



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 126.

An Act for repairing, enlarging, and improving the
Parish Church of *Hungerford*, in the Counties of
Berks and *Wilts*. [25th May 1811.]

WHEREAS the Parish Church of *Hungerford*, in the Parish of
Hungerford, in the several Counties of *Berks* and *Wilts*, is a
very antient Structure, and the Tower thereof being in Danger
of falling, hath been in Part taken down: And whereas the Parish Church
of *Hungerford* is too small for the Inhabitants of the said Parish; and many
Inhabitants and Occupiers of Tenements in the same Parish have no Seats
there; and the same requires to be altered and improved, by which all
the Inhabitants may have Seats therein: And whereas the Expence of
taking down and rebuilding the said Tower, and of the said several other
Repairs, Alterations, and Improvements necessary to be done in and
about the said Church is estimated at the Sum of Three thousand Pounds,
or thereabouts, which Sum cannot be raised in the said Parish without the
Aid of Parliament, the Inhabitants being chiefly Tenants at Rack Rent:
May it therefore please Your Majesty that it may be enacted; and be it
enacted by the King's most Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same, That the
Reverend *John Bostock* the now Vicar, and the future Vicars of *Hungerford*
for the Time being; the Reverend *John Bradford*, *Edward William Ley-*
born Popham, *John Willes*, *John Pearse*, *John Pearce*, *William Smith*, and
Robert Smith, the present Churchwardens, and all future Churchwardens,

Trustees.

[Loc. & Per.]

of *Hungerford* for the Time being; *Anthony Woodroffe, Richard Parsons, Thomas Major, Richard Barker, James Pocock, Thomas Lanfear, George Bulpit, Thomas Reeves, George Cundell, John Hart, Thomas Winkworth, Thomas Banbury, James Hall, Thomas Viner* the younger, shall be, and they and their Successors to be elected in Manner herein-after mentioned, are hereby appointed Trustees for putting this Act in Execution, and the said Trustees, and all Persons to be by them appointed, are hereby empowered to receive and take the Monies arising by virtue of this Act, which Monies are hereby vested in them the said Trustees for the Purposes of this Act, and shall be by them paid and applied to and for the Uses and Purposes herein-after mentioned, and not otherwise.

For appointing new Trustees in Cases of Death, &c.

Trustees not to act when interested, under a Penalty for so doing.

II. And be it further enacted, That when any Trustee or Trustees appointed or to be appointed in pursuance of this Act, (except such Persons as are declared to be Trustees by virtue of their Station or Office), shall die or refuse to act, or shall cease to be rated to the Church and Poor of the said Parish, it shall be lawful for the Inhabitants of the said Parish, rated and paying to the Rates for Church and Poor present at any Meeting or Vestry called for that Purpose, to choose and elect any other Person or Persons being a Parishioner or Parishioners to be a Trustee or Trustees, in the Room or Stead of the Trustee or Trustees so dying or refusing to act, or ceasing to be rated as aforesaid, provided that such Person or Persons so to be chosen shall be rated to the Church and Poor of the said Parish at Ten Pounds *per Annum* or upwards, and not otherwise; and that no Inhabitants shall be permitted to vote but such as shall be named in the last Rate for the Relief of the Poor of the said Parish made previously to such Election, and who shall have paid or tendered to pay the same; and every Person so to be chosen shall be and is hereby invested with the several Powers by this Act vested in such Trustee hereby appointed: Provided also, that if any Person or Persons appointed a Trustee or Trustees for the Execution of this Act shall have any Share or be any Way 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, or shall have any beneficial Employment under or by virtue of this Act; every such Person shall, during the Existence of such Contract, or during his Continuance in such Employment, be utterly disabled and disqualified from acting as a Trustee or Trustees under this Act; and if any Trustee as aforesaid shall presume to act during such Disability or Incapacity as aforesaid, every such Person so presuming to act shall forfeit the Sum of Five Pounds for every Day in which he shall so act as aforesaid; to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, and the Money so forfeited shall be recovered by the Person or Persons so suing, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in which no Effoin, Privilege or Protection, Wager of Law, or more than One Imparance shall be allowed.

Trustees may act as Justices.

III. And be it further enacted, That all such Trustees as are or shall be Justices of the Peace may act as Justices notwithstanding their being Trustees, except in Cases where they may be interested; and that in all Cases where any Justice or Justices of the Peace is or are authorized by this Act to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Justice or Justices, and he and they is and are hereby required to administer such Oath, or to take such Affirmation; provided that

that all the Powers and Authorities by this Act granted to or vested in, and all Matters and Things directed to be done or performed by the said Trustees, shall be exercised and executed, done and performed, by the major Part of them who shall attend at any publick Meeting to be held under or according to this Act, the Number of the Trustees present at any such Meeting not being less than Seven; and all the Acts, Orders, Resolutions, and Proceedings of such major Part so present shall have the same Force and Effect as if done or made by all the Trustees, and that when the Number of Voices shall be equal, the Chairman to be appointed at each Meeting shall have the decisive or casting Vote.

Powers of the Act to be executed by the Majority of Trustees present, where the Number is not less than Seven.

IV. And be it further enacted, That the said Trustees shall and may meet together in the said Parish Church, or in such Place as shall be used as a Vestry Room of the said Parish for the Time being, within One Calendar Month after the passing of this Act, or as soon after as conveniently may be; between the Hours of Ten of the Clock in the Forenoon, and Two of the Afternoon, and proceed to put this Act in Execution; and from Time to Time afterwards to adjourn themselves to meet, or may meet according to such Summons as is herein-after directed to be given at such Time or Times, Place or Places, within the said Parish, as the said Trustees shall think proper and convenient; and of which Adjournment Notice in Writing, signed by the Treasurer herein-after mentioned to be appointed, or Vestry Clerk for the Time being, shall be given to or left for the Trustees resident within the said Parish at their last or usual Place or Places of Abode, Two Days at least previous to such intended Meeting; and if there shall not appear at any Meeting to be appointed by the said Trustees Seven or more of such Trustees to act at such Meeting, and to adjourn to another Day, then and in such Case the said Vestry Clerk shall and is hereby required to summon such Trustees to meet at the Place where the last Meeting was appointed to be held, within Fourteen Days next after the Day on which such Meeting was to have been held as aforesaid, such Summons to be signed by the said Churchwardens, Treasurer, or Vestry Clerk, or any of them, and to be delivered at the last or usual Place of Abode of such Trustees at least Two Days before such Meeting, and that the Trustees at all such Meetings shall pay their own Expences.

For appointing Meetings.

V. And be it further enacted, That the said Trustees may contract with any Person or Persons, for taking down and rebuilding the said Tower, and repairing, improving, and altering such Church, and doing such other Work and Repairs as may be deemed necessary by the said Trustees, and may contract with such Person or Persons for providing proper Materials for the Purposes aforesaid, or otherwise; and all Contracts and Agreements made or entered into by or between the said Trustees at any of their Meetings to be held in pursuance of this Act, and any Person or Persons whomsoever relating to any Act, Matter, or Thing to be done or performed in Execution of any of the Powers hereby granted, shall be reduced into Writing and signed by the Parties thereto, and shall be good, valid, and binding, as well upon the said Trustees as upon all other Parties thereto, his, her, and their Executors, Administrators, Successors, and Assigns; and in case of Breach thereof Actions and Suits may be brought, maintained, and defended, and Damages and Costs recovered thereon against the Party or Parties refusing or neglecting to perform the same:

Empowering the Trustees to contract for the several Works.

and to compound for Penalties incurred by Contracts.

same: Provided that it shall be lawful for the said Parties to compound and agree with any Person or Persons against whom they shall bring, or cause to be brought, any Action or Actions, Suit or Suits, for the Recovery of any Penalty or Penalties, Sum or Sums of Money contained in any Contract or Contracts which shall be made or entered into in pursuance of this Act, for or on Account of any Breach or Non-performance of such Contract or Contracts, or any Part or Parts thereof, or in anywise relating thereto, for such Sum or Sums of Money as they shall think proper; and all and every the Sum and Sums of Money which shall be received in consequence of such Composition, shall be applied for the Purposes of this Act, in the same Manner as such whole Penalty or Penalties, Sum or Sums of Money, if paid or recoverable would be applicable.

Trustees not to be concerned in Contracts.

VI. And be it further enacted, That in every Contract or Agreement to be made or entered into with the said Trustees in pursuance or by virtue of this Act, there shall be inserted an express Clause or Condition, that no Trustee be admitted to any Share of such Contract or Agreement, or to any Interest therein, or Benefit therefrom: And in case any Person or Persons who may enter into any such Contract or Agreement with the said Trustees, shall admit any such Trustees to any Share thereof, or Interest therein, or to receive any Benefit therefrom, all and every such Person and Persons shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered with Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint, or Information, and in which no Effoign, Privilege, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

Proceedings to be entered in a Book.

VII. And be it further enacted, That all Acts, Orders, Resolutions, and Proceedings of the said Trustees shall be entered in the Vestry Book or Books of the said Parish, and signed by them, or the major Part of them present at the doing or making such Acts, Orders, Resolutions, or Proceedings, which Book or Books may be produced and read in Evidence in all Courts and Places whatsoever.

For appointing Officers.

VIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to appoint a Treasurer without any Salary or Allowance for his Trouble in such Trust, and a Collector or Collectors of the Monies to be raised by virtue of this Act; and also One or more fit and able Person or Persons, if they shall judge it necessary, as a Surveyor or Surveyors, to superintend the Buildings and Works to be carried on in pursuance of this Act; and shall take such Security as the said Trustees shall think proper from such Treasurer and Collectors, and shall from Time to Time remove such Treasurer, Collectors, or Surveyors, and appoint another or others in like Manner, in the Room and Stead of such of them as shall be so removed, or shall die, or may discontinue or resign his or their Office or Employment; and that such Trustees shall and may out of the Monies arising by virtue of this Act, pay or cause to be paid to such Vestry Clerk, Collector or Collectors, and Surveyor or Surveyors, such Salaries or other Allowances, as the said Trustees shall judge a reasonable Compensation for his or their respective Trouble and Services, provided that the Salary of any such Collector shall not exceed the Sum
of

of Three-pence in the Pound upon the Monies which he or they shall receive and account for.

IX. And be it further enacted, That the Collector or Collectors to be appointed under and by virtue of this Act shall from Time to Time when required, give in a particular, true, and perfect Account in Writing under his or their Hand or respective Hands, to the said Trustees on Oath if required, (which Oath the said Trustees are hereby authorized to administer), of all Monies which he or they shall have respectively received, collected, or levied by virtue of this Act, or by Reason or Means of the said Office; and shall also from Time to Time, when thereto required by the said Trustees, pay all such Monies as shall be in his, or their, or any of their Hands to the said Trustees, or to such Person or Persons as they shall by any Writing or Writings under their Hands authorize and empower to receive the same; and which said Trustees and Treasurer shall annually account to the Parishioners in Vestry assembled at their annual Meeting for the Choice of Churchwardens.

Collectors to account on Oath.

Trustees and Treasurer to account annually to the Parishioners.

X. And be it further enacted, That in case any Collector or Collectors, Trustees or Trustee, shall neglect or refuse to make such Accounts and Payments as are required to be made by him or them respectively by this Act, then any Two Justices of the Peace of the said County wherein the Person so making Default shall be or reside, shall and may upon Complaint thereof make Inquiry of and concerning such Neglect or Refusal, as well by the Confession of the Parties themselves as by the Oath or Oaths of One or more credible Witness or Witnesses; and if any such Collector or Collectors, Trustees or Trustee, or Treasurer, shall be convicted of such Neglect or Refusal before such Justices of the Peace, then the said Justices shall, upon Conviction, cause the Person or Persons so offending to be sent to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize until he or they shall have made a true and perfect Account and Payment as aforesaid.

Or in case of Neglect in either Case Complaint may be made to Justices, who are empowered to commit the Person offending.

XI. And be it further enacted, That the said Trustees shall sue and be sued in the Name of the Treasurer for the Time being to be appointed under this Act; and that no Action which may be brought by or against the said Trustees, or any of them, in relation to this Act in the Name of their Treasurer, shall abate or be discontinued by the Death or Removal of such Treasurer, or by his Act without the Consent of the said Trustees, but that the Treasurer for the Time being shall always be deemed Plaintiff or Defendant in every such Action, as the Case may be; nevertheless the said Action or Actions, Suit or Suits, shall be under the Management and Direction of the said Trustees: Provided always, that such Treasurer shall be reimbursed out of the Monies to be raised by virtue of this Act all such Costs and Damages as by the Event of any such Actions or Proceedings he shall be put unto, or become charged or chargeable with by reason of his being so made Plaintiff or Defendant therein.

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

XII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to take and pull down, or cause to be taken and pulled down, the remaining Part of the Tower of the said present Church, and to repair, improve, and alter the said Church; and to sell and dispose of the Timber, Stones, Bricks, Iron,

Trustees may sell the old Materials, and direct the old Tower to be taken down.

Lead, and other Materials thereof, or any Part or Parts thereof, to any Person or Persons whomsoever, and the Money arising by such Sale shall be applied to the several Purposes of this Act; or it shall be lawful for the said Trustees, and they are hereby empowered, to employ or apply such Timber, Stones, Bricks, Iron, Lead, and other Materials, or any Part or Parts thereof as to them shall seem right in rebuilding the said Tower, and repairing, improving, and altering the said Church to be repaired, improved, and altered by virtue of this Act in such Manner as they shall think proper.

Materials, &c.
vested in
Trustees.

XIII. And be it further enacted, That all Stones, Bricks, Timber, Iron, Lead, and other Materials, of which the Body of the present Church, and the present Tower thereof, are constructed or built, and all the Stones, Bricks, Timber, Iron, Lead, and other Materials, bought or procured by Order of the Trustees for rebuilding of the said Tower, or for repairing, improving, and altering the said Church to be repaired, improved, and altered by virtue of this Act, shall belong to and be the Property of, and the same is and are hereby vested in the said Trustees; and it shall be lawful for the said Trustees to bring or cause to be brought any Action or Actions, or direct the preferring any Bill or Bills of Indictment, (as the Case may require), against any Person or Persons who shall steal, remove, or carry away, spoil, injure, or destroy the said Church and Tower, or the Stones, Timber, Iron, Lead, and other Materials thereof respectively hereby vested in them respectively, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment it shall be deemed and taken to be sufficient to state generally that the said Church, Tower, 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 Trustees, for the repairing, altering, and improving the Parish Church of *Hungerford*, in the Counties of *Berks* and *Wilts*, without particularly stating or specifying the Names of all or any of the said Trustees.

New Tower
to be built,
and Church
improved and
altered.

XIV. And be it further enacted, That the said Trustees shall, and they are hereby authorized and required to erect and build, or cause to be erected and built, a new Tower to the said Church, and to repair, improve, and alter the said Church, and the same shall be built, enlarged, and repaired, and shall be of such Size and Dimensions, and of such Materials, and after such Specification and Model as to the said Trustees, with the Approbation of the Dean and Canons of *Windsor*, (in whose peculiar Jurisdiction the said Church is), shall seem right and proper; and the said Trustees shall make, erect, and set up, or cause to be made, erected, and set up in the said Church, such Pews, Seats, Galleries, Bells, Organ, Ornaments, and Conveniences, as to the said Trustees, with such Approbation as aforesaid, shall seem right and proper.

Allotments of
Pews.

XV. And be it further enacted, That when the said Church shall be repaired, improved, and altered, and such Seats or Pews as are intended to be erected therein shall be completed, the said Trustees are hereby authorized and required to allot and appoint the several Seats or Pews therein to the several Persons who are now legally entitled by Faculty or Prescription to Pews or Seats within the Church, and whose Pews or Seats shall of Necessity be taken down or altered by the intended Improvement,

Alteration, and Repair of the said Church; and such Pews or Seats shall be made convenient to accommodate as many Persons as the Pews or Seats which such Persons is or are now legally entitled, or to exchange any such new, altered, or enlarged Seats with the Owner or Owners of any of the present antient Seats in the same Church, by and with the Consent of such Owner or Owners; and then the said Trustees shall, and they are hereby authorized, empowered, and required, to appropriate the Residue of the said Pews or Seats in the said Church for the Use of such of the other Inhabitants of the said Parish as to the said Trustees shall appear to have the best Claim or Right thereto, and in such Manner and subject to such Regulations as they shall direct or appoint.

XVI. Provided always, and be it further enacted, That in order to defray in Part the Expences of carrying this Act into Execution, it shall be lawful for the said Trustees to sell all and every, or any of the new Seats or Pews to be erected and built, altered, and enlarged, or taken in Exchange. as aforesaid, in the said Church, and which may remain after providing the necessary Pews or Seats for the present Owners by Faculty or Prescription, and completing such Exchange as aforesaid to any Person or Persons having or being entitled to any Estate, or being resident in the said Parish, or to let the same for any Term, or Number of Years, not exceeding Thirty-one Years, and for such Price or Prices as can be reasonably had for the same; and that the Receipt or Receipts of the said Trustees shall be a good and sufficient Discharge and Discharges to the Purchaser or Purchasers thereof; and immediately after such Receipt or Receipts shall be given to such Purchaser or Purchasers, and a Conveyance thereof executed by the said Trustees, the Pews or Seats so purchased by him, her, or them, shall by virtue of such Conveyance and of this Act become vested in him, her, or them, and his, her, and their respective Heirs and Assigns, in Fee Simple, without any further or other Conveyance, Assurance, Instrument, or Writing whatsoever, and the Money arising from such Sale or Sales shall be paid to the said Trustees, to be by them applied in defraying Part of such Expences as aforesaid; and the Money to arise by letting such Pews and Seats shall be paid by the Person or Persons taking the same to the Trustees for carrying this Act into Execution for the Time being, to be by them applied for the Purposes thereof.

Power to sell
or let Residu-
ary Seats.

XVII. And be it further enacted, That it shall be lawful for the said Trustees to raise by Annuities on single Lives, or on several Lives with Survivorships, or on Annuities to be granted for a certain Term of Years, or by way of Loan upon Bond or other Security to be entered into or given by, or by the Order and Direction of the said Trustees, any Sum or Sums of Money not exceeding in the Whole the Sum of Four thousand five hundred Pounds, and for the several Purposes aforesaid it shall be lawful for any Person or Persons whatsoever to contribute, advance, and pay into the Hands of the said Trustees, or into the Hands of their Treasurer for the Time being, or of such other Person or Persons as the said Trustees shall by any Writing under their Hands and Seals authorize to receive the same, for the Uses and Purposes before mentioned, (such Treasurer or Person or Persons first giving sufficient Security if required to the said Trustees as aforesaid), any Sum or Sums of Money not exceeding in the Whole the Sum of Four thousand five hundred Pounds,

Empowering
the Trustees
to raise
Money by
Annuities on
Loan;

for

and directing
how the same
shall be re-
paid.

for the absolute Purchase of Annuities, or by way of Loan as hereinbefore is mentioned; the said Annuities if granted on a Life or Lives to be paid and payable for and during the natural Life or Lives of the Contributor or Contributors, or for and during the natural Life or Lives of such Person or Persons as he, she, or they shall nominate respectively, from the Time of Payment of his, her, or their respective Contribution Money; and such Annuities shall and may be granted with or without Benefit of Survivorship, and upon such Terms and Conditions as the said Trustees shall think proper; and the said Annuities if granted for a Term of Years, to be granted for such Term of Years and on such Terms and Conditions as the said Trustees shall think fit; all which Annuities and also the Principal and Interest of the Money to be taken up and borrowed as aforesaid, shall be paid and payable by the said Trustees in the Vestry Room of the said Parish, or in such other Place as the said Trustees shall appoint for that Purpose; and the Principal of such Money to be borrowed and taken up by the said Trustees on Interest as aforesaid on the Credit of this Act, shall be repaid to the Person or Persons lending or advancing the same out of the Rates and Assessments by this Act directed to be raised and assessed as herein-after is mentioned, as often as the same shall amount to a sufficient Sum to discharge any one Bond, upon giving the Lender Six Months Notice in Writing for that Purpose, at the End of which Time all Interest on the said Bond shall cease.

Money bor-
rowed to be
charged on
the Rates
directed to be
raised.

XVIII. And be it further enacted, That all and every of the Annuities so to be purchased under or by virtue of this Act as aforesaid, and all and every the Sum and Sums of Money to be borrowed and taken upon the Credit of this Act, and the Interest thereof, shall be, and the same are, and is hereby charged upon and made payable from Time to Time out of the Monies arising by the Rates and Assessments by this Act directed to be raised and assessed as herein-after is mentioned, and that all and every the Contributor and Contributors, or Lender or Lenders of any Money upon the Credit of this Act, duly paying the Consideration or Purchase Money for any such Annuity or Annuities, or otherwise advancing the Money as aforesaid, or such Person or Persons as he, she, or they shall appoint his, her, or their respective Executors, Administrators, or Assigns shall receive and enjoy, and be entitled by virtue of this Act to have, receive, and enjoy the respective Annuity or Annuities so to be purchased, and the Principal and Interest or other Monies so to be advanced as aforesaid out of the said Rates or Assessments by this Act appropriated or appointed for Payment thereof, and all and every such Purchaser or Purchasers of such Annuity or Annuities, and other Person or Persons advancing Money as aforesaid; and his, her, or their respective Executors, Administrators, and Assigns, shall have a good, sure, and indefeasible Estate, Right, and Interest in and to the said Annuities so to be by them respectively purchased, and in and to the said other Monies so to be advanced as aforesaid, according to the Tenor and true Meaning of this Act.

Terms of
Security and
Bond.

XIX. And be it further enacted, That every Contributor for the Purchase of any such Annuity or Annuities as aforesaid, under and by virtue of this Act upon the Payment of the Consideration or Purchase Money for the same, or any Part thereof, or upon Payment of any Money advanced by way of Loan, shall receive a Receipt or Receipts for so much Money as shall be so paid, and upon Payment of all the Purchase

chafe Money for any such Annuity or Annuities, or of any Sum or Sums of Money by way of Loan, every such Contributor or Lender, his or her Assigns respectively, shall have a Grant or Security in Writing for Payment of the said Annuity for and during the natural Life or Lives of such Contributor or Contributors as aforesaid, or such Person or Persons as shall be nominated by him, her, or them, or for the Payment of such Sum or Sums of Money so lent; which Grants or Securities shall be signed by the Treasurer herein directed to be appointed for the Time being, with the Consent of the said Trustees to be testified by their Signature thereto, and shall respectively be in the Words or to the Effect following; (that is to say),

‘ **K**NOW all Men by these Presents, That the Trustees appointed by, Form of Grant.
 ‘ and acting under an Act passed in the Fifty-first Year of the Reign
 ‘ of King George the Third, intituled, [*set forth the Title of this Act*],
 ‘ and in Consideration of the Sum of [*insert here the Consideration paid to*
 ‘ *them*], [*describe here the Purchaser or Purchasers*], before the Sealing
 ‘ and Delivery of these Presents, (as appears by the Receipt indorsed
 ‘ hereon) grant and secure unto the said [*name the Purchaser or Purchasers,*
 ‘ *or his, her, or their Appointee or Appointees, as the Case may be*] his, (her,
 ‘ or their) Executors, Administrators, and Assigns, (an Annuity of) [*insert*
 ‘ *the Amount of the Annuity*] payable out of the Rates and Assessments
 ‘ made and assessed, and to be made and assessed by the Trustees of or
 ‘ acting under the said Act, for the Purposes therein mentioned, which
 ‘ said Annuity shall be paid to the said [*name here the Purchaser or Pur-*
 ‘ *chasers*], his, or her, or their Appointee or Appointees, his, [or her, or
 ‘ their Executors, Administrators, and Assigns, at [*here insert such Place*
 ‘ *as the said Trustees shall think fit to appoint*] upon the Day
 ‘ of and the Day of in every
 ‘ Year, by equal half-yearly Payments, during the natural Life, and pro-
 ‘ portionally up to the Day of the Death of or
 ‘ during the natural Lives or Life of and the Sur-
 ‘ vivor of them proportionally up to the Day of the Death of such Sur-
 ‘ vivor, or during the natural Lives or Life of and the
 ‘ Survivors and Survivor of them, and proportionally up to the Day of
 ‘ the Death of such Survivor, or during the Term of
 ‘ Years now next ensuing, (as the Case may be), the First Payment
 ‘ thereof to be made on the Day of now
 ‘ next ensuing. In Witness whereof the Treasurer appointed by virtue
 ‘ of the said Act hath hereunto set his Hand and Seal, the
 ‘ Day of in the Year of our Lord
 ‘ Signed and sealed by the said the
 ‘ Treasurer appointed by virtue of the said Act
 ‘ with the Consent of us, the Majority of the
 ‘ Trustees present at a Meeting holden the Day
 ‘ and Year first above mentioned.’

And every such Grant shall be good, valid, and effectual in the Law, without any Inrolment or Registry of the Memorial thereof in the High Court of Chancery or elsewhere, except as herein-before mentioned; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

And also, that all and every Sum and Sums of Money to be advanced, lent, and paid to, or to the Order of the said Trustees upon the Credit
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of this Act, on Bond, shall be secured by a Bond under the Hand and Seal of the Treasurer hereby directed to be appointed for the Time being, with the Consent of Seven of such Trustees, testified as aforesaid, in the Words, or to the Effect following; (that is to say),

Form of
Bond.

‘ **KNOW** all Men by these Presents, That the Trustees appointed by
 ‘ and acting under an Act passed in the Fifty-first Year of the Reign
 ‘ of King *George* the Third, intituled, [*here set forth the Title of this Act*],
 ‘ and their Successors, are held and firmly bound to
 ‘ in the Sum of _____ to be paid to him (or her or them) the
 ‘ said _____ or to his (or her or their) certain Attorney,
 ‘ Executors, Administrators, or Assigns. In Witness whereof
 ‘ _____ the Treasurer appointed by virtue of the said Act hath
 ‘ hereunto set his Hand and Seal, this _____ Day of
 ‘ in the Year of our Lord
 ‘ The Condition of the above-written Obligation is such, that if the
 ‘ above-named _____ his (or her or their) Executors,
 ‘ Administrators, or Assigns, shall under, and according to the true In-
 ‘ tent and Meaning of the above-mentioned Act of Parliament, be well
 ‘ and truly paid the full and just Sum of _____ this Day
 ‘ advanced and lent by him (or her or them) the said _____
 ‘ upon the Credit of the said Act, together with Interest for such Sum
 ‘ of _____ whilst the same shall remain unpaid, after the Rate
 ‘ of _____ *per Centum per Annum*, by equal half-yearly
 ‘ Portions or Payments, then this Obligation shall be void.
 ‘ Signed and sealed by the said _____ the
 ‘ Treasurer appointed by virtue of the said Act,
 ‘ with the Consent of us, the Majority of the
 ‘ Trustees present at a Meeting holden the Day
 ‘ and Year above mentioned.’

Form of As-
signment and
Transfer.

XX. And be it further enacted, That all and every Person and Persons to whom any such Annuity or Annuities shall be so granted and secured as aforesaid, and his, her, and their Executors, Administrators, and Assigns, shall and may by Indorsement on his, her, or their respective Securities, and executed in the Presence of any One of the said Trustees, or of the Treasurer by this Act directed to be appointed; or the officiating Clergyman of the Parish or Place where the Party making such Assignment resides, assign or transfer his, her, or their Right to the Annuities thereby respectively secured in the Words or to the Effect following; (that is to say),

‘ **IN** Consideration of the Sum of _____ of lawful
 ‘ Money of *Great Britain*, this Day paid by _____ I (or we, as the Case
 ‘ may be) do hereby transfer the within written Security, and the Annui-
 ‘ ties or Annuity thereby granted or secured unto
 ‘ Executors, Administrators, or Assigns. Witness my Hand and Seal
 ‘ (or our Hands and Seals) this _____ Day of
 ‘ in the Year of our Lord
 ‘ Witness _____

And the Lender or Lenders of such other Monies as aforesaid, and his, her, and their Executors, Administrators, and Assigns, shall and may by Assignment under their respective Hands and Seals attested as aforesaid, also assign and transfer any of such Bonds, and the Monies thereby

thereby respectively secured to any Person or Persons whomsoever, in the Words or to the Effect following; (that is to say),

• **I**N Consideration of the Sum of _____ of lawful
 • Money of *Great Britain* this Day paid by _____
 • I do hereby transfer the within written Bond, with all my Right and
 • Title to the Principal and Interest thereby secured unto
 • Executors, Administrators, and Assigns. Witness my Hand and Seal
 • this _____ Day of _____ in the Year of our Lord
 • Witness

XXI. And be it further enacted, That there shall be provided by the said Trustees, and kept by the Vestry Clerk, a Book or Books, in which shall be fairly written in Words at Length, the Names and Addition of all such Persons as shall be Purchasers of any of the Annuities aforesaid, or as shall lend any Sum or Sums of Money on Bond or other Security; and the Names of the Persons into whose Hands the said Purchasers or Lenders shall pay any Sum or Sums of Money upon the Credit of this Act, and also the Sum or Sums of Money so paid for the Purchase of Annuities, or lent on Bonds or other Security, and the respective Days of Payment thereof, and all such Assignments and Transfers respectively shall be produced and notified to the Vestry Clerk within Twenty-one Days after the Date thereof, and shall be by him entered in the said Book or Books, for which the said Clerk shall be paid the Sum of Two Shillings and Sixpence and no more; and after such Entry shall be made, every such Assignment or Transfer shall be deemed to pass the legal Property of and in such Annuity, Bond, or other Security as shall be thereby assigned; and such Assignee or Assignees may in like Manner assign and transfer again, and so *toties quoties*, as often as the Case may happen, to which Book or Books the said Purchasers and Lenders, their Executors, Administrators, and Assigns, and any Person or Persons who shall be liable to pay any Rates or Assessments to be made by virtue of this Act, may at all reasonable Times have Recourse, and may inspect the same without Fee or Reward.

Directing
 Entries to be
 made of An-
 nuities.

XXII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and required from Time to Time, by Writing under their Hands, to make an Assessment or Assessments, Rate or Rates, according to the proportionate Value of the several Lands and Tenements in the then last Poor's Rate or Rates of the said Parish on all and every Person and Persons who do or shall inhabit or occupy any Messuages, Lands, Tenements, or Hereditaments within the said Parish, and who are liable in respect thereof to be rated, and pay to the Church Rate of the said Parish, and as to the said Trustees shall appear necessary for the Purposes of this Act; and to order and direct the Collector or Collectors to be appointed in pursuance of this Act to collect and receive from such Occupiers of such Messuages, Lands, Tenements, or Hereditaments as aforesaid, such Rate and Sums of Money as shall be so assessed or rated as aforesaid; all which Rates and Assessments so to be rated, assessed, and collected, are hereby vested in the said Trustees in Trust, to be applied by them for the Purposes of this Act: Provided always, that it shall be lawful for the said Trustees, or for such Person or Persons as they shall appoint, at all convenient Times to inspect the Poor's Rate

Empowering
 the Trustees
 to make As-
 sessments and
 Rates for the
 Purposes of
 this Act,

and for that
 Purpose to
 inspect the
 Poor's Rate.
 of

of said Parish, in order to ascertain the Rates to be made by virtue of this Act, and to take Copies thereof *gratis*.

Rates vested
in the Trustees.

XXIII. And be it further enacted, That the said Trustees shall and may cause the said Rates or Assessments to be recovered in the like Manner as the Poor Rates are by Law recoverable; and all Justices of the Peace and other Persons are hereby authorized and directed to proceed and act therein in like Manner as they may by Law proceed and act for the Recovery of the Poor Rates.

Rates charged
with the
Payment of
Money borrowed.

XXIV. And be it further enacted, That the several Rates or Assessments hereby directed to be made, collected, levied, and paid, shall be charged and chargeable with and for the Payment of all and every such Annuity and Annuities as aforesaid, and all Arrears thereof respectively, and all Sums of Money to be advanced, lent, and paid as aforesaid, and the Interest thereof respectively from Time to Time, and shall vest in the Annuitant or Annuitants, or other Person or Persons advancing, lending, or paying Money as aforesaid, upon Default of Payment of such Annuity or Annuities, or other Monies so to be advanced, lent, or paid, as the same shall become due, until the same shall be fully paid and satisfied, together with Interest for such Arrears of Annuity from the Time the same ought to have been paid until Payment and Satisfaction thereof, and of the Costs and Charges occasioned by Non-payment of the same; and such Annuitant or Annuitants, in case there shall be any Arrear of such Annuity or Annuities, and until full Payment thereof respectively, with such Interest and Charges as aforesaid, and such other Person or Persons until Repayment of their Money advanced, and Interest according to the Stipulations for Payment thereof shall upon giving Twenty Days Notice in Writing, and Default of Payment at or before the End of such Twenty Days, have the same Powers, Rights, and Privileges of assessing, collecting, distraining, and levying the said Rates and Assessments payable by virtue of this Act, as the said Trustees would have had in case the said Annuity or Annuities or other Money to be advanced as aforesaid, and the Interest thereof, had been regularly and fully paid and satisfied; and for that Purpose the Trustees shall deliver, or cause to be delivered, over to such Person or Persons as aforesaid, the then existing Rates, and all Monies then in Hand, and collected on Account thereof.

After the
Death of
Annuitant
and Payment
of Monies
Rates shall
cease.

XXV. And be it further enacted, That from and after the Deaths of the several Persons on whose Lives, or at the Expiration of such Term of Years for which Annuities shall or may be granted as herein-before is mentioned; and from and after Payment of all Monies to be raised, borrowed, or taken up at Interest or otherwise by virtue of this Act on the Credit of the said Rates and Assessments; and also after Payment and Discharge of all Expences and Charges of applying for and passing this Act, and of putting the same into effectual Execution; and all Matters relating thereto, the Rates or Assessments hereby directed to be raised and paid, shall absolutely cease and determine.

Vestry Clerk
to enter Pro-
ceedings in a
Book.

XXVI. And be it further enacted, That the said Vestry Clerk for the Time being shall, and he is hereby required to make all proper Entries in a Book or Books to be kept for that Purpose, and signed by the said Trustees, (who shall have made such Rates and Assessments respectively), of all

and

and singular the Rates and Assessments which they shall make in pursuance of this Act, to which Book or Books every Person liable to pay the said Rates and Assessments shall have free Access at all convenient Times, and be permitted to inspect the same without Fee or Reward.

XXVII. And be it further enacted, That all the Costs, Charges, and Expences of passing this Act, and all other Charges incident to the applying for and obtaining thereof, or incurred in relation thereto, and in putting the same into Execution, shall be borne, paid, and defrayed out of the First Monies which shall be raised by virtue of this Act.

For paying
the Expences
of this Act.

XXVIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved or over-rated by any Rate or Assessment, or any other Matter or Thing to be made or done under or in pursuance of this Act, he, she, or they may appeal and complain thereof to the said Trustees, who may examine the Appellant or Appellants, or any Witnesses upon Oath touching or concerning the Matter of such Appeal, and relieve the Person or Persons appealing or not, and make such Order therein as to them shall seem meet.

Persons ag-
grieved may
appeal to the
Trustees,

XXIX. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Trustees, or by Means of any Rate or Assessment to be made under or in pursuance of this Act, or any Order or Conviction of One or more Justice or Justices of the Peace, it shall be lawful for such Person or Persons to appeal to the General Quarter Sessions of the Peace to be held in and for the said County where the Cause of Complaint shall arise, before the Justices then and there assembled; and such Justices are hereby authorized and empowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of the said Appeal, and make such Order therein as to them shall seem meet, which Order shall be final and conclusive to and upon all Parties; but so as that such Appeal shall be made within Four Calendar Months next after the Cause of Complaint shall have arisen, and that the Person or Persons so appealing shall give, or cause to be given, Eight Days Notice in Writing at the least of his or her Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the said Treasurer or Vestry Clerk for the Time being, and within Four Days after such Notice enter into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Securities, conditioned to try such Appeal at the then next General Quarter Sessions, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions, or any Adjournment thereof; and such Justices, upon hearing and finally determining the Matter of such Appeal shall, and they are hereby directed and required to award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination in or concerning the Premises shall be conclusive and binding upon all Parties to all Intents and Purposes whatsoever.

or to the
Quarter
Sessions.

XXX. And be it further enacted, That no Inhabitant of the said Parish of *Hungerford* shall be deemed an incompetent Witness in any Action, Suit, Information, Complaint, Prosecution, or Proceeding to be had,

Inhabitants
may be Wit-
nesses.

[*Loc. & Per.*]

29 R—S

made,

made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being an Inhabitant of the said Parish.

Distress not
to be deemed
unlawful.

XXXI. And be it further enacted, That when any Distress shall be made for any Money 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 Default or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case, provided that no Plaintiff or Plaintiffs shall recover in any Action or Actions for any such Irregularity, Trespass, or other Proceedings if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or other wrongful Proceedings before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Actions, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Adjudication shall be made, had, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court; and that no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing done, or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed or removable by *Certiorari* or other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*.

Proceedings
not to be va-
cated for
Want of
Form.

Limitation of
Action.

XXXII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of or under Colour of this Act, until Twenty-one Days Notice shall be given thereof in Writing to the said Treasurer or Vestry Clerk, nor after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Four 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 of *Berks* or *Wilts*, where the Cause of Action shall arise, and not in any other County or Place; and the Defendant or Defendants in such Actions and Suits may plead the General Issue, or give this Act, and every 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-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made and 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 such Action or Actions, Suit or Suits, shall become Nonsuit, or suffer a Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers in such Action or

Actions Judgement 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 Cases by Law.

XXXIII. Provided always, and it is hereby enacted, That this Act or any Thing herein contained, shall not extend, or be construed to extend, to affect or prejudice the Right or Interest of the Appropriator and Patron of the said Parish. Preserving
the Rights of
the Appro-
priator.

XXXIV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded. Publick Act.

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