



ANNO DECIMO

GEORGII IV. REGIS.

Cap. xiv.

An Act for extinguishing Tithes, and Payments in lieu of Tithes, Mortuaries, and *Easter Offerings*, and other Vicarial Dues and Payments, within the Parish of *Halifax* in the Diocese and County of *York*; and for making Compensation to the Vicar in lieu thereof, and enabling him to grant certain Leases of Lands belonging to the Vicarage.

[13th *April* 1829.]

WHEREAS the King's most Excellent Majesty in Right of His Crown is Patron of the Vicarage of *Halifax* in the Diocese and County of *York*, and the Reverend *Charles Musgrave* Master of Arts is the present Vicar thereof: And whereas the Parish of *Halifax* is divided into Twenty-three Townships, known by the several Names of *Erringden, Fixby, Halifax, Heptonstall, Hipperholme-cum-Brighouse, Langfield, Midgley, Norland, Northowram, Rastrick, Rishworth, Shelf, Skircoat, Southowram, Sowerby, Soyland, Wadsworth, Warley, Barkisland, Ovenden, Stainland, Elland-cum-Greetland, and Stansfield*: And whereas it is expedient that a certain Annual Stipend should from henceforth be paid to the Vicar of the said Parish for the Time being in lieu of all Vicarial Tithes, Mortuaries, *Easter Offerings*, and Dues or Payments in lieu of Vicarial Tithes or Dues, arising or payable within the first-mentioned Eighteen Townships, and in lieu of all Mortuaries,

[*Local.*]

4 B

Easter

Easter Offerings, and Dues arising or payable to the said Vicar within the said several Townships of *Barkisland, Ovenden, and Stainland*; but such beneficial Purposes (notwithstanding that the King's most Excellent Majesty, as Patron as aforesaid, and also his Grace the Lord Archbishop of *York*, the Diocesan, and the said Vicar, are consenting thereto,) cannot be effected without the Aid and Authority of Parliament: And whereas the said Parish of *Halifax* is very extensive; and by reason of the extended and increasing Population therein, and of the great Trade, Commerce, and Manufactures there carried on, it would be very advantageous and beneficial to the said Vicar and his Successors if Provision were made for enabling the said Vicar, and his Successors, Vicars of *Halifax* aforesaid, to grant Building and Improving Leases of Lands in the said Parish belonging to the said Vicar and Vicarage: 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 respective Churchwardens for the Time being of the several Townships of *Erringden, Fixby, Halifax, Heptonstall, Hipperholme-cum-Brighouse, Langfield, Midgley, Norland, Northowram, Rastrick, Rishworth, Shelf, Skircoat, Southowram, Sowerby, Soyland, Wadsworth, Warley, Barkisland, Ovenden, and Stainland*, in the Parish of *Halifax*, shall yearly, from Time to Time for ever hereafter, pay or cause to be paid, in the Proportions herein-after mentioned, to the Vicar for the Time being of the Parish and Parish Church of *Halifax*, or to such Person or Persons as he shall appoint to receive the same, One clear Annual Stipend or Sum of One thousand four hundred and nine Pounds Fifteen Shillings and Sixpence of lawful Money of *Great Britain*, free and clear of and from all Rates, Taxes, Assessments, Charges, and Deductions whatsoever, save and except a certain ancient Annual Payment of Four Pounds and Thirteen Shillings payable by the Vicar of the said Parish for the Time being to the King's most Excellent Majesty, as Rector of the said Parish, or to his Lessee or Lessees.

Annual Stipend to be paid to the Vicar in lieu of Tithes.

Directing the Proportion to be raised in each Township.

II. And be it further enacted, That the said Annual Stipend shall be raised and paid by the Churchwardens or Churchwarden of the said several Townships respectively, in their respective Townships, according to the Proportions following; (that is to say,) for raising the aforesaid Sum of One thousand four hundred and nine Pounds Fifteen Shillings and Sixpence there shall be raised and paid, in and for the Township of *Erringden*, the Sum of Thirty-five Pounds One Shilling and Sixpence; and in and for the Township of *Fixby*, the Sum of Eight Pounds Fifteen Shillings and Three-pence; and in and for the Township of *Halifax*, the Sum of Two hundred and forty-three Pounds Thirteen Shillings and Sixpence; and in and for the Township of *Heptonstall*, the Sum of Eighty Pounds and Ten-pence; and in and for the Township of *Hipperholme-cum-Brighouse*, the Sum of Seventy-eight Pounds; and in and for the Township of *Langfield*, the Sum of Thirty-eight Pounds Eighteen Shillings and Eight-pence; and in and for the Township of *Midgley*, the Sum of Thirty-nine Pounds and Three Shillings; and in and for the Township or *Norland*,

land, the Sum of Twenty-five Pounds Three Shillings and Nine-pence; and in and for the Township of *Northowram*, the Sum of One hundred and fifty-one Pounds One Shilling and Sixpence; and in and for the Township of *Rastrick*, the Sum of Forty-five Pounds Ten Shillings and Sixpence; and in and for the Township of *Rishworth*, the Sum of Twenty-seven Pounds Five Shillings and Sixpence; and in and for the Township of *Shelf*, the Sum of Thirty-eight Pounds Three Shillings and Two-pence; and in and for the Township of *Skircoat*, the Sum of Sixty-five Pounds Eight Shillings and Two-pence; and in and for the Township of *Southowram*, the Sum of Eighty-three Pounds Thirteen Shillings and Two-pence; and in and for the Township of *Sowerby*, the Sum of One hundred and eleven Pounds Fourteen Shillings and Five-pence; and in and for the Township of *Soyland*, the Sum of Sixty-one Pounds and Three Shillings; and in and for the Township of *Wadsworth*, the Sum of Ninety-three Pounds; and in and for the Township of *Warley*, the Sum of Eighty-nine Pounds Seventeen Shillings and Ten-pence; and in and for the Township of *Barkisland*, the Sum of Fifteen Pounds Seventeen Shillings and Three-pence; and in and for the Township of *Ovenden*, the Sum of Fifty-seven Pounds and Twelve Shillings; and in and for the Township of *Stainland*, the Sum of Twenty Pounds Twelve Shillings and Sixpence; and such several Proportions of the said Annual Stipend to be raised and paid in and for the said first-mentioned Eighteen Townships shall be so raised by an Assessment on all inhabited Houses, Corn Mills, and Arable, Meadow, and Pasture Lands, and Orchards and Gardens therein respectively, in the Proportions and Manner herein-after mentioned; and such several Proportions of the said Annual Stipend to be raised and paid in and for the said last-mentioned Three Townships shall be so raised by One entire Charge on all inhabited Houses within the said last-mentioned Three respective Townships, rateably in proportion to the Value thereof respectively.

III. And be it further enacted, That the first Payment of the said Annual Stipend, or full clear Annual Sum of One thousand four hundred and nine Pounds Fifteen Shillings and Sixpence, shall be made, in the respective Proportions aforesaid, by the Churchwardens or Churchwarden of the said several and respective Townships, (or by the Collector or Collectors to be appointed as herein-after mentioned,) within Three Calendar Months next after the passing of this Act; and such first Payment shall be considered as the Stipend for the Year ending at *Easter* One thousand eight hundred and twenty-nine; and the second Payment of the said Annual Stipend shall be made, in the respective Proportions aforesaid, by the Churchwardens or Churchwarden of the said several and respective Townships, (or by such Collector or Collectors,) on *Easter Monday* in the Year One thousand eight hundred and thirty; and all future Payments thereof shall be made in the Proportions, and by such Churchwardens or Churchwarden, or Collector or Collectors aforesaid, on *Easter Monday* in every succeeding Year for ever; and all such Payments shall be made in the Vestry Room of the Parish Church of the said Parish, or in such other Place or Places in the said Parish as the said Vicar and

When and where the Payments shall be made.

and the said respective Churchwardens or Churchwarden shall from Time to Time agree upon and appoint.

Enabling the
Vicar to
recover
Arrears.

IV. And be it further enacted, That in case all or any of the several Sums of Money so respectively apportioned and charged upon the said several Townships as aforesaid, or any of them, or any Part or Parts thereof respectively, shall be behind or unpaid for the Space of Sixty Days after the Day of Payment in this Act mentioned, then and so often as the same shall happen it shall be lawful for any One of His Majesty's Justices of the Peace for the West Riding of the County of *York*, and he is hereby authorized and required, by Writing under his Hand, on Complaint made by or on the Behalf of the Vicar of *Halifax* for the Time being, to summon the Churchwardens or the Churchwarden for the Time being of the Townships or Township respectively so in arrear to appear (at a Time and Place to be mentioned in the Summonses whereby the said Churchwardens or Churchwarden shall be summoned respectively to appear before such Justice, or before any other Justice or Justices of the Peace for the said Riding who shall be then and there present), and to pay to the said Vicar for the Time being the Arrears of the said Annual Stipend claimed to be due to him as aforesaid from such Townships or Township respectively; and it shall be lawful for any Person or Persons to be nominated by or on the Behalf of the said Vicar for that Purpose to serve the said Summonses or Summons upon the said Churchwardens or Churchwarden, either by delivering the said Summonses or Summons to the said Churchwardens or Churchwarden respectively, or by leaving the same at their or his then or last respective usual Places or Place of Abode; and if the said Churchwardens or Churchwarden, or any or either of them, shall refuse or neglect to attend at the Time and Place mentioned in such Summonses respectively, or if they or any or either of them shall attend, and shall not prove that all Arrears of the said Annual Stipend claimed to be due to the said Vicar as aforesaid from such respective Townships or Township have been fully paid and satisfied, then and in every such Case it shall be lawful for any Justice of the Peace then present, and he is hereby authorized and required, upon Oath made before him of the due Service of the Summons or Summonses as aforesaid by the Person or Persons who shall have served the same, to grant a Warrant or Warrants under his Hand and Seal, authorizing any Person or Persons to be nominated by or on the Part of the said Vicar for the Time being to levy all Arrears of the said Annual Stipend so claimed to be due to the said Vicar for the Time being, and of the Payment whereof no sufficient Evidence shall have been produced before the said Justice or Justices of the Peace, and the Costs and Charges of the said Summonses and Warrants, and also the Costs, Charges, and Expences of executing the same, by Distress of the Goods and Chattels of the said Churchwardens or Churchwarden for the Time being, or by Distress of the Goods and Chattels of any One or more of them respectively; and if within Five Days next after any such Distress shall be made all Arrears of the said Annual Stipend so claimed and found to be due to the said Vicar as aforesaid from such respective Townships or
Township,

Township, and mentioned or expressed in such Warrant or Warrants respectively, together with all the Costs, Charges, and Expences of the said Summonses and Warrants or Summons and Warrant, and of executing the same, and of making such Distress, and of keeping such Goods and Chattels, in the same Townships or Township respectively, shall not be fully paid, then the said Person or Persons so authorized by the said Warrant or Warrants shall cause the Goods and Chattels distrained as aforesaid, or any Part or Parts thereof, to be appraised by One or more Appraiser or Appraisers, and cause the same, or such Part or Parts thereof as in his or their Judgment shall be sufficient to raise and pay the Sum of Money mentioned or expressed in such Warrant or Warrants, and the Costs, Charges, and Expences of such Summons and Warrant or Summonses and Warrants, and of executing the same, and of making such Distress, from Time to Time, as the Case may require, and of keeping such Goods and Chattels, and of such Appraisement and Sale, to be taken and sold, either on the Premises where the same shall have been distrained, or elsewhere within the same Township, and by and out of the Proceeds of such Sale shall pay or retain such Sum of Money, and Costs, Charges, and Expences, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them; and in case the Money produced by such Sale shall be insufficient to liquidate such Arrears, or in case no Goods and Chattels of such Churchwardens or Churchwarden can be found, then it shall be lawful for any One of His Majesty's Justices of the Peace as aforesaid, and he is hereby authorized and required, by Writing under his Hand, on the same being certified to him on the Oath of the Person or Persons nominated in such Warrant of Distress, or on Complaint made by or on behalf of the said Vicar, to summon such Three or more Inhabitants of the same Townships or Township respectively so in arrear, being Occupiers of Property therein liable to be charged with the Payment of any Part of the respective Proportions of the said Annual Stipend, as the said Vicar or some Person on his Behalf shall nominate to the said Justice, (not being of the Persuasion of the People called *Quakers*, and not exceeding in the whole the Number of Twenty Persons, nor being less than Three Persons, in any One Township,) to appear, at a Time and Place to be mentioned in the Summonses whereby such Three or more Persons shall be summoned respectively to appear, before such Justice, or before any other Justice or Justices of the Peace for the said West Riding who shall be then and there present, to pay to the said Vicar such Deficiencies or Arrears; and it shall be lawful for any Person or Persons to be nominated by or on behalf of the said Vicar for that Purpose to serve the said Summonses upon the Inhabitants named therein, either by delivering the same to them respectively, or by leaving the same at their then or last respective usual Places of Abode; and if the Inhabitants so summoned, or any of them, shall refuse or neglect to attend at the Time and Place mentioned in such Summonses respectively, or if they or any of them shall attend, and shall not prove that all Arrears of the said Annual Stipend claimed to be due to the said Vicar as aforesaid from such respective Townships or Township

[*Local.*]

4 C

have

have been fully paid and satisfied, then and in every such Case it shall be lawful for any Justice of the Peace as aforesaid then present, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summonses by the Person who shall have served the same, to grant Warrants under his Hand and Seal, authorizing any Person or Persons to be nominated by or on the Part of the said Vicar to levy all such Deficiencies or Arrears of the Payment whereof no sufficient Evidence shall have been produced as last aforesaid, and the Costs and Charges of such Summonses and Warrants, by Distress of the Goods and Chattels of such Three or more Inhabitants in equal Proportions, such Proportions to be ascertained by the Justice granting the Warrants, and to be specified in each such Warrant, together with the Costs, Charges, and Expences of executing the same; and if within Five Days next after any such Distress shall be made such Deficiencies or Arrears, or such Proportions mentioned or expressed in such Warrants as aforesaid respectively, and such Costs, Charges, and Expences as aforesaid, and the Costs, Charges, and Expences of making such Distress, and of keeping such Goods and Chattels, shall not be fully paid, then the said Person or Persons so authorized by any such Warrant or Warrants respectively shall cause the Goods and Chattels distrained as aforesaid, or any Part or Parts thereof, to be appraised by One or more Appraiser or Appraisers, and cause the same, or such Part or Parts thereof as in his or their Judgment shall be sufficient to raise and pay the Sum of Money mentioned or expressed in such Warrant or Warrants, and the Costs, Charges, and Expences of such Summonses and Warrants, and of executing the same, and of making such Distress, from Time to Time, as the Case may require, and of keeping such Goods and Chattels, and of such Appraisement and Sale, to be taken and sold, either on the Premises where the same shall have been distrained, or elsewhere within the same Township, and by and out of the Proceeds of such Sale shall pay or retain such Sum of Money, and Costs, Charges, and Expences, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them; and if the whole of such Sum, Arrears, or Deficiencies, and Costs, Charges, and Expences, shall not be raised by the Ways and Means aforesaid, then and in such Case, and so on in succession, from Time to Time, as often as the Case may require, until the whole of such Sum of Money, Arrears, or Deficiencies, and Costs, Charges, and Expences, and the Costs, Charges, and Expences of such further Proceedings or Remedies, shall be fully paid and satisfied, the like Proceedings and Remedies shall and may be had or resorted to, by or on behalf of the said Vicar for the Time being, against any other Inhabitants of the same respective Townships or Township, being Occupiers of Property therein liable to be charged with the Payment thereof as aforesaid, not less in Number than Three, and not exceeding in Number Twenty, at One Time, and not being of the Persuasion of the People called *Quakers*, in the same Township, for enforcing and procuring Payment of the Residue remaining unpaid for the Time being from any such Township of the said Sum of Money, and Costs, Charges, and Expences respectively, as are herein-before provided, against the said

Churchwardens or Churchwarden, and the other Inhabitants so to be first nominated as aforesaid of each respective Township: Provided always, that no Messuages, Corn Mills, or Arable, Meadow, or Pasture Lands, Orchards or Gardens, within any of the said respective Townships, shall be subject or liable to the Payment of any greater or other Part or Share of the said Annual Stipend, or the Costs and Charges occasioned by the Nonpayment thereof, than shall be then due and payable from the Township so in arrear; and that none of the said Townships shall be responsible or answerable for any other of the said Townships in any Manner whatsoever.

V. And be it further enacted, That every Warrant of Distress for any Arrears of the said Annual Stipend to be made under this Act shall be in the Words or to the Effect following:

Warrant of
Distress for
Recovery of
Stipend.

West Riding of the
County of York,
(to wit.) } TO *[here insert the Name*
or Names of the Person or Persons nominated
by or on the Part of the said Vicar for the Time being to
distrain as aforesaid], and to all Constables and other
Peace Officers acting for the said Riding:

WHEREAS it doth appear to me that there is due and owing from the Churchwardens [*or Churchwarden*] of in the Parish of *Halifax* in the West Riding of the County of *York*, to [*or to the Representatives of, as the Case may be,*] the Reverend *A. B.* Clerk, Vicar [*or late Vicar, as the Case may be,*] of the Parish and Parish Church of *Halifax* aforesaid, under and by virtue of an Act passed in the Tenth Year of the Reign of King *George* the Fourth, intituled [*here insert the Title of this Act*], the Sum of *[here insert the Sum due to the said Vicar]*: And whereas [*here set forth the Names or Name of the Churchwardens or Churchwarden for the Time being, or of the Inhabitants summoned as hereinbefore authorized and directed, as the Case may require,*] have, [*or hath,*] in pursuance of and by virtue and authority of the Directions of the said Act, been summoned before me, One of His Majesty's Justices of the Peace for the said Riding, as appeareth to me the said Justice upon Oath; and the said several Persons [*or Person*] so summoned not having shewn any sufficient Cause why the said Sum of *[here insert the Amount of the said Arrears]* should not be paid; These are therefore, in His Majesty's Name, to will and require you, or any of you, forthwith to levy the Sum of *[here insert the Amount of the said Arrears, or the proportionate Part thereof, as the Case may be,*] by Distress of the respective Goods and Chattels [*or Goods and Chattels*] of the said *[here insert the Names or Name of the Churchwardens or Churchwarden for the Time being, or of any Inhabitant, as the Case may require,*] [*or of any or either of them, as the Case may be*], such Goods and Chattels being kept for the Space of Five Days before the same are sold, rendering to them respectively [*or him*] the Overplus (if any), the reasonable Charges of such Distress, Sale, and Keeping being first deducted: And I do hereby strictly charge and command all and singular the Constables, and other His Majesty's Peace Officers, acting in and for

‘ for the said Riding, to be aiding and assisting in all Things
 ‘ relating to the Premises. Given under my Hand and Seal, this
 ‘ Day of in the Year of
 ‘ our Lord A. B.’

With such Alterations in the said Warrant as may be necessary in Cases where there shall have been any previous Summons for the same Arrears, or in any other Case.

Persons
 paying Defi-
 ciency or
 Arrears, to be
 reimbursed
 by the Town-
 ship.

VI. Provided always, and be it further enacted, That the Person or Persons who shall pay or be compelled to pay any such Arrears due to the said Vicar as herein-before mentioned shall be entitled to be repaid all such Sum and Sums of Money as such Person or Persons shall have paid or been so compelled to pay for such Arrears as aforesaid, and all their Damages and Losses, Costs, Charges, and Expences therein, with lawful Interest in respect thereof until the actual Repayment; and the Churchwardens or Churchwarden and Inhabitants of such respective Township or Townships from which the same were due are and is hereby authorized and required to levy and raise the said last-mentioned Sum and Sums of Money from the Occupiers of Property so charged with such Annual Sum or Sums in the same Township, either by a separate Assessment, or by adding the same to the next or the succeeding Year's Assessment, and shall pay the same accordingly to the Person or Persons who shall have paid or been compelled to pay the same as aforesaid, together with all Damages, Losses, Costs, Charges, and Expences to which such Person or Persons may have been put or may have incurred touching or concerning the same, or the Recovery thereof, with lawful Interest as aforesaid.

In case of
 Change of
 Incumbent, a
 Proportion of
 the Annual
 Sum to be
 paid to each
 Vicar.

VII. Provided always, and be it further enacted, That upon the Death, Cession, Resignation, or Removal of the present and every future Vicar of the said Parish, such Vicar, his Executors, Administrators, or Assigns, shall be entitled to and shall or may receive so much of the said Annual Stipend falling due next after such Death, Cession, Resignation, or Removal, as shall be in proportion to the Time or Number of Days elapsed from the then last preceding Day of Payment of the said Annual Stipend, or from the Time when such Vicar became first lawfully entitled in fact or by relation of Law to receive the Fruits of the said Vicarage (as the Case may require), to the Day of such Death, Cession, Resignation, or Removal; and the Vicar who shall be appointed in his Place and Stead shall have and receive the Residue of the said Annual Stipend for the then current Year; and any such Vicar so ceding, resigning, or being removed, and the Executors, Administrators, or Assigns of any Vicar so dying, shall have or be entitled to the same Remedies for recovering and enforcing the Payment of any such Proportions of the said Annual Stipend as may be due to such Vicar at the Time of such Death, Cession, Resignation, or Removal, and of any Part thereof, as are by this Act given to or provided for the Vicar of the said Parish and Parish Church of *Halifax* for the Time being for enforcing Payment of any Arrears of the said Annual Stipend.

VIII. And

VIII. And be it further enacted, That the said Annual Stipend shall be and the same is hereby declared to be in lieu and full Bar, Satisfaction, Discharge, and Extinguishment of and for all and all Manner of Tithes, Mortuaries, *Easter Dues*, Oblations, Obventions, and other Dues and Offerings of every Denomination whatsoever, (save and except the Fees or Payments generally denominated Surplice Fees, and usually accustomed to be paid or made in respect of Marriages, Christenings, Churchings, and Burials within the said Parish,) and of all Compositions, and prescriptive and customary or other Payments whatsoever, arising or payable to the said Vicar and his Successors from or in respect of all and every the Messuages, Corn Mills, Lands, and Tenements within the said several Townships of *Erringden, Fiaby, Halifax, Heptonstall, Hipperholme-cum-Brighouse, Langfield, Midgley, Norland, Northowram, Rastrick, Rishworth, Shelf, Skircoat, Southowram, Sowerby, Soyland, Wadsworth, and Warley*, or the Inhabitants of the same Townships respectively, and also in lieu and full Bar, Satisfaction, Discharge, and Extinguishment of and for all and all Manner of Mortuaries, *Easter Dues*, Oblations, and other Dues and Offerings of every Denomination whatsoever (save and except the Fees or Payments generally denominated Surplice Fees, and usually accustomed to be paid or made in respect of Marriages, Christenings, Churchings, and Burials,) arising or payable to the said Vicar and his Successors within the said several Townships of *Barkisland, Ovenden, and Stainland*, in the said Parish of *Halifax*.

Annual Stipend to be in lieu of all Tithes and Dues.

IX. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner affect or extinguish the Right or Title of the said Vicar or his Lessees to Mortuaries and *Easter Dues* which have been heretofore paid or rendered, or any of them, up to and inclusively of the Sixth Day of *April* One thousand eight hundred and twenty-eight; and he and they shall retain, use, and exercise all and every such and the like Powers, Authorities, and Remedies for the Recovery of such Mortuaries and *Easter Dues* respectively, until full Payment thereof, as to him or them by Law appertain.

Vicar may recover Mortuaries, &c. up to 6th April 1828.

X. And be it further enacted, That the several and respective Proportions of the said Annual Stipend herein-before specified and directed to be raised in or for the said first-mentioned Eighteen Townships shall be assessed, raised, and charged, by the Churchwardens and Churchwarden of such Townships respectively, in manner herein-after mentioned; (that is to say,) in or for the Township of *Erringden* the Sum of Seventeen Pounds Thirteen Shillings and Two-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Seventeen Pounds Eight Shillings and Four-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Thirty-five Pounds One Shilling and Sixpence, herein-before specified to be the

Mode in which Houses, Corn Mills, &c. in each of the first-mentioned Eighteen Townships are to be rated.

[Local.]

4 D

Proportion

Proportion of the said Annual Stipend to be contributed by the said Township of *Erringden*; and in or for the Township of *Fixby* the Sum of Five Pounds Sixteen Shillings and Ten-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Two Pounds Eighteen Shillings and Five-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Eight Pounds Fifteen Shillings and Three-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Fixby*; and in or for the Township of *Halifax* the Sum of Two hundred Pounds shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Forty-three Pounds Thirteen Shillings and Sixpence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Two hundred and forty-three Pounds Thirteen Shillings and Sixpence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Halifax*; and in or for the Township of *Heptonstall* the Sum of Fifty-one Pounds Eighteen Shillings and Eleven-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Twenty-eight Pounds One Shilling and Eleven-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Eighty Pounds and Ten-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Heptonstall*; and in or for the Township of *Hipperholme-cum-Brighouse* the said Sum of Seventy-eight Pounds, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Hipperholme-cum-Brighouse*, shall be raised and paid by One entire Charge on all inhabited Houses, Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens therein respectively, rateably in proportion to the Value thereof respectively; and in or for the Township of *Langfield* the Sum of Twenty-four Pounds Three Shillings and Two-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Fourteen Pounds Fifteen Shillings and Sixpence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Thirty-eight Pounds

Eighteen Shillings and Eight-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Langfield*; and in or for the Township of *Midgley* the Sum of Twenty-six Pounds and Two Shillings shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Thirteen Pounds and One Shilling upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Thirty-nine Pounds and Three Shillings, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Midgley*; and in or for the Township of *Norland* the Sum of Sixteen Pounds Fifteen Shillings and Ten-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Eight Pounds Seven Shillings and Eleven-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Twenty-five Pounds Three Shillings and Nine-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Norland*; and in or for the Township of *Northowram* the Sum of One hundred Pounds Fourteen Shillings and Four-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Fifty Pounds Seven Shillings and Two-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of One hundred and fifty-one Pounds One Shilling and Sixpence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Northowram*; and in or for the Township of *Rastrick* the said Sum of Forty-five Pounds Ten Shillings and Sixpence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Rastrick*, shall be raised and paid by One entire Charge on all inhabited Houses, Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens therein respectively, rateably in proportion to the Value thereof respectively; and in or for the Township of *Rishworth* the Sum of Eighteen Pounds Three Shillings and Eight-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Nine Pounds One Shilling and Ten-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the

the said Sum of Twenty-seven Pounds Five Shillings and Sixpence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Rishworth*; and in or for the Township of *Shelf* the Sum of Twenty-five Pounds Eight Shillings and Ten-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Twelve Pounds Fourteen Shillings and Four-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Thirty-eight Pounds Three Shillings and Two-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Shelf*; and in or for the Township of *Skircoat* the Sum of Forty-three Pounds Twelve Shillings and Two-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Twenty-one Pounds and Sixteen Shillings upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Sixty-five Pounds Eight Shillings and Two-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Skircoat*; and in or for the Township of *Southowram* the Sum of Fifty-five Pounds Fifteen Shillings and Sixpence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Twenty-seven Pounds Seventeen Shillings and Eight-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Eighty-three Pounds Thirteen Shillings and Two-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Southowram*; and in or for the Township of *Sowerby* the Sum of Seventy-four Pounds Nine Shillings and Eight-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Thirty-seven Pounds Four Shillings and Nine-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of One hundred and eleven Pounds Fourteen Shillings and Five-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Sowerby*; and in or for the Township of *Soyland* the Sum of Forty Pounds Fifteen Shillings and Four-pence shall be raised and charged upon all inhabited Houses therein,

therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Twenty Pounds Seven Shillings and Eight-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Sixty-one Pounds and Three Shillings, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Soyland*; and in or for the Township of *Wadsworth* the Sum of Fifty-five Pounds One Shilling and Nine-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Thirty-seven Pounds Eighteen Shillings and Three-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Ninety-three Pounds, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Wadsworth*; and in or for the Township of *Warley* the Sum of Fifty-nine Pounds Eighteen Shillings and Seven-pence shall be raised and charged upon all inhabited Houses therein, with the Orchards and Gardens (if any) locally attached thereto and occupied therewith, rateably in proportion to their Value, and the Sum of Twenty-nine Pounds Nineteen Shillings and Three-pence upon all Corn Mills, and Arable, Meadow, and Pasture Land, and Orchards and Gardens, not locally attached to and occupied with any inhabited Houses in the same Township, according to the Value thereof respectively, making together the said Sum of Eighty-nine Pounds Seventeen Shillings and Ten-pence, herein-before specified to be the Proportion of the said Annual Stipend to be contributed by the said Township of *Warley*: Provided always, that no such inhabited House in any of the said Townships shall in any Case be charged at a less Sum than Sixpence for One Year towards raising such Proportions respectively of the said Annual Stipend.

XI. And to the end that the said Churchwardens and Churchwarden respectively may be enabled to raise and pay, in the Proportions aforesaid, the said Annual Stipend in manner aforesaid, and to carry the Purposes of this Act into execution, be it further enacted, That it shall be lawful for the Churchwardens or Churchwarden, or any Five Inhabitants of the said Twenty-one Townships respectively, such Inhabitants being Occupiers of Property liable to be charged by virtue of this Act with the Payment of any Part of the aforesaid respective Proportions of the said Annual Stipend within the same Township, and they are hereby required, Once or oftener in every Year, as they shall see Occasion, to convene a Meeting of the Occupiers of Property liable to be charged by virtue of this Act with the Payment of any Part of the aforesaid respective Proportions of the said Annual Stipend within such Townships respectively, and to hold such Meetings in the Vestry Rooms of the Churches or Chapels of

Assessment may be made by Churchwardens for Payment of the said Annual Stipend, &c.

[*Local.*]

4 E

Ease

Ease of such Townships respectively, or in any Case where there shall be no Church or Chapel of Ease in any of such Townships, then at such other Place or Places within the said Townships respectively as the Public Township Meetings of and in the same Townships respectively shall for the Time being be usually held, with Power from Time to Time to adjourn any such Meeting or Meetings to such Place or Places within the said Townships respectively (other than to the said Churches or Chapels of Ease) as any such Meeting or Meetings shall think proper; of which Meeting Three Days previous Notice at the least shall be publicly given, by Notice thereof to be affixed upon the principal Door of such Churches or Chapels respectively, or where there shall be no Church or Chapel of Ease in any of such Townships, then upon the principal Door of the Church or Chapel of Ease to which any such Township may by Custom or Usage be attached, and to be read by the Clerk in every such Church or Chapel at the usual Time of reading Public Notices therein respectively; and at which respective Meetings the Churchwardens or Churchwarden and Inhabitants then present, or any Five of such Inhabitants, in case the Churchwardens or Churchwarden, or either of them, shall neglect or refuse, shall proceed to make and sign a sufficient Assessment, to be called "The Vicar's Rate," upon all Occupiers of Property liable to be charged by virtue of this Act with the Payment of any Part of the aforesaid respective Proportions of the said Annual Stipend within such Townships respectively (except the said Vicar for the Time being), for raising from Time to Time the said Annual Proportions of the said Annual Stipend, and such further Sum of Money as shall be necessary for the Payment of all Arrears and Deficiencies, and all Costs, Charges, Allowances, and Expences incident to or attendant upon the collecting the same Assessments or Rates, and the carrying the Purposes of this Act into execution, and also (subject to the Provisions herein-after contained) the Costs, Charges, and Expences incident to or attendant upon the applying for and obtaining this Act, and the making Surveys, Plans, and Estimates, and of other Proceedings for ascertaining, agreeing upon, and settling the Amount and respective Proportion of the Tithes, and Payments in lieu thereof, to be commuted by virtue of this Act, and of the Sums to be paid for the same respectively, and also all Expences incurred by any of the said Townships, since the Twenty-fourth Day of *October* One thousand eight hundred and twenty-seven, in any Proceedings had by or on behalf of such Townships, or any of them, relating to the Vicarial Tithes or Payments in lieu thereof, and to the *Easter* Offerings, claimed by the said Vicar, and any Costs, Charges, or Expences which may be incurred in or about any Proceedings on behalf of the said Vicar for recovering the said Annual Stipend or any Part thereof, and any Arrears due to or which shall have been distrained for by the said Vicar, such Assessments to be allowed by Two Justices of the Peace as the Law directs in Cases of Assessments for the Relief of the Poor; and in case at any Time or Times hereafter the Sum or Sums of Money which shall be so assessed and raised in the said respective Townships or any of them shall not be sufficient for the Purposes for which such Assessment or Assessments was or were respectively made, it shall be lawful for such Churchwardens or Churchwarden,

or their or his Successors or Successor respectively, or any Five of such Inhabitants, at a public Meeting to be called and held as aforesaid, and they are hereby required, either to make and sign such additional Assessment or Assessments (to be allowed as aforesaid) as shall be sufficient to make up the Deficiency of such original Assessment, in manner aforesaid, or to add the Amount of such Deficiency to the Amount to be raised by the next or any other succeeding Assessment; and in case at any Time or Times the Sums of Money so assessed and raised shall be more than sufficient for the Purposes aforesaid, such Churchwardens or Churchwarden for the Time being respectively shall and they or he are or is hereby empowered to apply the same in aid of the next or any succeeding Assessment to be made for the Purposes aforesaid.

XII. Provided always, and be it further enacted, That in all Cases where any inhabited House shall have any internal Communication with any Shop and Warehouse, or either of them, and where the Annual Value of such joint Property shall be charged in any Assessment to be made under this Act at the Sum of Three Pounds or upwards, such inhabited House shall be rated, for the Purposes of this Act, at One Moiety only of the Annual Value of such joint Property.

Houses communicating with Shops and Warehouses.

XIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable the Churchwardens or Churchwarden or Inhabitants of the said Twenty-one Townships, or any of them, to assess or charge to any Rate or Assessment whatever under this Act any Glebe or other Lands in the said Townships, or any of them, now belonging to the Vicarage of *Halifax* (exclusive of inhabited Houses erected or to be erected thereon); and it is hereby expressly declared, that all such Lands, and the Tenants or Occupiers thereof in respect of the same, shall be exempt from all Rates and Assessments to be made or imposed by virtue of this Act, either for or towards raising the said Annual Stipend or any Part thereof, or for or towards raising all or any Part of the Costs and Expences of applying for and obtaining this Act, or carrying the same into execution.

Vicarial Lands excepted from all Charges and Assessments under this Act.

XIV. And be it further enacted, That it shall be lawful for the Churchwardens or Churchwarden and Inhabitants assembled at any such Meeting or Meetings respectively, or any Five of such Inhabitants, yearly or oftener to nominate and appoint One or more substantial Householder or Householders (being Occupiers of Property in such Townships respectively, liable to be charged with the Payment of any Part of the aforesaid respective Proportions of the said Annual Stipend within the same Township, and not being of the People called *Quakers*,) in each of such Townships to be Collector or Collectors of the said Assessment for each respective Township, such Collectors being allowed such Remuneration for their Trouble in collecting such Assessments as such Churchwardens or Churchwarden and Inhabitants of the said Townships respectively, or any Five of such Inhabitants, at any such Meeting or Meetings, shall think proper;

Collectors of Rates to be appointed at Meetings; or Rates may be collected by the Overseers.

proper; or it shall be lawful for such Churchwardens or Churchwarden and Inhabitants of the said Townships respectively, or any Five of such Inhabitants so assembled, to direct the said Assessments within any such respective Townships to be collected by the Overseers of the Poor, not being Churchwarden or Churchwardens, together with the Poor's Rates of such Townships respectively, and to appoint such Overseers to be such Collectors as aforesaid, and from Time to Time, if Occasion shall require, to displace any such Collector or Collectors, and to appoint others in their Stead, at any Meeting or Meetings to be called and held as aforesaid; and it shall also be lawful for such Churchwardens or Churchwarden and Inhabitants of the said Townships respectively, or any Five of such Inhabitants, assembled at such Meeting or Meetings, to appoint a Clerk, with such reasonable Salary as they respectively shall think proper and allow, and from Time to Time to remove any such Clerk, and appoint another in his Stead; and in case any Person or Persons so to be appointed Collector or Collectors as aforesaid, whether Overseer or otherwise, shall, for the Space of Ten Days next after such Appointment, neglect or refuse to accept and take upon himself or themselves the said Office, each and every Person so neglecting or refusing shall forfeit and pay the Sum of Ten Pounds, to be recovered in a summary Way by Information and Complaint before any One or more of His Majesty's Justices of the Peace for the West Riding of the County of *York*, and from Time to Time to be applied in aid of the Poor's Rate for the Township for which the Person or Persons so to be appointed Collector or Collectors shall neglect or refuse to take upon himself or themselves the said Office or Offices of Collector or Collectors as aforesaid; provided that no Person who shall have been appointed to the Office of Collector under this Act, and who shall have paid the Penalty hereby imposed for neglecting or refusing to take upon himself such Office, shall be liable to be again appointed to or to pay any Penalty for neglecting or refusing to perform the same Office for the Space of Ten Years afterwards.

Townships of
Barkisland,
Ovenden, and
Stainland not
to contribute
to Expences
of obtaining
the Act, &c.

XV. Provided always, and be it further enacted, That no Part of the Costs, Charges, and Expences of applying for and obtaining this Act, and the making Surveys, Plans, and Estimates, and of other Proceedings for ascertaining, agreeing upon, and settling the Amount and respective Proportion of the Tithes, and Payments in lieu thereof, to be commuted by virtue of this Act, and of the Sums to be paid for the same respectively; nor any Expences incurred by any of the said first-mentioned Eighteen Townships; since the Twenty-fourth Day of *October* One thousand eight hundred and twenty-seven, in any Proceedings had by or on behalf of such Townships, or any of them, relating to the Vicarial Tithes, or Payments in lieu thereof, and to the *Easter* Offerings, claimed by the said Vicar, shall be raised by the Churchwardens or Churchwarden or Inhabitants of the said Three several Townships of *Barkisland*, *Ovenden*, and *Stainland*, nor be chargeable upon or be payable by any Proprietors or Occupiers of Property within any of the said last-mentioned Three Townships; any thing in this Act contained to the contrary notwithstanding.

XVI. And

XVI. And whereas it is intended that the Payment of all the Costs, Charges, and Expences of applying for and obtaining this Act, and the making Surveys, Plans, and Estimates, and of the other Proceedings for ascertaining, agreeing upon, and settling the Amount, and respective Proportion of the Tithes, and Payments in lieu thereof, to be commuted by virtue of this Act, and of the Sums to be paid for the same respectively, and also all Expences incurred by any of the said first-mentioned Eighteen Townships, since the Twenty-fourth Day of *October* One thousand eight hundred and twenty-seven, in any Proceedings had by or on behalf of such Townships, or any of them, relating to the Vicarial Tithes, or Payments in lieu thereof, and to the *Easter* Offerings, claimed by the said Vicar, should be borne by the Proprietors of Houses, Corn Mills, and Arable, Meadow, and Pasture Lands, and of all Orchards and Gardens, within the first-mentioned Eighteen Townships, and not by the Occupiers thereof, nor by the Proprietors or Occupiers of Houses in the last-mentioned Three Townships; be it therefore further enacted, That the said Churchwardens or Churchwarden and Inhabitants of the said first-mentioned Eighteen Townships, in making their first or other Assessment or Assessments for the Purposes of this Act, shall make their Assessment accordingly, and shall distinguish therein the Amount or Sum to be paid in respect of such Costs, Charges, and Expences, separately from the Amount or Sum to be paid towards raising the said Annual Stipend, or for other the Purposes of this Act; and such respective Sums shall be also distinguished in the Receipts to be given by the Collector or Collectors of such Assessments; and such Amount or Sum so charged in such Assessment or Assessments in respect of such Costs, Charges, and Expences, shall, in every Case, be paid or borne by the Proprietor or Landlord of all such Houses, Corn Mills, and Arable, Meadow, and Pasture Land, Orchards and Gardens, and shall be recoverable from him, her, or them under the Powers of this Act, whether such Proprietor or Landlord shall reside within the said Parish or elsewhere, in such and the same Manner as if he, she, or they were really and truly the Occupier or Occupiers of the same Premises: Provided always, that the Goods and Chattels of every Person being the Occupier or Tenant of any such House, Corn Mill, or Arable, Meadow, or Pasture Land, Orchard or Garden, shall nevertheless be liable to be distrained and sold, under the Powers of this Act, for the Payment of the whole of such Rate or Assessment; but it shall be lawful for every Person being such Occupier or Tenant of any such House, Corn Mill, or Arable, Meadow, or Pasture Land, Orchard or Garden, who shall pay or be compelled to pay the Amount or Sum so charged in such Assessment or Assessments in respect of such Costs, Charges, and Expences, to deduct the same from and out of the Rent due and payable from Time to Time to his or her Landlord or Receiver of the Rents of any such House, Corn Mill, or Arable, Meadow, or Pasture Land, Orchard or Garden, and the Receipt for such Payment shall be a sufficient Discharge to his or her Landlord or Receiver for so much Money as he or she shall have so paid, or which shall have been levied on his or her Goods and Chattels in pursuance of this Act: Provided also,

[*Local.*]

4 F

that

Costs of the Act, &c. to be paid by Proprietors of Property within the Eighteen Townships.

that no such Occupier or Tenant shall be required or compellable, by Distress of his or her Goods and Chattels, or otherwise, to pay any greater Sum for or towards the Discharge of such Amount or Sum so charged in any such Assessment or Assessments in respect of such Costs, Charges, and Expences, than the Amount of the Rent actually due and payable from or by him or her to the Landlord or Landlords of such House, Corn Mill, or Arable, Meadow, or Pasture Land, Orchard or Garden, at the Time of Payment.

Books of Assessments to be kept.

XVII. And be it further enacted, That the respective Churchwardens and Churchwarden of the said several and respective Townships for the Time being shall and they are hereby required to keep or cause to be kept a Book or Books for the Purpose of entering therein, and they respectively shall and are hereby required to enter or cause to be entered therein, an Account of every Assessment to be made by virtue of this Act, setting forth in such Books the Names, in alphabetical Order, of the Persons rated, and a Statement of the Nature of each Person's Property assessed, and of the Sum and Sums in which the same shall be assessed, and of the Purpose and Purposes for which such Assessments shall be made, and shall also enter therein true and regular Accounts of all Sums of Money collected, received, laid out, and expended in the Execution of this Act, and of the several Purposes for which such Sums of Money shall have been disbursed or paid; which Book or Books, and also all the Collectors Accounts which shall be delivered to them by the Collectors, shall at all reasonable Times be open to the Inspection of all and every Persons and Person liable to be charged with the Payment of any Part of the said respective Proportions of the said Annual Stipend, upon Payment to such Churchwardens or Churchwarden, or their Clerk (in case a Clerk shall be appointed), of the Sum of One Shilling for every such Inspection; and such Churchwardens or Churchwarden, or their Clerk, shall, upon Demand, forthwith give Copies of the same, or of any Part thereof, to all and every such Persons or Person as aforesaid, paying for the same at the Rate of Sixpence for every One hundred Words or Figures of Sums in such Copies or Extracts.

Penalty on refusing Inspection of Books, &c.

XVIII. And be it further enacted, That in case any such Churchwardens or Churchwarden, or their Clerk, or any Person with whom any such Book or Books or Accounts shall have been deposited, shall refuse or neglect to produce such Book or Books as aforesaid, or such Accounts as aforesaid, to any such Person or Persons liable to be charged with the Payment of any Part of the said respective Proportions of the said Annual Stipend, on Demand made, at all seasonable Times, or shall on any reasonable Demand refuse to permit or shall not permit any such Person or Persons as aforesaid to inspect such Books and Accounts, or any of them, or shall refuse or neglect to give Copies thereof or Extracts therefrom as aforesaid, every such Churchwarden, Clerk, or Person shall forfeit and pay for every such Offence the Sum of Ten Pounds, to be recovered, in a summary Way, by Information and Complaint before any One or more of His Majesty's Justices of the Peace for the West Riding of the

the County of *York*, and from Time to Time to be applied in aid of the Poor's Rate for the Township in which the Offence shall be committed.

XIX. And be it further enacted, That a Copy of every such Assessment shall from Time to Time be delivered to the Collectors to be appointed as aforesaid; and it shall be lawful for such Collectors respectively, within the said respective Townships, to collect, levy, and receive such Assessments, and to give Discharges to the Person or Persons paying or liable to pay the same for any Sum or Sums of Money to be or become payable under or by virtue of this Act; and such several and respective Collectors shall and they are hereby required to pay the Monies so received, from Time to Time, as often as such Receipts shall amount to the Sum of Ten Pounds, into the Hands of such Banker or other Person or Persons as shall be directed or appointed to receive the same by the Churchwardens or Churchwarden and Inhabitants, or any Five of such Inhabitants, assembled at such Meetings as aforesaid, in the Names or Name of such Churchwardens or Churchwarden respectively.

Duty of
Collectors.

XX. And be it further enacted, That in case at any Time or Times any Person or Persons shall refuse or neglect to pay any such Sum or Sums of Money at which they shall be severally assessed by virtue of this Act, and all Arrears thereof, to the said Collector or Collectors respectively, within Ten Days after the same shall be demanded by a written or printed Notice, specifying the Nature and Amount of the Demand, and the Name and Residence of the Collector, then it shall be lawful for any One of His Majesty's Justices of the Peace for the said West Riding, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the Churchwardens for the Time being, or either of them, or by the Churchwarden for the Time being of any of such Townships respectively, or by the Collector or Person appointed to collect the Assessments in any such Township, to summon all and every Persons and Person who shall have refused or neglected to pay as aforesaid to appear, at a Time and Place to be mentioned in such Summonses respectively, before such Justice, or before any other Justice or Justices of the Peace for the said West Riding who shall be then and there present, the Collector or Collectors of such Assessments having previously made Oath that he or they had applied at the Premises rated to the said Assessment for Payment of the same, and had delivered or left a written or printed Notice as aforesaid, and that the same were then in arrear and unpaid; and all and every such Summonses and Summons shall be served upon all and every Persons and Person so refusing or neglecting to pay as aforesaid, 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 usual Place of Abode, or upon the Premises in respect of which such Assessment is so due and unpaid; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons or Summonses, or if he, she, or they shall attend, and shall not show good or sufficient Cause to such Justice or Justices as may be then and there present, that he, she,

Directing
how Assess-
ments shall
be recovered.

she, or they is or are not chargeable with such Assessment or Assessments, then and in every such Case all and every such Persons or Person shall pay the Assessment or Assessments in respect of which such Summonses or Summons were or was issued, and also the Costs and Charges of such Summonses respectively; and in all Cases where such Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summonses respectively, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses to be signed and issued as aforesaid, or for any other Justice of the Peace for the said West Riding, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons or Summonses by the Person who shall have served the same, and Proof on Oath that such Assessment or Assessments is or are actually due and owing, to grant a Warrant or Warrants under his Hand and Seal, authorizing or directing any such Person appointed to collect such Assessment or Assessments as aforesaid, or other Person or Persons, to levy such Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summonses respectively (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs, Charges, and Expences of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing, wheresoever such Goods and Chattels can be found, either in the same or in any other Township; and the Amount of all such Costs, Charges, and Expences shall be fixed and ordered by the Justice granting the Summons or Warrant, according to his Discretion; and if within Five Days next after any Distress shall be made, the said Assessment or Assessments, with all Arrears due thereon, together with all the said Charges for the said Warrant, and the Charges and Expences of executing the same Warrant, and of making such Distress, and of keeping such Goods and Chattels, to be fixed and ordered as aforesaid, shall not be paid, then the said Person appointed to collect as aforesaid, or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by One or more Appraiser or Appraisers, and to be taken and sold, either on the Premises where the same shall be distrained, or elsewhere within the same Township, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Assessment or Assessments; together with all Arrears due thereon, and the said Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, and keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs, Charges, and Expences of appraising, taking, and selling the same, to be fixed and ordered as aforesaid, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them; and in case no such Goods and Chattels can be anywhere found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up and secured, or shall be removed, so that such Person appointed to collect the said Assessments as aforesaid, or such other Person authorized by the said Warrant, cannot distrain the same, or in case, after such Distress and Appraisement or Sale as herein-before are directed, the Proceeds thereof shall not be sufficient

sufficient to pay such Assessments, with the Arrears due thereon, and all the said Costs, Charges, and Expences as aforesaid, then and in every such Case, upon Information thereof given to any Justice of the Peace for the said West Riding, it shall be lawful to and for any such Justice, and he is hereby authorized and required, to issue a Warrant under his Hand and Seal for the Apprehension of any such Person or Persons making Default in the Payment of such Assessments and the Arrears thereof, or of any Part thereof, and of such Costs, Charges, and Expences, or any of them, and to commit such Person or Persons to the Common Gaol or House of Correction of the said West Riding, there to remain without Bail or Mainprize for any Time not exceeding One Calendar Month, unless such Assessments, and all Arrears thereof, and all Costs, Charges, and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

XXI. And be it further enacted, That all and every Persons and Person who shall make and levy any Distress whatsoever under or by virtue of this Act shall, on Demand, make and render to the Person or Persons upon whose Goods and Chattels such Distress shall have been made a true and particular Account in Writing of the Proceeds of the Sale of such Goods and Chattels, and of all the Costs, Charges, and Expences attending the Execution of any Warrant of Distress, and of the levying, Appraisement, and Sale of the Goods and Chattels distrained by virtue thereof, or of this Act; and if any such Person or Persons shall refuse to render such Account for the Space of Three Days next after such Demand shall have been made, every such Person so refusing shall forfeit and pay the Sum of Ten Pounds, to be recovered, in a summary Way, by Information and Complaint before any One or more of His Majesty's Justices of the Peace for the said West Riding, and from Time to Time to be applied in aid of the Poor's Rate of the Township within or on behalf of which such Distress as aforesaid shall have been made.

Persons making Distress to render an Account.

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

Warrant for Recovery of Assessments.

‘ West Riding of the } TO the Collector or Collectors of the Vicar’s
 ‘ County of York, } Rate for the Township of
 ‘ (to wit.) }
 ‘ in the Parish of *Halifax* in the West Riding of the
 ‘ County of *York*, and to all Constables and other Peace
 ‘ Officers acting for the same Riding:

‘ **WHEREAS** the under or hereafter-mentioned Persons [*or Person*]
 ‘ were and are [*or was and is*] duly assessed or liable to
 ‘ an Assessment duly made for the Purposes of an Act passed in the
 ‘ Tenth Year of the Reign of His Majesty King *George* the Fourth,
 ‘ intituled [*here insert the Title of this Act*]: And whereas the said
 ‘ Persons [*or Person*] have [*or has*] refused or neglected to pay the
 ‘ several Sums [*or the Sum*] of Money at and against their [*or his or*
 ‘ her] Names [*or Name*] hereunder or hereafter [*respectively*] set
 ‘ down, for Money due from them [*or him or her*] for or towards the
 ‘ Purposes in the said Act mentioned; and the said several Sums [*or*
 ‘ [*Local.*] 4 G the

' the said Sum] are [or is] still remaining due, in arrear, and unpaid,
 ' as appeareth upon Oath to One of His
 ' Majesty's Justices of the Peace for the said West Riding; and the
 ' said several Persons [or Person] having been summoned to appear
 ' before me to answer the Premises, as also appeareth to me the said
 ' Justice upon Oath; and the said several Persons [or Person] so
 ' summoned [or any of them, as the Case may be] not having shewn
 ' any sufficient Cause why such Sums [or Sum] of Money should not
 ' be paid; These are therefore, in His Majesty's Name, to will and
 ' require you, or any of you, forthwith to levy the said several Sums
 ' [or Sum] due from the said Persons [or Person], or hereafter set
 ' at and opposite to their [or his or her] Names respectively [or
 ' Name]; by Distress and Sale of their respective [or his or her]
 ' Goods and Chattels, (such Goods and Chattels being kept for the
 ' Space of Five Days before the same are sold,) rendering to them
 ' respectively [or him or her] the Overplus (if any), the reasonable
 ' Charges of such Distress, Sale, and Keeping being first deducted;
 ' and if no sufficient Distress can be had or taken, then that you
 ' certify the same, to the end that such Proceedings may be had
 ' therein as to the Law do appertain: And I do hereby strictly
 ' charge and command all and singular the Constables, and other
 ' His Majesty's Peace Officers, acting for the said West Riding, to
 ' be aiding and assisting in all Things relating to the Premises:
 ' Given under my Hand and Seal, this Day of
 ' in the Year of our Lord

Directing
 how Assess-
 ments may
 be recovered,
 when in-
 creased by
 Quarter
 Sessions.

XXIII. And be it further enacted, That if upon the Hearing of
 any Appeal to the Court of Quarter Sessions as herein-after men-
 tioned, from or against any Assessment, the said Court of Quarter
 Sessions shall order the Name or Names of any Person or Persons to
 be inserted therein, and that he, she, or they shall be assessed at any
 Sum or Sums of Money, or shall order the Sum or Sums at which any
 Person or Persons is or are therein assessed to be raised or increased,
 then and in such Case all and every the Sums and Sum of Money at
 or to which such Persons or Person shall be so ordered to be assessed
 or to be raised or increased, or so much thereof as shall not have
 been already paid, shall and may be recovered in such and the same
 Manner, and by such and the same Means, as if he, she, or they had
 been originally named in such Assessment, and assessed therein at
 such Sum or Sums of Money.

Collectors to
 account.

XXIV. And be it further enacted, That every Inhabitant and
 Overseer who shall be appointed Collector as aforesaid shall, under
 his Hand, at such Time and Times and in such Manner as the
 Churchwardens or Churchwarden of the said respective Townships
 shall direct, deliver to such Churchwardens or Churchwarden, or to
 such Person or Persons as they or he shall appoint, true and perfect
 Accounts in Writing of all the Monies which shall have been
 received by such Collector by virtue of and for the Purposes of this
 Act, and how much thereof hath been paid and disbursed, and for
 what Purposes, together with the proper Vouchers for such Pay-
 ments, and shall pay all such Monies as shall remain in their
 respective Hands to the said Churchwardens or Churchwarden, or

to such Banker or Person or Persons (if any) as shall be appointed as herein-before mentioned; and if any such Collector shall not make and render such Account, or produce and deliver up the Vouchers relating to the same, or make Payment as aforesaid, or shall not produce or deliver to the said Churchwardens or Churchwarden, or to such Person or Persons as they or he shall appoint, within One Calendar Month after being thereunto required, all Books, Papers, and Writings in his Custody or Power relative to the Execution of his Office, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Churchwardens or Churchwarden, or Banker, or Person or Persons as aforesaid, then, and in any of the Cases aforesaid, such Churchwardens or Churchwarden may and they or he are or is hereby authorized and empowered (unless any Direction to the contrary shall be given by the Inhabitants of the Township assembled at any Meeting to be held as herein-before mentioned) to bring or cause to be brought any Action or Actions against the Collector so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Collector; or if Complaint be made by the said Churchwardens or Churchwarden, or by any Person or Persons by them or him appointed, of any such Neglect or Refusal, to any One Justice of the Peace for the said West Riding, such Justice may and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause the Collector so neglecting or refusing to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter of such Complaint 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, or, being one of the People called *Quakers*, upon solemn Affirmation, (which Oath or Affirmation such Justice is hereby empowered and required to administer,) it shall appear to such Justice that any of the Monies which shall have been collected and raised or received by virtue of this Act shall be in the Hands of such Collector, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Collector, together with the Costs and Charges of such Warrant, Distress, and Sale, to be settled and ascertained by such Justice, and which he is hereby authorized and empowered to settle and ascertain, rendering the Overplus (if any) to the Party or Parties so distrained, or leaving the same at the Place where the Distress shall be made; and if no Goods or Chattels of such Collector can be found sufficient to answer and satisfy the said Money, and Costs and Charges, and also the Charges of selling the Goods and Chattels so distrained, or if any such Collector shall not produce and deliver as aforesaid all such true and perfect Accounts as aforesaid, and all proper Vouchers as aforesaid, and all such Books, Papers, and Writings as aforesaid, then, and in either or any of the Cases aforesaid, such Justice shall commit every such Offender to any Common Gaol or House of Correction for the said West Riding, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Church-

Churchwardens or Churchwarden, and shall have paid such Composition in such Manner as they or he shall appoint, (which Composition the said Churchwardens or Churchwarden are or is hereby empowered to make,) or until he shall deliver up such Vouchers, Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Churchwardens or Churchwarden: Provided always, that no Person so committed shall be detained in Prison for Want of sufficient Distress only for a longer Space of Time than Six Calendar Months.

Tenants to pay in proportion to Time of Occupancy.

XXV. And for the better enforcing the Payment of the Assessments to be made by virtue of this Act, be it further enacted, That in all Cases where any Person or Persons shall remove from or quit the Possession of any such Messuages, Corn Mills, Lands, or Tenements, Orchards or Gardens, the Tenant or Occupier whereof shall be rated or assessed, or be liable to be rated or assessed, by virtue of this Act, every such Person or Persons so removing from or quitting the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons occupied the same respectively, and in like Manner as if such Person or Persons had not removed from or quitted the Possession of the same; and in all Cases where any Person or Persons shall come into or occupy any Messuages, Corn Mills, Lands, or Tenements, Orchards or Gardens, rated or assessed, or liable to be rated or assessed, as aforesaid, out of or from which any other Person or Persons shall have removed, or which at the Time of making any such Rate or Assessment was or were empty and unoccupied, the Person or Persons coming into or occupying the same shall be liable to pay such Rate or Assessment, although his, her, or their Name or Names may not be inserted in such Rate or Assessment, in proportion to the Time that such Person or Persons shall occupy the same respectively, and in like Manner as if such Person or Persons had been originally rated or assessed by Name in such Rate or Rates, Assessment or Assessments; which said Proportions, in case of Dispute, shall be settled and ascertained by any Justice of the Peace for the said West Riding.

For the Recovery of Rates from Persons quitting their Premises.

XXVI. And be it further enacted, That in case at any Time or Times hereafter any Person or Persons who hath or have been rated and assessed to, or who is or are liable to the Payment of, any Rates or Assessments which shall be made by virtue of this Act, shall quit his, her, or their Messuages, Corn Mills, Lands, or Tenements, Orchards or Gardens, within the said Townships respectively, for or in respect whereof he, she, or they shall be rated or assessed, before he, she, or they shall have paid any such Rates or Assessments, or such Proportion thereof as shall be due at the Time of so quitting such Premises, (such Proportion, in case of Dispute, to be settled and ascertained by any Justice of the Peace for the said West Riding,) then and in every such Case it shall be lawful for any Person or Persons appointed to collect or receive any such Rates or Assessments, (Oath being made by him or them that he or they doth or do suspect that such Person or Persons hath or have removed his, her, or their Goods and Chattels,) by Warrant under the Hand and Seal of any One or more of His Majesty's Justices of the Peace for the

the said West Riding, and which Warrant such Justice or Justices is and are hereby authorized and required to grant, to distrain and appraise and sell the Goods and Chattels of such Person or Persons who shall have so quitted any such Messuage, Corn Mill, Land, or Tenement, Orchard or Garden, before he, she, or they have paid such Rates or Assessments, for the Sum or Sums of Money due from any such Person or Persons by virtue of such Rates or Assessments, or any of them, or any Part thereof, and for all Costs, Charges, and Expences occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, Riding, City, or Place to which such Person or Persons shall have removed, in such and the same Manner as if the same Person or Persons had continued in the Township in which such Assessments were charged.

XXVII. Provided always, and be it further enacted, That every Person who shall be Proprietor or Owner of any Arable, Meadow, or Pasture Land, Orchard or Garden, which shall at any Time or Times be unoccupied, or who shall let out his or her House or Houses, Tenement or Tenements, in separate Apartments or ready furnished, or who shall be Owner or Landlord or Receiver of the Rent of a House or Tenement, Houses or Tenements, which shall be let for a less Term than One Year, shall, for all the Purposes of this Act, be deemed and taken to be the Occupier thereof, and shall and may be rated or assessed for the same accordingly, and shall be liable and subject to the Payment of the said Assessments directed to be raised and levied by virtue of this Act, in such and the same Manner as if he or she was really and truly the Occupier of the same Premises.

Landlords to be rated for Land unoccupied, or Houses let out in Lodgings or ready furnished.

XXVIII. Provided also, and be it further enacted, That the Goods or Chattels of each and every Person renting or occupying every separate Apartment in any such House or Tenement, or renting or occupying any ready furnished House or Tenement, or renting or occupying any House or Tenement for a less Term than One Year, shall be liable to be distrained and sold for the Payment of the Rate or Assessment thereon respectively; and every Person who shall pay such Rate or Assessment so charged on his or her respective Landlord or Landlords, Receiver or Receivers, or upon whose Goods and Chattels the same shall be levied in pursuance of this Act, shall and may, unless there shall be some Agreement between him or her and his or her Landlord or Receiver to the contrary, deduct the same from and out of the Rent due and payable from Time to Time to his or her Landlord or Receiver, and the Receipt of such Payment shall be a sufficient Discharge to his or her Landlord or Receiver for so much Money as he or she shall have so paid, or which shall have been levied on his or her Goods and Chattels, in pursuance of this Act: Provided nevertheless, that no such Person shall be required or compellable by Distress of his or her Goods and Chattels, or otherwise, to pay any greater Sum for or towards the Discharge of any Rate or Assessment under the Powers of this Act, than the Amount of the Rent actually due and payable from or by him or her to the Landlord or Landlords of or other Person or Persons rated or assessed as the Occupier or Occupiers of such House or Tenement.

Goods of Tenants liable to be distrained.

No Person to pay a greater Sum in Discharge of the Rates than the Amount of Rent actually due.

[*Local.*]

4 H

XXIX. Pro-

Poor may be relieved from Rates.

XXIX. Provided always, and be it further enacted, That it shall be lawful for the Churchwardens or Churchwarden and Inhabitants of the said Townships respectively, or any Five of such Inhabitants, present at any public Meeting to be called and held as herein-before mentioned, being respectively Occupiers of Property assessed for the Purpose of the Vicar's Rate at not less than the Annual Value of Forty Shillings, to order and direct that any Person or Persons, who shall appear to them unable through Poverty to pay such Rates or Assessments as aforesaid, shall be excused from the Payment thereof, and their Names omitted in or struck out from the same; and the Sum or Sums at which such Person or Persons may be so rated in such Rate or Assessment shall not thereafter be collected or distrained from or on any Person or Persons charged therewith, nor shall any Collector be in any Manner called upon or liable to account for the same, or for omitting to collect or receive the same; nevertheless such Allowance to the Poor shall not diminish the Annual Payment to be made by any such Township to the Vicar.

Persons aggrieved may appeal to General or Quarter Sessions.

XXX. And be it further enacted, That if any Person, or Body Politic, Corporate, or Collegiate, shall think himself, herself, or themselves aggrieved by having paid or been compelled to pay any Rate or Assessment made under or by virtue of this Act, or by any other Matter or Thing done in pursuance of this Act, or anywise relating to any such Rate or Assessment, every such Person, or Body Politic, Corporate, or Collegiate, may appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace for the West Riding of the County of *York*, or at any Adjournment thereof, which shall be holden within Three Calendar Months next after the Expiration of Fourteen Days from the Time when the Cause of Complaint shall have arisen, such Appellant or Appellants first giving Fourteen Days Notice at the least in Writing of his, her, or their Intention to make such Appeal, and of the Matter thereof, to the Churchwardens or Churchwarden of the Township in or for which he, she, or they shall be rated or assessed by virtue of this Act, and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace of the said Riding, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of such Justices, and to pay such Costs as shall be awarded against him, her, or them at such Sessions; and the Justices at such Sessions shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and if they see Cause may order any Money to be returned which shall have been paid or levied in pursuance of such Assessment, and shall and may also award such Costs to the Party appealing or appealed against as they shall think proper; and their Determination therein shall be final, binding, and conclusive upon all Parties to all Intents and Purposes; and it shall be lawful for such Justices, by Warrant under the Hands and Seals of any Two or more of them, to cause the Costs which shall be awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any), upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

XXXI. And

XXXI. And be it further enacted, That it shall be lawful for the Court of General or Quarter Sessions of the Peace, upon all Appeals from any Assessment made for the Purposes of this Act, (in all Cases where they shall see just Cause to give Relief,) to amend any Assessment to be made by virtue of this Act in or for all or any of the said Townships, either by inserting therein or by striking out of such Assessment 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 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 Assessment shall be wholly quashed, then the said Court may quash the same; but nevertheless all and every the Sums and Sum of Money in and by such Assessment charged on any Person or Persons shall and may be levied and recovered by such Ways and Means and in such and the same Manner as if no Appeal had been made against such Assessment; and all and every the Sums and Sum of Money which any Person or Persons charged in such Assessment shall pay, or which shall be levied upon or recovered from him, her, or them, shall be deemed and taken as Payments on account of the next effective Assessment or Assessments which shall be made for the Purposes of this Act in the same Township or Townships.

Assessments may be amended by Justices at General or Quarter Sessions.

XXXII. And be it further enacted, That no Assessment or other Proceeding to be had touching any Order made, or other Matter or Thing to be done or transacted in or relating to any Complaint or Appeal, or any Order or Determination thereon, in pursuance of this Act, shall be quashed, vacated, or set aside for Want of Form only, or be removed or removable into any of His Majesty's Courts of Record by Certiorari, or any other Writ or Process whatsoever, any Law, Statute, or Usage to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form.

XXXIII. And be it further enacted, That where any Distress shall be made for any 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 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 be afterwards done or committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage only in an Action on the Case.

Distress not unlawful for Want of Form.

XXXIV. Provided always, and be it further enacted, That no Plaintiff shall recover any Damages in any Action for any Irregularity, Trespass, or wrongful Proceedings made or committed in execution of this Act, if Tender of sufficient Amends shall be made by or on behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or 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

Plaintiff not to recover after sufficient Tender of Amends; or Defendant may pay Money into Court.

dants in any such Action, 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, she, or they shall see fit, whereupon such Proceedings, or Order, and Judgment shall be had, made, or given by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation
of Actions.

XXXV. And be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in pursuance of this Act, or of the Powers hereby given, or in anywise relating to the Premises, after sufficient Satisfaction or Tender of sufficient Amends shall have been made to the Party aggrieved, or after the Expiration of Six Calendar Months next after the Cause of Action shall have arisen; and every such Action or Suit shall be brought and tried in the County, Riding, or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall be brought after such sufficient Satisfaction or Tender of Amends shall have been made as aforesaid, or after the Time herein-before limited for bringing the same, or shall be brought in any other County, Riding, or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover his, her, and their Costs, and have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases of Law.

Persons
paying Rates
not disquali-
fied from
giving Evi-
dence.

XXXVI. And be it further enacted, That in all Actions, Prosecutions, Appeals, and Proceedings whatsoever relating to or concerning the Execution of this Act, no Person shall be disqualified from giving Evidence by reason of such Person being charged with or liable to pay, or paying, any Sum or Sums of Money charged by or by virtue of this Act.

Owners or
Proprietors
of Houses,
Mills, &c.
may redeem
the Rates.

XXXVII. And whereas the Owners or Proprietors of inhabited Houses, Corn Mills, and Arable, Meadow, and Pasture Lands, Orchards and Gardens, within the said first-mentioned Eighteen Townships, and the Owners or Proprietors of inhabited Houses within the said last-mentioned Three Townships, may be desirous of redeeming the said Rates within such respective Townships, or within One or more of such Townships, by the Payment of a Sum in gross to the said Vicar in lieu of such Rates and Annual Proportions or Proportion of the said Annual Stipend for such Townships or Township; be it therefore further enacted, That in case the Owners or Proprietors of Property liable to be rated as aforesaid, or Two Thirds of them in Value (such Value to be determined by the Amount of the Assessments to be made by virtue of this Act, in each Township respectively,

on their respective Property,) within any of the said Townships, shall give a Certificate in Writing under their respective Hands to the Churchwardens or Churchwarden of the Township, that they are willing and desirous that a Sum of Money in gross shall be raised within such Township for the Redemption of the Township's Proportion of the Vicar's Rate chargeable by virtue of this Act upon such Township, such gross Sum not being less than the Amount of Twenty-eight Years Purchase of such Annual Proportion of the said Annual Stipend, and such Certificate being in the Words or to the Effect following; (that is to say,)

‘ WE whose Names are hereunto subscribed, being Owners or Proprietors of inhabited Houses, Corn Mills, and Arable, Meadow, and Pasture Lands, Orchards and Gardens, [*or* inhabited Houses, *as the Case may be,*] in the Township of
 ‘ do hereby certify to the Churchwardens [*or* Churchwarden] of the said Township, that we are willing and desirous that the gross Sum of _____ being the Amount of _____ Years Purchase of the Rates chargeable on the said Township by virtue of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], for raising the Sum of _____ by the said Act declared to be the Proportion of the Vicar's Rate therein mentioned and directed to be paid to the Vicar of *Halifax*, by the Churchwardens [*or* Churchwarden] of the said Township, in lieu of his Vicarial Tithes and Dues [*or* Dues, *as the Case may be,*] in the said Township, should be raised within the said Township for the Redemption of the said Rates and Annual Sum of _____ aforesaid :’

Form of
Certificate.

Then it shall be lawful for the Vicar of the Parish and Parish Church of *Halifax* for the Time being (by and with the Consent and Approbation of the King's most Excellent Majesty, the Patron of the said Vicarage, such Consent to be signified in Writing under the Hand and Seal of the Right Honourable the Lord High Treasurer, or the First Lord of His Majesty's Treasury, on behalf of His Majesty as such Patron, and of His Grace the Archbishop of *York*, the Diocesan, to be signified in Writing under his Hand and Seal,) to contract and agree with the Churchwardens or Churchwarden of such Township for the Sale and Redemption of such Proportion of the said Annual Stipend as shall by virtue of this Act be chargeable upon such Township, or such Property therein as aforesaid, for such Sum of Money (not being less than the Amount of Twenty-eight Years Purchase thereof) as shall be agreed upon between the said Vicar and such Churchwardens or Churchwarden, and as shall be specified in such Certificate; and thereupon, for the Purpose of raising the Amount of the Consideration Money so agreed to be paid, it shall be lawful for the Churchwardens or Churchwarden of such Township to proceed to call and hold Meetings of, and to make and lay and levy One or more Assessment or Assessments on, the Owners and Proprietors of Property in such Township liable to be assessed by virtue of this Act for raising the same Annual Proportion of the said Annual Stipend, and to use and exercise all and every the same Ways and Means,
 [*Local.*] 4 I Powers,

Powers, Authorities, and Remedies, for assessing, collecting, receiving, recovering, and enforcing Payment thereof, and of every Part thereof, as are and is herein-before granted or provided for assessing, collecting, receiving, recovering, and enforcing Payment of the Costs and Charges of applying for and obtaining this Act as herein-before mentioned.

Proprietors
under Dis-
ability may
borrow
Money.

XXXVIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate; Corporations Aggregate or Sole, and all Lords or Ladies of Manors; Tenants for Life or in Tail, or for any partial or qualified Estate or Interest, Tenants by Copy of Court Roll for Life or Lives or at the Will of the Lord, Husbands, Guardians, Trustees, or Feoffees in Trust for charitable or other Purposes, Heirs, Executors, Administrators, Successors, Committees for Lunatics and Idiots; and all other Trustees whomsoever, and for all Persons seised, possessed of, or interested in Right of others, being Persons labouring under any Disability or Incapacity, and all other Persons whomsoever, not only for and on behalf of themselves and their own respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their several and respective Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and for all Femes Coverts who are or shall be seised, possessed of, or interested in the same, and for all and every other Persons and Person whomsoever, who are, is, or shall be seised, possessed of, or interested in any inhabited Houses, Corn Mills, and Arable, Meadow, and Pasture Land, Orchards and Gardens, within any of the said first-mentioned Eighteen Townships, or of or in any inhabited Houses within any of the said last-mentioned Three Townships, which shall have been rated or charged under the Authority of this Act for the Purchase or Redemption of any Proportion of the Vicar's Rate, or for or towards the Payment of any Costs, Charges, or Expences under this Act, to charge such respective Property, or any Part or Parts thereof respectively, with any Sum or Sums of Money which shall have been assessed on any such Party or Person by virtue of this Act for any of the Purposes aforesaid; to be paid to such Churchwardens or Churchwarden, in order to be applied for such respective Purposes; and for securing the Repayment of such respective Sums, with Interest, to grant, mortgage, surrender, or demise such Lands and Tenements respectively to such Person or Persons as shall respectively advance and lend such Sum and Sums of Money, and to his, her, or their respective Heirs, Executors, Administrators, or Assigns, in Fee, or for any Term or Number of Years, so as every such Grant, Mortgage, Surrender, or Demise be made with a Proviso or Condition to cease and be void; or with an express Trust to be reconveyed or surrendered, when such Sum or Sums of Money thereby to be secured, and the Charges occasioned by preparing and executing such Security, and of borrowing such Sum or Sums of Money, with Interest for the same respectively, shall be paid and satisfied; and any Mortgagee or Mortgagees advancing or lending Money under the present Power shall not be obliged to see to the Application thereof, nor be in anywise accountable for any Misapplication or Nonapplication thereof, or of any Part thereof; and so as in every such Grant, Mortgage, Surrender

Surrender, or Demise which shall by virtue of this Act be made by any Tenant in Tail, or for Life or Lives, or Years determinable on a Life or Lives, or upon any other Contingency, there be contained a Proviso or Condition that no Person who shall afterwards become entitled in Remainder or Reversion to the Lands or Tenements therein comprised shall be liable to pay any further or larger Arrear of Interest in respect of the Money so to be charged as aforesaid, than for One Year preceding the Time that the Title to such Possession shall have commenced.

XXXIX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Lords or Ladies of Manors, Tenants for Life or in Tail, or for any partial or qualified Estate or Interest, Tenants by Copy of Court Roll for Life or Lives or at the Will of the Lord, Husbands, Guardians, Trustees, or Feoffees in Trust for charitable or other Purposes, Heirs, Executors, Administrators, Successors, Committees for Lunatics and Idiots, and all other Trustees whomsoever, and for all Persons seised, possessed of, or interested in Right of others, being Persons labouring under any Disability or Incapacity, and all other Persons whomsoever, not only for and on behalf of themselves and their own respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their several and respective Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and for all Femes Covert who are or shall be seised, possessed of, or interested in the same, and for all and every other Persons and Person whomsoever, who are, is, or shall be seised, possessed of, or interested in any inhabited Houses, Corn Mills, and Arable, Meadow, and Pasture Land, Orchards and Gardens, within any of the said first-mentioned Eighteen Townships, or of or in any inhabited Houses within any of the said last-mentioned Three Townships, which shall have been rated or charged under the Authority of this Act for the Purchase or Redemption of any Proportion of the Vicar's Rate, or for or towards the Payment of any Costs, Charges, or Expences under this Act, to sell such Part of such respective Property as shall be sufficient to raise any Sum or Sums of Money which shall have been assessed on any such Party or Person by virtue of this Act for any of the Purposes aforesaid, and to convey the same in Fee Simple to any Person or Persons who shall be willing to purchase the same; and the Receipt of the Party or Person so selling shall be a sufficient Discharge to the Purchaser or Purchasers for the Money in any such Receipt or Receipts respectively mentioned to be received; and such Purchaser or Purchasers shall not be obliged to see to the Application of such Purchase Monies, nor be in anywise answerable for any Misapplication or Nonapplication thereof, or of any Part thereof; and every such Sale and Conveyance shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Inrolment or Registry, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Person so conveying, but also to convey all the Right, Estate, and Interest, Trust, Use, Property, Possession, Claim, or Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them,

Proprietors
under Dis-
ability ena-
bled to sell.

' into the Bank of *England*, the Reverend
 ' Vicar of the Parish and Parish Church of *Halifax* aforesaid, hath
 ' contracted and agreed with the Churchwardens [*or Churchwarden*]
 ' of the said Township of _____ for the Sale
 ' of the Annual Sum of _____
 ' being the Proportion of an Annual Stipend secured to the said
 ' Vicar by virtue of an Act passed in the Tenth Year of the Reign
 ' of His Majesty King *George* the Fourth, intituled [*here set forth*
 ' *the Title of this Act*], and thereby chargeable on all inhabited
 ' Houses, Corn Mills, and Arable, Meadow, and Pasture Lands,
 ' Orchards and Gardens, [*or on all inhabited Houses, as the Case*
 ' *may be,*] in the said Township; and that the said Churchwardens
 ' [*or Churchwarden*] have [*or hath*] contracted for and completed
 ' the Purchase and Redemption of the said Annual Proportion of the
 ' said Annual Stipend so chargeable as aforesaid, according to the
 ' Provisions and true Intent and Meaning of the said Act; where-
 ' fore the same Annual Proportion of the said Annual Stipend, and
 ' the Rates and Assessments which, under or in pursuance of the
 ' said Act, were or are or might be chargeable on the said inhabited
 ' Houses, Corn Mills, and Arable, Meadow, and Pasture Lands,
 ' Orchards and Gardens, [*or inhabited Houses, as the Case may be,*]
 ' within the said Township, are to cease, and to be no longer charge-
 ' able, payable, or recoverable in respect thereof, from this Day
 ' henceforth for ever [*or from* _____ thenceforth for ever,
 ' *as the Case may be*]. In testimony whereof we,
 ' _____ on behalf of His Majesty the Patron of the
 ' Vicarage of *Halifax*, and _____ Archbishop
 ' of *York*, the Diocesan, and _____
 ' the Vicar aforesaid, have hereunto set our Hands, this
 ' Day of _____

And thereupon the Annual Proportion (mentioned in such Certificate)
 of the said Annual Stipend by this Act chargeable on the Property
 within such Township shall, from and after the Day of the Date of
 such Certificate, or from and after the Day mentioned in such Cer-
 tificate, cease and determine and be no longer payable to or recover-
 able by the Vicar of the Parish of *Halifax*; and the Property con-
 tained or described in such Certificate shall, from and after the Day
 of the Date of such Certificate, or from and after the Day men-
 tioned in such Certificate, and from thenceforth for ever, be freed,
 discharged, and exonerated from the Rates and Assessments by this
 Act imposed, and from all Claims of the said Vicar in respect
 thereof; and also from all Tithes and Dues, Moduses or Payments
 in lieu of Tithes or Dues, by this Act declared to be extinguished;
 and it shall not thenceforth be lawful for any Churchwardens or
 Churchwarden, or any other Person or Persons, to assess any such
 Property by virtue of this Act to the Vicar's Rate imposed by virtue
 of this Act; and such Certificates shall be signed by the said Vicar
 and by the said Diocesan, and by the Right Honourable the Lord
 High Treasurer, or the First Lord of His Majesty's Treasury, on
 behalf of His Majesty as Patron of the said Vicarage; and every
 such Certificate shall be registered in the Episcopal Registry of the
 Lord Archbishop of *York*, at *York*, by the Registrar or his Deputy
 [Local.] 4 K of

of the said Registry; and such Registrar shall be paid for every such Certificate, having thereon a Certificate of its Registration subscribed by such Registrar or his Deputy, where the same shall not contain more than Twenty Folios of Seventy-two Words each, the Sum of Five Shillings, and no more, and where the same shall exceed Twenty such Folios, the further Sum of Four-pence *per Folio* for every such Folio above such first Twenty Folios; and the like Sums shall be paid to the said Registrar for every Copy of any such Certificate which shall be so registered, having a Certificate thereon subscribed by the said Registrar or his Deputy of the same being a true Copy; and which Certificate of Registry and certified Copies of such Certificate of Purchase such Registrar or his Deputy is hereby required to give on Payment of the Fees aforesaid; and any Copy of any such Certificate of Purchase so to be registered, and having thereon such Certificate of Registry, (the Handwriting of such Registrar or his Deputy being duly proved,) shall be admitted as Evidence by all Judges, Justices, and others: Provided always nevertheless, that the signing or registering of any Certificate shall not extend, or be deemed or construed to extend, to discharge the Owners or Occupiers of Property within the Township mentioned therein from their Liability to pay and contribute towards the Costs, Charges, and Expences by this Act directed or authorized to be raised and paid within any such Township.

Application
of Consider-
ation Money.

1 G. 4. c. 35.

XLII. And be it further enacted, That all Money agreed to be paid as the Consideration for any such Purchases shall with all convenient Speed be paid by such Churchwardens or Churchwarden into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Vicar of *Halifax* for the Time being, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Diocesan or Vicar for the Time being of the said Vicarage of *Halifax*, be laid out in the Purchase of Freehold Manors, Messuages, Lands, Tenements, or Hereditaments, of an Estate of Inheritance in Fee Simple in Possession, or of any Copyhold Lands or Hereditaments of Inheritance, free from all Incumbrances, except Quit Rents, Fee Farm Rents, or other usual Outgoings, or in case of Copyhold Lands or Hereditaments, such Fines, Heriots, and Services as may be incident to the Copyhold Tenure thereof, to be situate somewhere within the Diocese or County of *York*; and all such Freehold Manors, Messuages, Lands, Tenements, and Hereditaments shall be thereupon conveyed and assured unto and to the Use of the Vicar of *Halifax* and his Successors for ever; and all such Copyhold Manors, Messuages, Lands, Tenements, and Hereditaments shall be thereupon surrendered and assured unto Two Trustees, and their

their Heirs and Assigns, in Trust for the Use and Benefit of the Vicar of *Halifax* and his Successors for ever, and shall from Time to Time pass by Surrender and be granted to Two Trustees, and their Heirs and Assigns, in Trust as aforesaid, unless the Lord or Lords, Lady or Ladies of the Manor or Manors within which the same Copyhold Hereditaments shall lie shall consent to authorize the same to be surrendered and granted otherwise; and all such Freehold and Copyhold Hereditaments shall, from the Time of such Conveyance and Surrender or Assurance, be annexed to and for ever thereafter be and continue Part of the Glebe Lands of the same Vicarage; and all such Conveyances of Freehold Hereditaments, and the Court Copies of all Surrenders and Admittances thereupon of Copyhold Hereditaments, shall be registered in the Episcopal Registry of the Archbishop of *York*, at *York*, by the Registrar or his Deputy of the said Registry; and such Registrar shall be paid for the Registration of every Deed of any such Conveyance, Surrender, or Assurance, having thereon a Certificate of its Registration subscribed by such Registrar or his Deputy, where the same shall not contain more than Twenty Folios of Seventy-two Words each, the Sum of Five Shillings, and no more, and where the same shall exceed Twenty such Folios, the further Sum of Four-pence *per* Folio for every such Folio above such first Twenty Folios; and the like Sum shall be paid to the said Registrar for every Copy of any such Deed which shall be so registered, having a Certificate thereon subscribed by the said Registrar or his Deputy of the same being a true Copy; and which Certificate of Registry and certified Copies of such Deed such Registrar or his Deputy is hereby required to give on Payment of the Fees aforesaid; and any Copy of any such Deed so to be registered, and having thereon such Certificate of Registry, (the Handwriting of such Registrar or his Deputy being duly proved,) shall be admitted as Evidence by all Judges, Justices, and others; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Vicar of *Halifax* for the Time being.

XLIII. Provided always nevertheless, and be it further enacted, That no such Purchase or Redemption of the said Annual Proportion or Annual Proportions of the said Annual Stipend by the Churchwardens or Churchwarden of any One or more of such Townships, nor the granting of any such Certificate or Certificates as aforesaid, shall in any Manner whatsoever prejudice or affect the Rights or Claims of the Vicar of *Halifax* for the Time being in or to the several Annual Proportions of the said Annual Stipend chargeable by virtue of this Act on all or any of the said several Townships whereof

Sales not to prejudice the Vicar's Rights to Proportions not sold.

whereof no such Purchase or Redemption shall be duly made or effected.

Power to
grant Build-
ing Leases
for 99 Years.

XLIV. And be it further enacted; That it shall be lawful to and for the said *Charles Musgrave*, and his Successors, Vicars of the said Vicarage and Parish Church of *Halifax* for the Time being, with the Consent of the King's most Excellent Majesty, as Patron of the said Vicarage, (such Consent to be signified in Writing under the Hand of the Right Honourable the Lord High Treasurer, or the First Lord of His Majesty's Treasury, on behalf of His Majesty as such Patron,) and of the Lord Archbishop of *York* for the Time being, the Diocesan, to be signified in Writing under his Hand, from Time to Time, and at any Time or Times hereafter, by Indenture or Indentures to be sealed and delivered by such Vicar, to demise, lease, or grant all or any Part or Parts of the Lands belonging to the said Vicarage, and described in the Schedule to this Act annexed, marked (A.), unto any Person or Persons whomsoever, for any Term or Number of Years not exceeding Ninety-nine Years, to take effect in Possession and not in Reversion; so as such Lease or Grant be made for the Purpose of building upon the Lands so to be demised, or some Part thereof respectively, or for the Purpose of repairing any of the Messuages, Erections, or Buildings whatsoever which shall or may be erected or built thereon; and so as in every such Lease or Leases so to be made as aforesaid there be reserved and made payable unto the Vicar of the said Vicarage and Parish Church of *Halifax* for the Time being, and his Successors, quarterly, during the Continuance of the Terms thereby to be granted, the best and most improved yearly Ground Rent or Rents that at the Time of making such Leases respectively can be reasonably had or gotten for the same, without taking any Sum of Money or other Thing by way of Fine or Foregift, other than in respect of the Monies to be expended or covenanted to be expended in such Buildings or Repairs; and so as the respective Lessees to whom such Leases shall be made execute Counterparts or Duplicates thereof upon or previous to the Delivery of such Leases respectively to the respective Lessees thereof, and enter into Covenants to build or repair (as the Case may require), and when built or repaired (as the Case may require) to keep in repair, the Messuages, Erections, and Buildings intended and agreed to be erected and built or repaired (as the Case may require) upon the Ground thereby to be leased respectively, and to leave and yield up the same in good Repair at the End of the Term or Terms by such Lease or Leases respectively to be granted, and to keep the same insured from Loss or Damage by Fire, to the Amount of Three Fourths at least of the Value thereof, in some One or more of the Public Offices of Insurance in *London* or *Westminster*, and to lay out the Money to be received by virtue of such Insurance or Insurances, and also all such other Sums of Money as shall be necessary, in substantially rebuilding, repairing, or reinstating, to the Satisfaction of the Architect or Surveyor appointed by the Vicar of *Halifax* for the Time being, the Messuage or Dwelling House, or other Erection or Building, or Messuages or Dwelling Houses, or other Erections or Buildings, which shall be destroyed or damaged by Fire, and also to produce to the Vicar of *Halifax* for the Time being,

or his Agent, once in every Year (as may be required), the Policy or Policies by which the same may be insured, and the last Receipt or Receipts for the Payment of the Premium or Premiums of such Insurance or Insurances; and so as in every such Lease or Leases there be contained proper Conditions of Re-entry on Nonpayment of the Rent or Rents thereby to be respectively reserved.

XLV. And whereas the Lands mentioned in the Schedule marked (B.) to this Act annexed are Parts of certain Commons and Waste Lands which have been allotted to the Vicar of *Halifax* under several Inclosure Acts, and the same are incapable of being put into a sufficient State of Cultivation for agricultural Purposes until after the Expiration of a considerable Number of Years Culture thereof, and it is therefore expedient that Power should be granted to such Vicar to lease the same for such a Term of Years as may induce Persons to undertake the Improvement of the same, and to erect Buildings thereon; be it therefore further enacted, That it shall be lawful to and for the said *Charles Musgrave*, and his Successors, Vicars of the said Vicarage and Parish Church of *Halifax* for the Time being, with the Consent of the King's most Excellent Majesty as Patron of the said Vicarage, (such Consent to be signified in Writing under the Hand of the Right Honourable the Lord High Treasurer, or the First Lord of His Majesty's Treasury, on behalf of His Majesty as such Patron,) and of the Lord Archbishop of *York* for the Time being, the Diocesan, to be signified in Writing under his Hand, from Time to Time, and at any Time or Times hereafter, by Indenture or Indentures to be sealed and delivered by such Vicar, to demise, lease, or grant all or any Part or Parts of the Lands belonging to the said Vicarage, and described in the Schedule to this Act annexed, marked (B.), unto any Person or Persons whomsoever, for any Term or Number of Years not exceeding Sixty Years, to take effect in Possession and not in Reversion, so as such Lease or Grant be made for the Purpose of farming, improving, and cultivating the Premises thereby demised; and so as in every such Lease or Leases so to be made as aforesaid there be reserved and made payable unto the Vicar of the said Vicarage and Parish Church of *Halifax* for the Time being, and his Successors, quarterly, during the Continuance of the Terms thereby to be granted, the best and most improved yearly Rent or Rents that at the Time of making such Leases respectively can be reasonably had or gotten for the same, without taking any Sum of Money or other Thing by way of Fine or Foregift; and so as the respective Lessees to whom such Leases shall be made execute Counterparts or Duplicates thereof upon or previous to the Delivery of such Leases respectively to the respective Lessees thereof, and enter into Covenants to cultivate and improve the said Land thereby demised after the best and most improved Methods of Husbandry pursued in the Neighbourhood where the said Lands are situate, and to keep in repair any Messuage, Erection, or Building thereon, or intended or agreed to be erected and built upon the Ground thereby to be leased respectively, and to leave and yield up the same Lands and Premises in good Repair, Cultivation, and Condition at the End of the Term or Terms by such Lease or Leases respectively to be granted; and so as in every such

Empowering
the Vicar to
grant Im-
proving
Leases for
60 Years.

[Local.]

4 L

Lease

Lease or Leases there be contained proper Conditions of Re-entry on Nonpayment of the Rent or Rents thereby to be respectively reserved, and so that there be not contained in such Lease or Leases any Clause or Words whereby the Tenant or Lessee or Tenants or Lessees thereof be dispunishable for Waste, or exempt from Punishment for committing Waste: Provided always, that every Lease which shall be granted pursuant to this Act, by the Vicar of *Halifax* for the Time being, of any Copyhold Lands or Hereditaments, shall be made and granted in conformity with the Custom of the Manor of which the same are holden.

Expences of
the Act.

XLVI. And be it further enacted, That the Costs, Charges, and Expences incident to or attendant upon the applying for and obtaining this Act, and the making Surveys, Plans, and Estimates, and of other Proceedings for ascertaining, agreeing upon, and settling the Amount and respective Proportions of the Tithes, and Payments in lieu thereof, to be commuted by virtue of this Act, and of the Sums to be paid for the same respectively, and all Expences incurred by any of the said first-mentioned Eighteen Townships, since the Twenty-fourth Day of *October* One thousand eight hundred and twenty-seven, in any Proceedings had by or on behalf of such Townships, or any of them, relating to the Vicarial Tithes, or Payments in lieu thereof, and to the *Easter* Offerings, claimed by the said Vicar, shall be raised and paid by the Churchwardens or Churchwarden of the said first-mentioned Eighteen Townships according to the respective Proportions in which the same Townships are liable to contribute to the said Annual Stipend by virtue of this Act, and subject to the Provisions herein-before contained; and the Accounts of all such Costs, Charges, and Expences shall be audited and allowed by the Justices assembled in Petty Sessions for the District in which the Parish of *Halifax* is situate; and if any Person or Persons shall advance or pay any Money in discharge of the Fees or other Expences of procuring and passing this Act, the Money so advanced or paid shall be repaid and satisfied, with lawful Interest thereon, in the same Manner as the Charges and Expences of procuring and passing this Act are herein-before directed to be paid.

Occupiers of
Houses in the
Townships
of *Elland-cum-Greet-*
land and
Stansfield
may become
Parties to the
Act within
Twelve
Months.

XLVII. And whereas after the passing of this Act the Occupiers of Houses within the said Township of *Elland-cum-Greetland* may be desirous of paying the annual Sum of Thirty-six Pounds Eleven Shillings and One Penny, and the Occupiers of Houses within the said Township of *Stansfield* may be desirous of paying the Annual Sum of Fifty-three Pounds Thirteen Shillings and Five-pence, in consideration of the Mortuaries, *Easter* Offerings, and Dues arising within such Townships respectively being extinguished, in like Manner as the Mortuaries, *Easter* Offerings, and Dues arising within the Townships of *Barkisland*, *Ovenden*, and *Stainland*, are extinguished by this Act; be it therefore enacted, That in case the Occupiers of Houses within the said Townships of *Elland-cum-Greetland* and *Stansfield*, or either of them, or Two Thirds of such Occupiers in Value, (such Value to be determined by the Amount of the Assessments to the Poor's Rate within such Townships respectively,) shall give a Certificate in Writing to the Churchwardens or

Churchwarden of the Township, that they are willing and desirous that the Sum or Sums aforesaid should be annually charged upon inhabited Houses within the said Townships respectively, such Certificate being in the Words or to the Effect following; (that is to say,)

‘ WE, whose Names are hereunto subscribed, being Occupiers of Houses in the Township of *Elland-cum-Greetland*, [or Township of *Stansfield*, as the Case may be,] do hereby certify to the Churchwardens [or Churchwarden, as the Case may be,] of the said Township, that for the Purpose of extinguishing all Mortuaries, Easter Offerings, and Dues arising within the said Township, and payable to the Vicar of the Parish and Parish Church of *Halifax*, we are willing and desirous that the fixed Annual Sum of

Form of Certificate.

shall be assessed and charged upon all inhabited Houses within the said Township, in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled [here set forth the Title of this Act], as an Addition to the Annual Stipend granted to the Vicar of the said Parish of *Halifax* by the said Act:’

And in case such Certificates or Certificate shall be registered in the Episcopal Registry of the Lord Archbishop of *York*, at *York*, by the Registrar or his Deputy of the said Registry, within Twelve Calendar Months next after the passing of this Act; then and from thenceforth all the Authorities, Directions, Remedies, Powers of Redemption, and all other Powers and Provisions, Matters and Things, in this Act contained, and applicable to the Townships of *Barkisland*, *Ovenden*, and *Stainland*, shall be and are hereby declared to be extended and made applicable to the Townships or Township mentioned in such Certificates or Certificate so registered, and to the Churchwardens or Churchwarden thereof respectively, and to all inhabited Houses therein respectively, and to all Owners and Occupiers of the same, and shall be put in execution and be in force and operation, within such Townships or Township respectively, in the same Manner, to all Intents and Purposes whatsoever, as if such last-mentioned Townships or Township had been originally comprised in this Act; and such Registrar shall be paid for every such Certificate, having thereon a Certificate of its Registration subscribed by such Registrar or his Deputy, where the same shall not contain more than Twenty Folios of Seventy-two Words each, the Sum of Five Shillings, and no more, and where the same shall exceed Twenty such Folios, the further Sum of Four-pence *per* Folio for every such Folio above such first Twenty Folios; and the like Sums shall be paid to the said Registrar for every Copy of any such Certificate which shall be so registered, having a Certificate thereon subscribed by the said Registrar or his Deputy of the same being a true Copy; and which Certificate of Registry and certified Copies of such Certificate such Registrar or his Deputy is hereby required to give, on Payment of the Fees aforesaid; and any Copy of any such Certificate so to be registered, and having thereon such Certificate of Registry, (the Handwriting of such Registrar or his Deputy being duly proved,) shall be admitted as Evidence by all Judges, Justices, and others.

Proprietors
of Houses in
Elland-cum-
Greetland
and in Stans-
field may
redeem their
Easter Dues,
&c.

XLVIII. And whereas the Proprietors of Houses within the said Township of *Elland-cum-Greetland* may be desirous of having the Mortuaries, *Easter Offerings*, and Dues arising within the said Township extinguished, on Payment of a Sum in gross not less than Twenty-eight Years Purchase on the aforesaid Sum of Thirty-six Pounds Eleven Shillings and One Penny, and the Proprietors of Houses within the said Township of *Stansfield* may be desirous of having the Mortuaries, *Easter Offerings*, and Dues arising within the said Township extinguished, on Payment of a Sum in gross not less than Twenty-eight Years Purchase of the aforesaid Sum of Fifty-three Pounds Thirteen Shillings and Five-pence, although the Occupiers of such Houses within the said Townships, or either of them, might decline or neglect, for the Space of Twelve Calendar Months, to sign Certificates or a Certificate as herein-before mentioned; be it therefore enacted, That in case the Proprietors of Houses, or Two Thirds of them in Value, (such Value to be determined by the Amount of the Assessments to the Poor's Rates thereon,) within the said Township of *Elland-cum-Greetland* or within the said Township of *Stansfield*, shall give a Certificate in Writing under their respective Hands to the Churchwardens or Churchwarden of the Township, that they are willing and desirous that a Sum of Money in gross shall be raised within such Township for the Extinguishment or Redemption of the Mortuaries, *Easter Offerings*, and Dues arising and payable therein, such gross Sum not being less than the Amount of Twenty-eight Years Purchase of the said Annual Sum of Thirty-six Pounds Eleven Shillings and One Penny for the Township of *Elland-cum-Greetland*, nor less than the Amount of Twenty-eight Years Purchase of the said Annual Sum of Fifty-three Pounds Thirteen Shillings and Five-pence for the Township of *Stansfield*, and such Certificate being in the Words or to the Effect following; (that is to say,)

Form of
Certificate.

WE, whose Names are hereunto subscribed, being Owners or Proprietors of Houses in the Township of *Elland-cum-Greetland*, [*or Stansfield, as the Case may be,*] do hereby certify to the Churchwardens [*or Churchwarden, as the Case may be,*] of the said Township, that for the Purpose of redeeming or extinguishing all Mortuaries, *Easter Offerings*, and Dues arising within the said Township, and payable to the Vicar of the Parish and Parish Church of *Halifax*, we are willing and desirous that the gross Sum of _____ shall be raised by an Assessment upon all inhabited Houses in the said Township, in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], to be paid to the said Vicar for the Redemption or Extinguishment of all Mortuaries, *Easter Offerings*, and Dues arising and payable to the said Vicar within the said Township:

And in case such Certificates or Certificate shall be registered in the Episcopal Registry of the Lord Archbishop of *York*, at *York*, by the Registrar of the said Registry or his Deputy; then and from thenceforth all the Powers, Authorities, Directions, Remedies, Provisions, Matters, and Things in this Act contained, applicable to the Purchase or Redemption of the Proportions of the Rates herein-
before

before mentioned by the Owners or Proprietors of Houses in the Townships of *Barkisland*, *Ovenden*, and *Stainland*, and to the assessing and raising and compelling Payment of the same and every Part thereof, and to the Application thereof and otherwise howsoever, shall be extended to and made applicable to the Townships or Township mentioned in the Certificates or Certificate so registered, and to the Churchwardens or Churchwarden thereof respectively, and to all inhabited Houses therein respectively, and to all Owners and Occupiers of the same, in the same Manner and to the same Extent, to all Intents and Purposes whatsoever, as if such last-mentioned Townships or Township had been originally comprised in this Act; and such Registrar shall be paid for every such Certificate having thereon a Certificate of its Registration subscribed by such Registrar or his Deputy, where the same shall not contain more than Twenty Folios of Seventy-two Words each, the Sum of Five Shillings and no more, and where the same shall exceed Twenty such Folios, the further Sum of Four-pence *per* Folio for every such Folio above such first Twenty Folios; and the like Sums shall be paid to the said Registrar for every Copy of any such Certificate which shall be so registered, having a Certificate thereon subscribed by the said Registrar or his Deputy of the same being a true Copy; and which Certificate of Registry, and certified Copies of such Certificate of Purchase, such Registrar or his Deputy is hereby required to give, on Payment of the Fees aforesaid; and any Copy of any such Certificate of Purchase so to be registered, and having thereon such Certificate of Registry, (the Handwriting of such Registrar or his Deputy being duly proved,) shall be admitted as Evidence by all Judges, Justices, and others.

XLIX. Provided always, and it is hereby further enacted, That nothing in this Act shall extend or be construed to extend to discharge or extinguish the Right of the said Vicar for the Time being to any such Mortuaries, *Easter Dues*, Oblations, Obventions, or other Fees, Dues, and Offerings or Compositions, or Prescriptive and Customary Payments in respect thereof, as are now of Right arising and payable to the said Vicar within the Townships of *Elland-cum-Greetland* and *Stansfield* in the said Parish of *Halifax*, but that the same shall remain payable to the said Vicar for the Time being, in the same Manner, and with the same Powers and Remedies for recovering the same, as if this Act had not been made, any thing in this Act in anywise to the contrary notwithstanding, unless the several Owners or Occupiers of Dwelling Houses within the said several Townships of *Elland-cum-Greetland* and *Stansfield*, or either of them, shall by virtue of the Authority herein-before given bring themselves or either of them within the Operation of this Act, as herein-before for that Purpose is provided.

Not to interfere with the Vicar's Rights in *Elland-cum-Greetland* and in *Stansfield*, unless, &c.

L. Provided always, and it is hereby further enacted, That nothing in this Act shall extend or be construed to extend to prevent, after the Termination of the present Incumbency, any future Division of the said Parish into any Number of separate and distinct Ecclesiastical Divisions or District Parishes, in such Manner as by Law may now be done, or by and with the Consent of His Majesty, His Heirs

Not to prevent a Division into District Parishes.

[Local.]

4 M

and

and Successors, as Patron of the said Vicarage, and of the Lord Archbishop of *York* for the Time being, as Diocesan, by any Law hereafter to be made, may be authorized and required to be done.

Saving
Clause.

LI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, all Privileges, Rights, and Interests of His Majesty, His Heirs and Successors, as Patron and Rector of the said Vicarage.

Public Act.

LII. 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 the same being specially pleaded.

SCHEDULE (A.) referred to by the foregoing Act.

Tenants or Occupiers.	Description of Premises.
	<i>In the Township of Halifax :</i>
Joseph Airton - - - {	A Close of Land situate in Lister Lane, containing 2 Acres 1 Rood and 7 Perches.
	<i>In Southowram :</i>
William Bedford - - - {	A Close of Land called Hawkins Royd, adjoining the Gas Works, containing 2 Acres 3 Roods and 30 Perches.
	<i>In Barkisland :</i>
Stephen Gaukrodger and others - - - {	A Piece of Land situate at Ringstone-Edge, containing 150 Acres and 35 Perches.
	<i>In Ovenden :</i>
Samuel Crowther and Thomas Edwards Dyson {	A Piece of Land situate on and being Parcel of Harwood-Well Moor, containing 216 Acres.
	<i>In Stainland :</i>
Joshua Whittel and others {	A Piece of Land situate on Crow-Edge, otherwise Cross-Edge, containing 52 Acres.
Unoccupied - - - {	A Piece of Land called the Vicar's Pen, situate at or near Great Penam-End, at the Bottom of Lindley Moor, containing 7 Acres.
	<i>In Elland-cum-Greetland :</i>
Joseph Helliwell - - - {	A Piece of Land called the Vicar's Park, situate on Greetland Moor, containing 75 Acres.
	<i>In Stansfield :</i>
Thomas Eastwood - - - {	A Piece of Land situate on and being Part of the Blackmoors, containing 408 Acres and 20 Perches.
Same - - - {	A Piece of Land situate at Birdstones, containing 77 Acres and 18 Perches.
Same - - - {	A Piece of Land situate at Clunters, containing 25 Acres and 3 Roods.
Same - - - {	A Piece of Land situate at Chisley Stones, containing 90 Acres and 3 Roods.

SCHEDULE (B.) referred to by the foregoing Act.

Tenants or Occupiers.	Description of Premises.
Stephen Gaukrodger and others	<p style="text-align: center;"><i>In Barkisland :</i></p> <p>A Piece of Land situate at Ringstone-Edge, containing 150 Acres and 35 Perches.</p>
Samuel Crowther and Thomas Edwards Dyson	<p style="text-align: center;"><i>In Ovenden :</i></p> <p>A Piece of Land situate on and being Parcel of Harwood-Well Moor, containing 216 Acres.</p>
Joshua Whittel and others	<p style="text-align: center;"><i>In Stainland :</i></p> <p>A Piece of Land situate on Crow-Edge, otherwise Cross-Edge, containing 52 Acres.</p>
Unoccupied	<p>A Piece of Land called the Vicar's Pen, situate at or near Great Penam-End, at the Bottom of Lindley Moor, containing 7 Acres.</p>
Joseph Helliwell	<p style="text-align: center;"><i>In Elland-cum-Greetland :</i></p> <p>A Piece of Land called the Vicar's Park, situate on Greetland Moor, containing 75 Acres.</p>
Thomas Eastwood	<p style="text-align: center;"><i>In Stansfield :</i></p> <p>A Piece of Land situate on and being Part of the Blackmoors, containing 408 Acres and 20 Perches.</p>
Same	<p>A Piece of Land situate at Birdstones, containing 77 Acres and 18 Perches.</p>
Same	<p>A Piece of Land situate at Clunters, containing 25 Acres and 3 Roods.</p>
Same	<p>A Piece of Land situate at Chisley Stones, containing 90 Acres and 3 Roods.</p>

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1829.