



ANNO QUINQUAGESIMO PRIMO

# GEORGI III. REGIS.

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## *Cap. 152.*

An Act for repairing the Parish Church of *Sevenoaks*  
in the County of *Kent*. [10th *June* 1811.]

**W**HEREAS the Parish Church of *Sevenoaks* in the County of *Kent* is a very ancient Fabric, and is in Parts so decayed and in such a ruinous Condition that it is become dangerous for the Inhabitants to attend Divine Service therein; and the Tower of the said Church is also in a ruinous and dangerous State; and the Cemetery belonging to the said Church is too small for the Purpose, and it is necessary that the same should be enlarged; and it is necessary to take down the Organ which stands in the Gallery at the West End of the said Church: And whereas for the doing the necessary Repairs and other Requisites to the said Church and Tower, enlarging the Cemetery belonging to the said Church, and repairing and replacing the Organ, it will require a considerable Sum of Money to be raised, which cannot be done 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 the Reverend *Thomas Sackville Curteis*, the Rector of the said Church, or the Rector of the said Church for the Time being, *Sir Richard Hardinge* Baronet, *Henry Woodgate*, *Christopher Cooke*, *Robert Home Gordon*, *Multon Lambard*, *Francis Motley Austen*, *William Stacey Coast*, *Peter Nouaille*,  
[*Loc. & Per.*] *Charles*

*Charles Willaard, Henry Streatfield, John Fellows Claridge, George Leonard Austen, Thomas Mortimer Kelson, Henry Lane, Esquires; Reverend Gervis Whitehead, Reverend Robert Parsons, Reverend Richard Taylor; Daniel Dodgin, Richard Crow, Richard Cooper, Thomas Child, John Hilder, Thomas Hutchins, John Heath junior, John Nash, William Nash, John Boakes, Thomas Morgan, James Weller, Samuel Bellingham, Joseph Bradley, Richard William Grave Morris, William Morris, Henry Rose, Thomas Harmman, Edward Jardine, William Daykin, William Smith, John Arrows, Thomas Wiggins, William Hodson, George Westbrooke, William Sutton, Stephen Parker, John Lee, Thomas Marshall, John Wigsell, William Mercer, Richard Harvey, Richard Taylor, and the Churchwardens of the said Parish for the Time being, shall be and they are hereby appointed Trustees for the repairing the said Church, and carrying into effect the other Matters aforesaid, and putting this Act in execution; and that when any One or more Trustee or Trustees herein-before named, or to be appointed as herein-after mentioned, (except such Persons as are declared to be Trustees by virtue of their Situation or Office,) shall die, or refuse to act, or shall remove out of the said Parish of *Sevenoaks*, the surviving or remaining Trustees shall, at any Meeting to be held as herein-after is mentioned, appoint One or more of the Inhabitants of the said Parish in the Room or Place of such Trustee or Trustees so dying, refusing to act, or removing as aforesaid; and every such Trustee so to be appointed shall have full Power in all things to carry this Act into execution as if he had been appointed a Trustee in and by this Act: Provided always, that no Person shall act as a Trustee as aforesaid who shall be interested in any Contract under this Act.*

Power to appoint new Trustees on Death, Refusal to act, or Removal.

No Trustee to act being interested in any Contract.

First Meeting.

Appointment of Treasurer and other Officers.

II. And be it further enacted, That the said Trustees shall meet in the Vestry Room of the said Parish on the Second *Saturday* after the passing of this Act, or as soon as conveniently may be, to put this Act in execution, and shall and may adjourn from Time to Time as they shall think proper; and at which first Meeting, or at any future Meeting, it shall be lawful for the said Trustees to appoint One or more Treasurer or Treasurers, and a Clerk, and also to appoint and employ such other Person or Persons as may be necessary for the Purposes of this Act, and shall and may take such Security as they shall think proper from such Treasurer or Treasurers, and from Time to Time at any future Meeting, may remove any such Treasurer or Treasurers, Clerk, or other Persons so to be appointed as aforesaid, as they shall think proper, and appoint others in the Room or Stead of any such Officers so removed, or dying, or declining to act; and the said Trustees may, out of the Monies to be raised under or by virtue of this Act, make such Allowances to such Person or Persons respectively as they shall judge a reasonable Compensation for their respective Trouble and Services.

Trustees to hold Quarterly Meetings.

Power for Trustees to call other Meetings.

III. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and required to hold Four quarterly Meetings in the Year, on the Days following; (that is to say,) on the First *Saturday* in the several Months of *June, September, December, and March*, in every Year; and the said Trustees, or any Five or more of them, although not assembled at a Meeting, shall and may, at their Discretion, and they are hereby authorized and empowered, by Writing under their Hands, to direct the Clerk to call any other Meetings of the said Trustees for carrying

carrying this Act into execution; and the said Clerk shall give Notice thereof in Writing, specifying the Purpose of such Meeting, to be left for the said Trustees at their respective usual Places of Abode at least Three Days previous to such intended Meetings; and that at all Meetings the said Trustees shall defray their own Expences.

IV. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered, at any such Meetings to be held as aforesaid, to give Orders for all and every such Reparations of the said Church and Tower thereof, and taking down, repairing, and replacing the Organ belonging thereto, and for the Enlargement of the Cemetery or Churchyard of the said Parish, and the removing and rebuilding of certain Erections herein-after mentioned, and for doing all such other Matters and Things relative to the said Church and Churchyard as they shall think proper, and to make any Contract or Contracts with any Person or Persons for effectuating the same, and also to confirm all such Contracts as may have been entered into, and generally to make and do all such other Matters and Things as they shall think proper and necessary, fully and effectually to carry this Act into execution: Provided that no Act, Order, or Resolution of the said Trustees shall be valid unless done or made at some public Meeting to be held in pursuance of this Act; and at all such Meetings the Acts, Orders, and Resolutions of the major Part of the Trustees present (the Number of Trustees present at such Meeting not being less than Seven) shall have the same Force and Effect as if done or made by all the said Trustees; and that where at any Meetings the Number of Voices shall be equal, the Chairman to be appointed at each such Meeting shall have a Second and casting Voice.

Power for Trustees to order Repairs, make Contracts, &c.

No Act valid unless done at a public Meeting.

Chairman to have the casting Voice.

V. And, for the more speedy raising Money for the Purposes of this Act, be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby empowered, from Time to Time to borrow and take up at Interest any Sum or Sums of Money not exceeding the Sum herein-after mentioned upon the Credit of the Rates or Assessments to be granted in manner herein-after mentioned, and by any Writing under their Hands and Seals to mortgage and assign over the said Rates or Assessments to the Person or Persons who shall advance or lend such Money, or his, her, or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Assignment shall be in the Words or to the Effect following; *videlicet,*

Power to borrow Money, and to assign the Rates as a Security.

‘ BY virtue of an Act made in the \_\_\_\_\_ Year of the Reign  
 ‘ of King *George* the Third, intituled [*set forth the Title of this Act*],  
 ‘ we \_\_\_\_\_ of the Trustees appointed by virtue  
 ‘ of this Act, in consideration of the Sum of \_\_\_\_\_  
 ‘ advanced and lent by *A. B.* to *C. D.*, the Treasurer appointed in pur-  
 ‘ suance of the said Act, upon the Credit and for the Purposes of the  
 ‘ said Act, do grant and assign unto the said *A. B.*, his Executors, Ad-  
 ‘ ministrators and Assigns, such Proportion of the Rates or Assessments  
 ‘ arising by virtue of the said Act as the said Sum of \_\_\_\_\_ doth  
 ‘ or shall bear to the whole Sum which is or shall be borrowed upon the  
 ‘ Credit of the said Act; to be had and holden from this

Form of Assignment.

‘ Day

‘ Day of \_\_\_\_\_ until the said Sum of \_\_\_\_\_  
 ‘ with Interest at \_\_\_\_\_ *per Centum per Annum* for the same,  
 ‘ to be paid half-yearly, shall be repaid and satisfied. In witness whereof  
 ‘ we have hereunto set our Hands and Seals, this \_\_\_\_\_  
 ‘ Day of \_\_\_\_\_ ’

Money to be  
 raised by An-  
 nuities, &c.

And every such Assignment shall be good, valid, and effectual in the Law: Provided always, that in case the Trustees shall think it advisable to raise all or any Part of the Money necessary for the Purposes of this Act by the granting of Annuities for Lives, then it shall be lawful for the said Trustees, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Trustees any Sum or Sums of Money for the absolute Purchase of any Annuity, to be paid and payable during the natural Life of every such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf of such Contributor, so that no such Annuity do exceed the Rate of Ten Pounds for every Hundred Pounds for the Year; and the Grant of every such Annuity shall be in the Words or to the Effect following; *videlicet,*

Form of  
 Grant.

‘ **WE** \_\_\_\_\_ of the Trustees appointed by or in pursuance  
 ‘ \_\_\_\_\_ of an Act made in the \_\_\_\_\_ Year of the Reign of King  
 ‘ George the Third, intituled [*set forth the Title of this Act*], in considera-  
 ‘ tion of the Sum of \_\_\_\_\_ paid by *A. B.* to the Treasurer appointed  
 ‘ in pursuance of the said Act, do hereby grant unto the said *A. B.* and  
 ‘ his Assigns an Annuity or yearly Sum of \_\_\_\_\_  
 ‘ out of the Rates or Assessments arising by virtue of the said Act,  
 ‘ which Annuity or yearly Sum of \_\_\_\_\_ shall be paid to  
 ‘ the said *A. B.* or his Assigns at or upon the \_\_\_\_\_ Day of  
 ‘ \_\_\_\_\_ in every Year during the natural Life of the said *A. B.*,  
 ‘ and the first Payment thereof shall be made upon the \_\_\_\_\_ Day of  
 ‘ \_\_\_\_\_ next ensuing the Day of the Date of these Presents.  
 ‘ In witness whereof we have hereunto set our Hands and Seals, the  
 ‘ \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our  
 ‘ Lord \_\_\_\_\_ ’

Limiting the  
 Sum to be  
 raised; and  
 Notice to be  
 given of the  
 Intention of  
 borrowing  
 such Money.

And every such Grant shall be good, valid, and effectual in the Law; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon and shall be payable and paid out of the said Rates or Assessments: Provided nevertheless, that no greater Sum in the whole than Ten thousand Pounds shall be raised by Loan or Mortgage, and by the Sale or granting of Annuities as aforesaid; and that before any such Money shall be borrowed or Annuity granted, Fourteen Days Notice shall be given in some Newspaper published in the said County of *Kent*, signifying the Intention of borrowing such Money or granting such Annuities.

Manner of  
 transferring  
 Securities.

VI. And be it further enacted, That it shall be lawful for the Persons entitled to any of the said Securities granted as aforesaid, by Writing under their Hands and Seals indorsed thereon, to transfer the same to any Person or Persons, in the Words or to the Effect following; *videlicet,*

I, *A. B.*

‘ I *A. B.* do hereby transfer the within Mortgage [*or* Grant of An-  
 ‘ nuity], and all my Right and Title in and to the Principal Money Form of  
 ‘ and Interest [*or* Annuity] and all Arrears now due thereon, thereby Transfer.  
 ‘ secured, unto *C. D.*, his Executors, Administrators, and Assigns. Dated  
 ‘ the Day of .’

And Entries or Memorials of all Mortgages or Assignments and Grants of Annuities which shall be made in pursuance of this Act, and of all Transfers thereof, expressing in Words at Length the Names, Additions, Places of Abode, and other proper Descriptions of all such Persons as shall from Time to Time be entitled to the Principal and Interest or the Annuities thereby respectively secured, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees, to which Book all Persons interested shall at all seasonable Times have Access, and shall have Liberty to inspect the same without Fee or Reward; and for the Entry of every such Assignment the said Clerk shall be paid Five Shillings, and no more; and every such Transfer shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security to be thereby transferred; and all Persons to whom such Mortgages or Assignments or Grants of Annuity shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments equally one with another, without any Preference in respect to the Priority of advancing such Money, or the Dates of any such Mortgages or Assignments or Grants of Annuity.

VII. And, in order to raise Money to defray the Expences of carry- Rates to be  
 ing this Act into execution, be it further enacted, That it shall and made.  
 may be lawful for the Churchwardens of the said Parish for the Time  
 being, by the Order and Direction of the said Trustees, and they are  
 hereby required, from Time to Time whensoever they the said Trus-  
 tees shall find it necessary, in the usual and accustomed Manner, to  
 rate or assess all Persons who do or shall inhabit, occupy, or enjoy any  
 Lands, Houses, or other Tenements or Hereditaments within the said  
 Parish, in any Sum of Money not exceeding the Rate of Two Shillings  
 in the Pound in any One Year of the yearly Value of such Lands,  
 Houses, or other Tenements or Hereditaments, as the same shall be  
 assessed to the Poor's Rates within the said Parish; and that the Monies  
 to arise from such Rates or Assessments shall be and are hereby vested  
 in the said Trustees for the Purposes of this Act, and shall be col-  
 lected by the Churchwardens of the said Parish for the Time being;  
 and the Money so to be collected shall from Time to Time be paid  
 by the respective Churchwardens into the Hands of the Treasurer to  
 the said Trustees; and such Rates shall take place and become payable  
 from the passing of this Act, and continue for and during such Time  
 as any of the Monies to be borrowed or Annuities to be granted upon  
 the Credit of this Act, as herein-before is mentioned, shall remain  
 owing or have Continuance, and no longer: Provided always, that the  
 Rate or Assessment to be made as aforesaid in or for any Year shall Rates may  
 continue in force and shall be collected and recovered in or for every continue in  
 subsequent Year until the Churchwardens of the said Parish for force for se-  
 [Loc. & Per.] veral Years.  
the

the Time being shall, by the Order and Direction of the said Trustees, make a new Rate or Assessment by virtue of this Act, in like Manner as if the Churchwardens, by the Directions aforesaid, had made such Rate or Assessment in and for every such subsequent Year.

Tenants to pay the whole, and deduct Half of the Rates out of the Rents.

VIII. And be it further enacted, That the Tenants or Occupiers of such Lands, Houses, or other Tenements and Hereditaments so to be rated or assessed as aforesaid shall pay the whole of such Rates or Assessments on what they hold and occupy; and every such Tenant shall and may deduct, out of his or her Rent payable to his or her Landlord, One Half Part of such Rate or Assessments, and such Landlord is hereby required and directed to allow such Tenant such Payments and Deductions accordingly; and every Tenant paying such Part of the said Rate or Assessment for or upon account of the Landlord, and producing a Receipt for the same, shall be acquitted or discharged of and from so much of his or her said Rent to such Landlord, as fully and effectually as if the same had actually been paid to such Landlord, or any Person or Persons to whom his or her Rent was or should have been paid or payable.

Rates where Houses are let to several Families.

IX. And be it further enacted, That every Person, being Landlord or Tenant, who shall let his or her House in separate Apartments, or ready furnished, to a Lodger or Lodgers, or for any less Term than a Year, shall for the several Purposes of this Act be deemed and taken to be the Occupier thereof, and may be rated and assessed accordingly.

Recovery of Rates.

X. And be it further enacted, That if any Person shall refuse or neglect to pay the Sum or Sums of Money which he or she shall be rated or assessed by virtue of this Act, for the Space of Fourteen Days after the same shall become payable as aforesaid, and after Demand in Writing delivered to or left at the usual Place of Abode of such Person, then and in every such Case it shall and may be lawful for any Churchwarden of the said Parish, and he is hereby authorized and required, to levy the same by Distress and Sale of the Goods and Chattels of every Person refusing to pay as aforesaid, by virtue of a Warrant under the Hands and Seals of any Two Justices of the Peace for the said County of *Kent*, which Warrant such Justices are hereby empowered and required to grant, upon Proof made upon Oath before them of such Demand and Nonpayment as aforesaid, rendering the Overplus (if any) to the Owner of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale: Provided always, that such Justices may grant any Warrant of Distress as aforesaid, and may do any other Act as Justices in the Execution of this Act, notwithstanding they may or shall be Trustees for putting this Act in execution.

Power for Trustees to act being Justices.

Churchwardens to account.

XI. And be it further enacted; That every Churchwarden of the said Parish who shall collect or receive any of the Monies arising by the said Rates or Assessments shall, as often as thereunto required by the said Trustees, deliver in Writing under his Hand to the said Trustees, or unto such Person

Person as they shall appoint, a true and perfect Account, and shall verify the same on Oath (which Oaths the said Trustees are hereby empowered to administer), of all Money which he shall have collected and received, and shall pay unto the Treasurer all the Monies in his Hands; and if any such Churchwarden shall refuse or neglect to collect and receive the Sums to be rated and assessed by virtue of this Act, or to account for the Money in his Hands as aforesaid, he shall for every such Refusal or Neglect forfeit and pay any Sum not exceeding Twenty Pounds; which Penalty, and also the Money in the Hands of any such Churchwarden, and which he shall refuse or neglect to pay as aforesaid, shall and may be levied and recovered by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Kent*, directed to any Person or Persons, by Distress and Sale of the Goods and Chattels of the Person refusing or neglecting as aforesaid, rendering the Overplus (if any) to the Owner of such Goods and Chattels, after the Charges of such Distress and Sale are deducted and paid.

XII. And be it further enacted, That all and every the Monies to be raised and received by virtue of this Act shall be applied, in the first place, in paying and defraying the Charges and Expences of obtaining and passing this Act, and the Remainder from Time to Time in carrying the same into execution, and in paying the Interest of the Principal Monies so to be borrowed as aforesaid, yearly or otherwise, as they the said Trustees shall think proper, and in paying the Annuities to be granted as aforesaid (if any), all such Payments to be made by the Treasurer or Treasurers by Order under the Hands of the said Trustees; and the said Treasurer or Treasurers shall from Time to Time, when required by the said Trustees, deliver and give in a particular, true, and perfect Account in Writing, under his or their Hand or Hands, to the said Trustees, and verify the same on Oath (which Oath the said Trustees are hereby empowered to administer), of all such Monies which he or they shall have respectively received and paid by virtue of this Act, and shall from Time to Time, when thereto required by the said Trustees by Notice in Writing under their Hands, pay all such Monies as shall be in his or their Hand or Hands to the said Trustees, or to such other Person or Persons as they shall by Writing under their Hands authorize to receive the same.

The Monies raised and received vested in Trustees for the Purposes of this Act, to be applied in defraying the Charges of the Act, and carrying the same into execution.

XIII. And be it further enacted, That all the surplus Monies which shall from Time to Time remain in the Hands of the said Treasurer or Treasurers, after such Payments made as aforesaid, shall, under the Direction of the said Trustees, be laid out and invested in Government Securities, at Interest, in the Names of the Rector of the said Parish for the Time being and any Three or more of the said Trustees, and the accumulating Interest and Dividends thereof shall from Time to Time be laid out and invested in like Manner, and so from Time to Time until thereby or otherwise a sufficient Fund shall be raised whereby to pay off and discharge all Monies so to be borrowed as aforesaid, and the Interest thereof, and all Expences and Charges attending the Execution of this Act.

Surplus Monies to be vested in the Funds.

XIV. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees, in case they shall think proper, instead

Power to pay off Securities.

instead of investing or putting out such surplus Monies at Interest as aforesaid, to apply the same in Payment and Discharge of the Monies so to be borrowed as aforesaid, as far as the same will extend and shall occasionally accrue.

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

XV. And be it further enacted, That the said Trustees shall and may sue and be sued in the Name of the Treasurer for the Time being to be appointed under this Act; and that no Action that 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 the Treasurer for the Time being shall always be deemed Plaintiff or Defendant in every such Action, as the Case may be: Provided always, that every such Treasurer shall be reimbursed, out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and Expences as by the Event of any such Action or Proceeding he shall be put unto or shall become charged or chargeable with by reason of his being so made Plaintiff or Defendant.

Powers to remove Grave-stones and Monuments.

XVI. And be it further enacted, That such of the several Monuments and Gravestones as may be necessary to be removed, for the Purposes of carrying on and completing the Repairs of the said Church, shall and may be taken down and removed at the Discretion of the said Trustees; and that such Monuments and Gravestones shall and may be preserved and kept, by or by the Order of the said Trustees, in such Place or Places as they shall think proper, until the said Church shall be repaired, or the same can be conveniently replaced, and that the same shall be replaced and fixed in such Manner as the said Trustees shall think proper, being as near to the Place or Places from whence they shall have been respectively removed as conveniently may be.

No Person to be buried in the Church unless the Grave shall be built with Bricks and arched over.

XVII. And be it further enacted, That after the said Church shall by virtue of this Act be put into Repair, no Grave or Vault shall at any Time thereafter be made or allowed for the Interment or Burial of any Person or Persons whomsoever, in or under the Scite of the said Church, unless the same shall be built on all Sides with Brick, and arched over with the same Materials; and so as no Vault or Grave be sunk or made within Four Feet of the Walls or any of the Pillars or Columns within the said Church, and that the same do not exceed the Depth of Seven Feet from the Surface of the Pavement; and that no Corpse shall be interred in the Churchyard within Five Feet of the exterior Walls of the said Church.

Trustees empowered to sell old Materials.

XVIII. And be it further enacted, That the old Materials which shall arise from the Alterations or Reparations of the said Church shall be and the same are hereby vested in the said Trustees, and they shall have full Power and Authority, and they are hereby authorized and empowered, to sell and dispose of the same, or such Part thereof as they shall think fit; and that the Money arising by such Sale shall be applied to and for the Purposes of this Act.

XIX. And



XIX. And be it further enacted, That the said Trustees shall and they are hereby authorized and required, out of the Money to be raised by virtue of this Act, to replace the Organ in the Gallery at the West End of the said Church, in the same Manner, or as near as may be, in which it was before the same was removed as aforesaid, and to make good the Injury which the same has sustained by the Removal thereof.

Power to  
replace the  
Organ.

XX. And whereas the Cemetery or Churchyard of the said Parish is at present too small, and it is necessary that the same should be enlarged, and upon an Application to the Diocesan, and with his Consent, as well as with the Consent of the Patron and Incumbent, a Part of the Glebe immediately adjoining the Churchyard, containing by Admeasurement Forty-three Rods, little more or less, is proposed to be given up by the Incumbent, (who is also Patron of the Living,) and added to the present Churchyard, provided that the said Piece of Glebe so to be given up as aforesaid be kept parted from the present Churchyard by a permanent Post and Railing or other substantial Fence, and the Herbage growing and to grow thereon or to arise therefrom be reserved as the Right and Property of the present Rector and of the Rector for the Time being; and likewise that the Barns, Stable, Coach-house, and other Buildings now standing thereon be removed, and rebuilt upon some other Part of the said Glebe (to be approved by the Incumbent); be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Seven or more of them, to enclose and part off the said Piece of Glebe Land for the Purpose of making an Addition to the said Churchyard, or for a Burying-place for the said Parish, from the present Churchyard, by a permanent Post and Railing or other substantial Fence (to be kept up and supported by the said Parish of *Sevenoaks*), and likewise remove, and rebuild the Barn, Stable, Coach-house, and other Buildings now standing thereon, to and upon some other Part or Parts of the said Glebe, to be approved by the Incumbent as aforesaid, and to pay all Expences attending the same with and out of the Money hereby directed to be raised for repairing the said Church and Tower, and other the Purposes aforesaid: Provided always, that the Sum to be expended in the removing and rebuilding the said Barn, Stable, Coach-house, and other Buildings shall not exceed the Sum of One thousand Pounds.

Power to  
enlarge the  
Church-  
yard.

XXI. Provided always, and it is hereby declared, That nothing in this Act shall extend or be construed to extend to prejudice the Right of the present Rector, or the Rector for the Time being, to the Herbage to arise and grow from or upon the said Piece of Glebe Land so to be enclosed as aforesaid, or to prejudice the Right of the present Vicar, or the Vicar for the Time being, to all usual and customary Fees of Burial, and for digging of Graves in the said additional Burying Ground, usually paid on such Occasions, either to the said Vicar or to the Sexton and Clerk of the said Parish of *Sevenoaks*.

Saving Rec-  
tor's Right.

XXII. And be it further enacted, That no Person being an Inhabitant of the said Parish of *Sevenoaks* shall on that Account be deemed incompetent to give Evidence in any Action, Suit, Information, Complaint, Prosecution, or Proceeding to be had, made, prosecuted, or carried on under the Authority of this Act.

Inhabitants  
may be Wit-  
nesses.

[*Loc. & Per.*]

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XXIII. And

Acts, &c. of the Trustees to be entered in a Book to be Evidence; all Receipts, Payments, and Minutes of Contracts to be also entered in a Book.

XXIII. And be it further enacted, That all the Acts, Orders, Resolutions, and Proceedings of the said Trustees shall be entered and signed by the said Clerk in a Book or Books to be kept for that Purpose, which Book or Books may be produced and read in Evidence in all Courts and Places whatsoever; and that all Receipts, Payments, Debts, Credits, and Minutes of Contracts made by or with the Artificers or Workmen employed or to be employed in or about the repairing of the said Church, or any Matter or Thing relating thereto, shall be written in One or more Book or Books to be kept for that Purpose, and to be from Time to Time and at all convenient Times open to the Inspection and Perusal of any Person or Persons who shall be liable to pay Rates or Assessments by virtue of this Act.

Indemnity to Trustees.

XXIV. Provided always, and be it further enacted, That all and every the Trustees herein-before named and hereafter to be appointed shall from Time to Time and at all Times hereafter be amply and fully indemnified, from and out of the Monies to be raised under this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them, or their Treasurer as aforesaid, shall and may sustain or be put unto, for or by reason of any Action, Suit, or other Proceedings which may be had, sued, commenced, or prosecuted against them, any or either of them, for any Matter or Thing which may be by them respectively legally done in or about the Execution of this Act, and the Trust imposed in them under the same.

Proceedings not to be quashed for Want of Form.

XXV. And be it further enacted, That no Order, Conviction, Judgment, Warrant, or other Proceedings to be had or made in pursuance of this Act shall be quashed or vacated for Want of Form; and that in all Cases where any Distress shall be made for any Sum or Sums 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 *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by any such Irregularity shall and may recover Satisfaction for the special Damages in an Action upon the Case; but no Plaintiff shall recover in any Action for such Irregularity, Trespass, or other wrongful Proceeding, by virtue of this Act, if before such Action is brought Tender of sufficient Amends shall be made by or on behalf of the Party or Parties who shall commit or cause to be committed such Irregularity, Trespass, or wrongful Proceeding; and in case no such Tender shall have been made it shall and may be lawful for the Defendant or Defendants in any such Action or Actions, by Leave of the Court wherein such Action shall depend, at any Time before Issue joined, to pay into the Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions wherein the Defendant is allowed to pay Money into Court.

General Appeal.

XXVI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Matter or Thing to be done in pursuance of this Act, it shall be lawful for such Persons to appeal to the Justices of the Peace at any Quarter Sessions to be holden for the said County of *Kent*, who are hereby authorized and

empowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of such Appeal, such Appeal being made within Three Calendar Months next after the Cause of Complaint shall have arisen, and the Person or Persons appealing giving Ten Days Notice at least in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the Churchwardens for the Time being of the said Parish, and within Three Days next after such Notice entering into Recognizance before One of the Justices of the Peace for the said County of *Kent*, with Two sufficient Sureties, conditioned to try such Appeal, and abide by the Order of such Sessions, and pay such Costs as shall be made and awarded thereon by the Justices at such Sessions; and such Justices, upon hearing and finally determining the Matter of such Appeal, shall and may and they are hereby authorized and required to award such Costs to the Party or Parties appealing or appealed against as they shall think proper; and their Determination in the Premises shall be final and conclusive to all Intents and Purposes.

XXVII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance or under colour of this Act until Thirty-one Days Notice shall be given of the Cause thereof in Writing to the Clerk of the said Trustees for the Time being, nor after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried in the County where the Cause of Action shall arise; and the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or Suit was brought before Thirty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or 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 shall find 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 any such Action or Actions, Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in any other Cases by Law.

Limitation of  
Actions.

General  
Issue.

XXVIII. 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.

Public Act.

