Writing for the Payment of the Rate or Rates of such Person or Persons, and of such Person or Persons having so refused or neglected to pay the same, to appear before such Justice, or before any other Justice of the Peace for the said County, at a Time and Place to be mentioned in such Summons (Service of every such Summons, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his, her, or their last or most usual Place of Abode, to be deemed good Service); and if any Person or Persons so summoned shall refuse or neglect, without sufficient Cause, to attend at the Time and Place mentioned in such Summons, or if he, she, or they do or shall attend, and shall not make it appear to such Justice that he, she, or they is or are not chargeable with such Rate or Rates according to this Act, then all and every the Person and Persons who shall have been so summoned shall pay as well such Rate as the reasonable Costs and Charges of such Summons, Service, and Attendance before such Justice; and in all Cases where the said Rate or Assessment, Costs and Charges, shall not be paid upon the Return of the Summons, it shall be lawful to and for any Justice of the Peace of the said County, and he is hereby authorized and required, on Oath being made before him of the due Service of such Summons as aforesaid, or in case such Person or Persons so refusing to pay as aforesaid shall have removed out of the Parish of *Great Marlow* aforesaid, then on Proof of such Summons having been duly issued as aforesaid, to grant a Warrant or Warrants under his Hand and Seal, authorizing and directing such Treasurer or Treasurers as aforesaid, or any Constable or Constables, Beadle or Beadles of the said Parish, to levy such Rate or Rates, Assessment or Assessments respectively, and all Arrears thereof, and the Expences of the Summons and Warrant, of the Service and Execution thereof respectively, by Distress of the Goods and Chattels of the Party so neglecting or refusing to pay the same; and if within Five Days after such Distress or Distresses shall be made, the said

Remedies for
Rates in
arrear.

[*Local.*]

11 P

respective

respective Rate or Rates, Assessment or Assessments, and all Arrears thereof, shall not be paid, together with the reasonable Costs and Charges of taking and keeping the same, it shall be lawful for such Treasurer or Treasurers as aforesaid, Constable or Constables, Beadle or Beadles of the said Parish, to cause the said Goods and Chattels, or a sufficient Part thereof, to be appraised and sold to pay the said Rate or Rates, Assessment or Assessments, and all Arrears thereof, and all such Costs as aforesaid, rendering to the said Person or Persons the Overplus (if any there be), after deducting the said Rate or Rates, Assessment or Assessments, and the reasonable Costs and Charges attending such Distress and Sale, which Costs and Charges, in case of Dispute, shall be settled and ascertained by any One Justice of the Peace for the County aforesaid; and in default of such Distress it shall be lawful for any such Justice to commit such Person or Persons to the House of Correction or Common Gaol for the said County, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless Payment shall be sooner made of such Sum or Sums of Money as shall have been found to be due and in arrear upon all or any such Rate or Rates, Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and determined by the said Justice.

Form of
Warrant of
Distress.

XLIII. And be it further enacted, That every Warrant of Distress for the Nonpayment of any Rate or Assessment to be made by virtue of this Act shall be in the Words or to the Effect following; (that is to say,)

County of Buckingham, } To the Churchwardens or Collectors of the
to wit. } Church Rates of the Parish of *Great Marlow*
in the County of *Buckingham*, and to all Constables and
other His Majesty's Officers of the Peace for the said
County:

WHEREAS the under-mentioned Persons, now or late Inhabitants, Householders, Landlords, Tenants, Occupiers, or Enjoyers of Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments, or Parts of Buildings or Tenements, within the said Parish of *Great Marlow*, were and are truly rated or liable to the under-mentioned Rate, duly made for the Purposes of an Act passed in the First Year of the Reign of King *William* the Fourth, intituled *An Act [here set forth the Title of this Act]*; And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names hereunder respectively set down, for Money due from them for or towards the Purposes in the said Act mentioned; and the said several Sum and Sums are still remaining due, in arrear, and unpaid, as appeareth upon Oath to me one of His Majesty's Justices of the Peace for the said County; and the said several Persons having been summoned to appear before me to answer the Premises, as also appeareth to me upon Oath; and the said several Persons so summoned, or any of them, not having shewn any sufficient Cause why such Sum or Sums of Money should not be paid: These are therefore, in His Majesty's

' *A. B.* - - - -
 ' *C. D.* - - - -
 ' *E. F.* - - - -
 ' *G. H.* - - - -

Payment of Rates by Lodgers.

Who are to be deemed Owners of Houses.

touching or concerning the Payment of the Rates or Assessments to be made, raised, levied, and received by virtue of this Act, or in any other respect whatsoever.

Apportionment of Rates.

XLVI. Provided always, and be it further enacted, That in all Cases where any Persons shall come into or occupy any Tenement as aforesaid out of or from which any other Person who shall have been lawfully rated by virtue of this Act for the same shall be removed, or which at the Time of making any Rate was empty or unoccupied, and which by Law was liable to be rated by virtue of this Act, the Person coming into or occupying the same shall be liable to pay such Rate in respect thereof in proportion to the Time that he or she occupied the same, such Proportion (in case of Dispute) to be ascertained and settled by One or more Justice or Justices of the Peace for the said County of *Buckingham* : Provided nevertheless, that no Person who shall have removed from any House or Tenement in respect of which such Person shall have been rated shall, by reason of the Power herein-before contained, be in anywise discharged from any Liability to which he might otherwise be subject in respect of such Rate.

Power to anticipate Payment of Rates.

XLVII. And be it further enacted, That in order to avoid the Loss which frequently happens by Tenants or Occupiers of Houses, Tenements, or Hereditaments, or Parts of Houses, Tenements, or Hereditaments, removing from the same before the Quarter Day on which the Rates charged on the said Houses, Tenements, or Hereditaments, or Parts thereof, shall become due and payable, it shall be lawful for the Churchwardens, or either of them, Five Days before every such Quarter Day, or at any other subsequent Time before such Quarter Day, to demand and receive the respective Rates to be made by virtue of this Act, and which would be due and payable on such Quarter Day, and, in case of Nonpayment thereof, to enforce the Payment of such Rates in the same Manner and with the same Powers as in case of Nonpayment of such Rates upon or after the Quarter Day on which the same would have become due and payable.

Inhabitants not incompetent Witnesses.

XLVIII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever relating to or concerning the Execution of this Act, no Inhabitant of the Parish of *Great Marlow* shall be deemed an incompetent Witness on account of his or her being charged with or liable to pay or having paid any Rate or Assessment to be raised, levied, and collected by virtue of this Act.

Recovery of Compensation for Damages.

XLIX. 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 the Directions 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 General Trustees

Trustees to the Party or Parties entitled to receive the same within Five 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 or Treasurers 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 Expences of hearing and determining the Matter in dispute, and also the Costs and Expences 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 or Treasurers for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer or Treasurers to retain, out of any Monies which he or they shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he or they shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

L. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Justices may proceed by Summons for the Recovery of Penalties.

LI. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or any Matter or Thing done in the Execution of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say,)

Conviction of Offenders.

‘ to wit. } **B**E it remembered, That on this Day of
 ‘ of in the Year of the Reign
 ‘ of *A. B.* is convicted before
 ‘ His Majesty’s Justices of the Peace for the of
 ‘ having [*as the Offence shall be*]; and I [*or we*] the said
 [Local.] 11 Q ‘ do

‘ do adjudge him [her or them] to forfeit and pay for the same the
 ‘ Sum of Given under my Hand and Seal [or
 ‘ our Hands and Seals] the Day and Year aforesaid.’

As to in-
 formal
 Distress ;

LII. And be it further enacted, That when any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity that shall afterwards be done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

and informal
 Verdicts.

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

Allowing an
 Appeal.

LIV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made by virtue of this Act, or by any Judgment or Determination of the said General Trustees, or by any other Matter or Thing done or directed to be done or committed by the said General Trustees under or in pursuance or execution of this Act, such Person or Persons may appeal to the said General Trustees at any Meeting or Meetings to be holden by them within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and the Matter thereof, to the said General Trustees ; and the said General Trustees are hereby authorized and empowered (if they shall think such Person or Persons aggrieved) to give such Relief in the Premises as to them shall seem necessary ; and in case any such Person or Persons shall not be satisfied with the Determination of the said General Trustees, or in case no Judgment or Determination shall be given within Two Calendar Months next after Notice of the Complaint to them respectively given, or if any Person or Persons shall think himself, herself, or themselves aggrieved by reason of any Judgment, Order, or Determination of any Justice or Justices of the Peace acting in the Execution of this Act, then and in every such Case he, she, or they may appeal to some General or Quarter Sessions of the Peace to be holden for the said County within Six Calendar Months next after such Determination of the said General Trustees, or after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and the Matter

Matter thereof, to the Party or Parties, Person or Persons, whose Act or Acts is or are appealed against, as follows, (that is to say,) to the said General Trustees for the Time being, or their Clerk, in case such Appeal shall be against the Act or Acts of the said General Trustees, and to the Justice or Justices of the Peace, in case such Appeal shall be against his or their Act or Acts, and within Two Days after such Notice entering into a Recognizance in the Sum of Twenty Pounds before some Justice of the Peace of the same County, conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the Justices at such General or Quarter Sessions, upon the Proof of such Notice given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper; and the said Justices may, if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall be levied in pursuance of such Judgment or Determination; and the Determination of such Justices at their General or Quarter Sessions shall be final and conclusive; and whatever Costs shall or may be awarded against the said General Trustees on any Appeal to be made by or against them, and also all other reasonable Costs and Expences which shall or may have been paid or incurred by such General Trustees in or about any such Appeal, shall be repaid by them out of the Monies in their Hands, or to come to them by virtue of this Act.

LV. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act, the Court of General Quarter Sessions of the Peace shall and such Court is hereby authorized and required (in Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or by altering the Sum or Sums therein charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of opinion that it is necessary, for the Purpose of giving Relief to the Person or Persons appealing, that the Rate of Assessment shall be wholly quashed, then the said Court may quash the same, and order a new one to be made.

On appeal from Rate, the Quarter Sessions may amend it without quashing it, or if necessary may quash the Rate.

LVI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Ten Days at least before such Action shall be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Causes of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for

No Plaintiff to recover without Notice, or after Tender of sufficient Amends.

for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit; whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

When and
how Actions
may be
brought.

LVII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing to be done in pursuance of this Act after the Expiration of Four Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and if any such Action or Suit shall be brought before Ten Days Notice shall have been given, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover his, her, or their Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

For defraying
the Expenses
of Act.

LVIII. And be it further enacted, That the said General Trustees shall, out of the Sums to be raised by virtue of this Act, in the first place pay and defray all the Costs, Charges, and Expenses incident to and attending the preparing, obtaining, and passing this Act, and then in carrying the same into execution.

Public Act.

LIX. 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 EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.