



ANNO TERTIO

GEORGIIV. REGIS.

Cap. lxxi.

An Act for erecting a new Church in the Parish of *Greenwich* in the County of *Kent*, and vesting the same and the Scite thereof in Trustees, and for making Provisions respecting the same.

[24th June 1822.]

WHEREAS the Parish of *Greenwich* in the County of *Kent* contains a Population of more than Eighteen thousand Persons, exclusive of the Pensioners upon the Foundation of the Royal Hospital for Seamen in the said Parish: And whereas the Parish Church of *Greenwich* is incapable of accommodating more than Two thousand Persons; and it is very desirable that another Church should be erected as a Chapel of Ease in the said Parish, in order that a greater Number of Persons may be accommodated with the Means of attending Divine Service according to the Rites and Ceremonies of the United Church of *England* and *Ireland* as by Law established: And whereas His Majesty, in Right of His Crown, is Patron of the Vicarage of the Parish Church of *Greenwich* in the County of *Kent*: And whereas a good and convenient Scite for the said new Church has been obtained: And whereas with a View to the Accomplishment of so desirable an Object, many of the Inhabitants of the said Parish have subscribed various Sums of Money by way of Donations towards the building of the said Church, and other Persons have agreed, if required, to lend Money without Interest for the like Purpose: And whereas Application has been made to the Commis-

[Local.]

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58G.3. c.45. Fifty-eighth Year of the Reign of His late Majesty, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, to grant a Sum of Money towards the building of the said new Church: And whereas the said Commissioners have agreed to grant the Sum of Eleven thousand Pounds, making, with the Donations of the Inhabitants, a sufficient Fund for building the same Church; and it is expedient that certain Provisions should be made with respect to the said intended Church, and the same cannot be done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Scite of the said intended new Church shall have been inclosed, the same, and also the said Church when erected and built, shall thenceforth be vested in the Trustees herein-after named and appointed for putting this Act in Execution.

Scite and
Church vest-
ed in Trus-
tees.

Trustees. II. And be it further enacted, That the Vicar of the Parish of *Greenwich* for the Time being, the Right Honourable *Nicholas Vansittart*, *John Angerstein*, the Reverend *Charles Parr Burney*, D.D. the Reverend *Alexander Crombie*, LL.D., the Reverend *Robert Dallin*, *Edward William Forman*, *Richard Smith*, Vice Admiral *William Taylor*, and *John Laurens Bicknell*, and their Successors, to be nominated in manner herein-after mentioned, shall be and they are hereby appointed Trustees for putting this Act in Execution; such Trust to commence upon the passing of this Act, and to continue for, and during and until the full End and Term of Seven Years from the Consecration of the said intended new Church.

Qualification
of Trustees.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall in his own Right, or in the Right of his Wife, be in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments within the County of *Kent*, of the clear yearly Value of Fifty Pounds above Reprizes, or shall be possessed of or entitled to a Personal Estate of Two thousand Pounds, nor until he shall have taken and subscribed before any One or more of the said Trustees, at any of their Meetings, an Oath, in the Words or to the Effect following; (that is to say,)

‘ I *A. B.* do swear, That I am truly and *bond fide* in my own Right
‘ (or in the Right of my Wife) in the actual Possession and Enjoy-
‘ ment or Receipt of the Rents and Profits of Lands, Tenements,
‘ or Hereditaments within the County of *Kent*, of the clear yearly
‘ Value of Fifty Pounds above Reprizes (or am possessed of or entitled
‘ to a Personal Estate of the Value of Two thousand Pounds).
‘ So help me GOD.’

Trustees to
take an Oath.

IV. Provided also, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except in giving Notice of the First Meeting under this Act as herein-after prescribed, and administering the following Oath, which any of the Trustees herein-before named are empowered to administer) unless he shall be resident in the

the Parish of *Greenwich*, and have taken and subscribed an Oath to the following Effect :

‘ I *A. B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill, Knowledge, and Judgment, execute the several Trusts and Powers reposed in me as a Trustee by virtue of an Act passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*]. So help me GOD.’

And if any Person, not being qualified as aforesaid, or not having taken and subscribed the Oath aforesaid, shall presume to act contrary to the true Intent and Meaning of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same ; to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed ; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecution, than that such Person hath acted as a Trustee in the Execution of this Act : Provided nevertheless, that such Acts and Proceedings as shall have been done and performed by any such Person, touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall, notwithstanding such Conviction be as valid and effectual as if such Person had been qualified according to the Directions of this Act. Penalty.

V. And be it further enacted, That when and as often, as any Trustee or Trustees appointed by virtue of this Act shall die, or be desirous of being discharged from the Trusts in them reposed, or shall become incapable of acting therein, it shall and may be lawful for the remaining Trustees, or the major Part of them, at a General Meeting to be called for that Purpose, to appoint any other Trustee or Trustees in the Place or Stead of him or them so dying, or desiring to be discharged, or being incapable of acting in the said Trusts, and thereupon the said Land and Premises, and the Trusts relating thereto, shall become vested in the new Trustee or Trustees so appointed as aforesaid, jointly with the surviving or remaining Trustees of the said Land and Premises. Acts before Conviction valid.

VI. And be it further enacted, That the said Trustees shall meet in the Vestry Room of the said Parish of *Greenwich*, or at any other convenient Place within the said Parish, within Fourteen Days next after the passing of this Act, or as soon as conveniently may be, for the Purpose of carrying this Act into Execution, and shall and may, then and from Time to Time afterwards, adjourn their Meetings, to be holden there or at any other Place within the said Parish, as they shall think proper ; and if it shall so happen that there shall not appear at any such Meeting a sufficient Number of Trustees to act in the Execution of this Act, the Trustee or Trustees then present, or the Clerk to the said Trustees, shall from Time to Time, as often as the Case may happen, adjourn such Meeting to some other Day, within Appointment of future Trustees.

First and subsequent Meetings of Trustees.

within Fourteen Days then next following, to be holden at the same Place; and the said Clerk shall cause Seven Days Notice at least of the Time and Place of such Meeting to be affixed on the Door of the Parish Church of *Greenwich* aforesaid, until the said new Church shall be built, and thereafter upon the Door of the said new Church, or left at the usual Place of Abode of each of the said Trustees.

Proceedings to be regulated by the Majority of Trustees present at Meetings.

VII. And be it further enacted, That all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done by or before the said Trustees at any Meeting, shall and may be exercised, had, and done by or before the Majority present at such Meetings, the whole Number present not being less than Three, and every Question shall be determined by the Majority of Votes of the Trustees present at every Meeting, and such Determination shall be as valid and of as full Force and Effect as if done or executed by or before all the Trustees; and the Vicar shall, if present, be the Chairman, and in case of his Absence, then the Trustees present at every Meeting shall, before they proceed to Business, elect One of them the Trustees then present to be Chairman of such Meeting; and if at any Meeting of the Trustees any Question shall be put to the Vote, and there shall happen to be an equal Number of Votes for and against the Question, then the Chairman shall have a Second or Casting Vote, which shall determine the Question.

Meetings on Emergencies.

VIII. And be it further enacted, That if after any Adjournment of any Meeting as aforesaid, it shall at any Time or Times be thought necessary or expedient that a Meeting of the Trustees should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Clerk to the said Trustees (on receiving an Order in Writing signed by any Three or more of the said Trustees, mentioning the Time, Place, and Purposes of such earlier Meeting) shall forthwith give Notice of the Meeting to be holden on such earlier Day in Manner before directed, and of the Time and Place of holding the same, such Time not being less than Seven Days after such Notice; and all Acts and Proceedings of the Trustees present at such earlier or Special Meeting, shall be as good and valid to all Intents and Purposes as they would have been in case such Trustees had met in pursuance of any Adjournment; and the said Trustees shall, at their several Meetings, defray their own Expences.

Trustees to bear their own Expences.

No Order to be revoked or altered at any subsequent Meeting, unless Special Notice given, and a greater Number of Trustees present than at former Meeting.

IX. And be it further enacted, That no Order, Appointment, or Proceeding whatsoever, made or had at any Meeting of the Trustees holden in pursuance of this Act, shall be revoked or altered at any subsequent Meeting, unless at a Meeting to be holden for that express Purpose, nor unless Notice specifying the Revocation or Alteration intended to be made, signed by any Two or more of the said Trustees, or by their Clerk, shall be given in Manner aforesaid, at least Seven Days before such subsequent Meeting, nor unless a Majority of the Trustees present at such subsequent Meeting shall decide in favour of such Revocation or Alteration, nor unless at such subsequent Meeting the Whole of the Trustees shall be present, or a

greater Number of them than were present at the Meeting when such Order, Appointment, or Proceeding was had or made.

X. And be it further enacted, That it shall and may be lawful to and for the said Trustees from Time to Time to appoint one or more Committee or Committees out of their Body, to manage, transact, and oversee all or any Matters relating to the building of the said new Church, which Committee or Committees so to be appointed shall have such and so many of the Powers and Authorities by this Act given to the said Trustees as the said Trustees shall think fit to delegate to such Committee or Committees; and such Committee or Committees shall continue or exist only during the Pleasure of the said Trustees, and the major Part of the said Trustees, at a public Meeting to be called for such Purpose, may dissolve such Committee or Committees.

Power to
appoint
Committees.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, shall act as Treasurer, or being the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, every Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Same Person
not to act as
Clerk and
Treasurer.

XII. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book or Books, and fair and regular Minutes or Entries to be made therein, of all their Acts, Orders, and Proceedings, relative to the Execution of this Act, and of the Names of all such Trustees as shall be present at their several Meetings; and all Minutes and Entries in such Book or Books, being signed by the Chairman of such Meeting, shall be deemed Originals, and shall be allowed to be read as Evidence in all Causes, Suits, and Actions, touching or concerning any thing done in pursuance of this Act.

Trustees to
provide Books
and keep En-
tries of all
Proceedings.

Minutes of
Proceedings,
signed by the
Chairman to
be read in
Evidence.

XIII. And be it further enacted, That the said Trustees shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out and expended for or on account of the said Church, and of the several Articles, Matters, and Things for which such Sums of Money shall have been so disbursed, laid out, and paid, which Books shall, at all
[Local.]

Accounts of
Receipts and
Disburse-
ments to be
kept in a
Book.

seasonable Times be open to the Inspection of the said Trustees and any Creditor or Creditors under this Act, without Fee or Reward; and the said Trustees and Creditors, or any of them, may take Copies of or Extracts from the same Book or Books, or any of them, and also from the Books of Proceedings herein-before mentioned, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk, or the Person or Persons who shall have the Care or Custody of such Books, shall refuse to permit or shall not permit the said Trustees, or such Creditors, or any or either of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk or Person or Persons shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered, apportioned and applied, in manner herein-after provided.

Trustees may sue and be sued.

XIV. And be it further enacted, That the said Trustees shall and may sue and be sued in the Name or Names of One of the said Trustees or of their Treasurer or Clerk for the Time being to be appointed under this Act; and that no Action or Suit which may be brought by or against the said Trustees, or any of them, in relation to this Act, in the Name or Names of One of the said Trustees or of their Treasurer or Clerk, shall be abated or discontinued by the Death or Removal of any such Trustee, Treasurer, or Clerk, without the Consent of the said Trustees; but One of the said Trustees or the Treasurer or Clerk for the Time being shall always be deemed Plaintiff or Plaintiffs, or Defendant or Defendants in every such Action or Suit, as the Case may be: Provided always, that every such Trustee, Treasurer, or Clerk shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences as he or they shall be put unto, or become charged or chargeable with, by reason of his or their being so made Plaintiff or Plaintiffs, or Defendant or Defendants as aforesaid.

Trustees not to be concerned in Contracts.

Penalty.

Acts before Conviction valid.

XV. And be it enacted, That if any Person appointed a Trustee for and acting in the Execution of this Act, shall have any Share in or be in any way beneficially concerned or interested directly or indirectly in any Contract or Work to be done in or about the Execution of any of the Powers of this Act, or shall accept any beneficial Appointment under or by virtue of this Act (except the Vicar for the Time being accepting any beneficial ecclesiastical Appointment), then and in every such Case every such Trustee shall forfeit and pay for each and every such Offence any Sum not exceeding Five hundred Pounds, together with full Costs of Suit, to any Person or Persons, being a resident Householder or Householders in the said Parish, who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign or Protection of Law, nor more than One Impar lance shall be allowed; and every such Trustee against whom a Verdict shall be obtained upon any Suit or Prosecution in any or either of the Cases aforesaid, shall for ever thereafter be disabled and deemed incapable of acting as a Trustee in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of all and every Person or Persons acting as a Trustee or Trustees in the Execution of this Act, previous to such Verdict or Verdicts

dicts being obtained against him or them shall, notwithstanding such Verdict or Verdicts, be as valid and effectual as if no such Verdict or Verdicts had been obtained, or as if such Person or Persons had not by such Verdict or Verdicts been disqualified from acting in the Execution of this Act.

XVI. And be it further enacted, That all such Trustees as are or shall be Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Trustees, except in Cases where they may be personally interested.

Trustees being Justices may act.

XVII. And be it further enacted, That it shall and may be lawful to and for the said Trustees at any Special Meeting to be held for that Purpose, by Writing under their Hands, to appoint a Treasurer, Clerk, and Collector, and from Time to Time to remove such Officers, or any of them, and appoint others in their Room; and the said Trustees are hereby required to take such Security from every such Treasurer, Clerk, and Collector, for the due Execution of his and their Offices; and such Treasurer shall, when and as often as the said Trustees shall direct, deliver to the said Trustees, or such Person or Persons as they shall appoint, true and perfect Accounts in Writing, of all Monies which shall have been by such Treasurer received by virtue and for the Purposes of this Act, and how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from him to the said Trustees, or to such Person or Persons as they shall appoint to receive the same.

Trustees to appoint Officers.

Trustees to take Security from Officers.

XVIII. And be it enacted, That if any Treasurer, Clerk, or Collector shall refuse or wilfully delay to make and render any Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment of the Money which he shall have received, or shall refuse or wilfully neglect to deliver to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, within Fourteen Days after being thereunto required by the said Trustees, by Notice in Writing under the Hands of any Three or more of the said Trustees given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Trustees respecting the same, then and in every such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing without some sufficient or reasonable Excuse, or not being found, to hear and determine the Matter in a summary Way, and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear

Officer refusing or delaying to render Accounts, subject to a Penalty.

appear to such Justice that any Monies remain due from such Officer, such Justice may and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods or Chattels of such Officer shall be found sufficient to answer and satisfy the said Money, and the Charges of distressing and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer has refused or wilfully neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remain in the Hands or in the Custody or Power of such Officer, and he has refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall and he is hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Trustees for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Trustees are hereby empowered to make and receive), and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof, to the said Trustees; but no such Offender shall be detained or kept in such Common Gaol or House of Correction for want of sufficient Distress by virtue of this Act for any longer Space of Time than Twelve Calendar Months.

Collectors to pay Money to the Treasurer.

XIX. And be it further enacted, That until the Expiration of the before-mentioned Term of Seven Years, the Collector of the Pew Rents to be received by virtue of this Act, shall and he is hereby required from Time to Time, when and as he shall collect, recover, and receive the Monies to arise thereby, to pay the same into the Hands of the Treasurer of the said Trustees for the Time being, to be applied and paid by the said Treasurer according to the Provisions of this Act.

Not to keep above 50l. in his Hands.

XX. And be it further enacted, That if the Collector of such Pew Rent or Rents shall at any Time keep and retain in his Hands more than the Sum of Fifty Pounds for any longer Space of Time than Fourteen Days (provided that the Treasurer to such Trustees shall within that Time be ready to receive the same), then and in such Case such Collector shall forfeit and pay the Sum of Fifty Pounds for every Day that he shall retain any Sum exceeding the said Sum of Fifty Pounds, beyond the said Fourteen Days.

Treasurer to pay Money to the Order of the Trustees.

XXI. And be it further enacted, That the said Trustees, or any Three or more of them, shall and they are hereby empowered at any General Meeting of the Trustees to direct their Treasurer from Time to Time to pay such Sum or Sums of Money out of the several Monies borrowed, raised, and collected by virtue of this Act, and paid to or received by such Treasurer, to such Person or Persons, and in such Manner as they the said Trustees shall think necessary and expedient for

for the Purposes of this Act; and upon the Receipt of such Order or Orders such Treasurer is hereby authorized and required to pay from Time to Time the Sum or Sums of Money expressed in such Order or Orders, which Sum or Sums so paid shall be allowed to the said Treasurer in his Accounts.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby required as soon as conveniently may be after the passing of this Act, to cause to be erected on the said Piece of Ground so marked and set out, and herein-before vested in them as aforesaid, or on some Part thereof, a Church with a Vestry and Steeple or Tower, and such Offices and Conveniences to the same respectively, of such Size, Dimensions, and Materials, and according to such Plans and Specifications, and in such Manner, as by the said Trustees shall be agreed upon with the Approbation and under the Direction of His Majesty's Commissioners appointed under and by virtue of the said recited Act, and to erect and set up therein (with Power to alter the same from Time to Time, with the like Approbation and under the like Direction), such Pews, Seats, Sittings, Benches, Forms, Galleries, Organ, Clocks, Bells, Ornaments, and other Conveniences necessary and proper for the Celebration of Divine Service according to the Rites of the United Church of *England* and *Ireland* as by Law established, and also to cause such Vaults, Catacombs, and Arches to be made, formed, and constructed under the same, of such Dimensions and in such Manner as may appear to them, with the Approbation and under such Direction as aforesaid, most eligible and proper.

Trustees empowered to erect a Church on the Ground so vested in them, &c.

XXIII. And be it further enacted, That the said Church, when consecrated, shall for ever thereafter be called by the Name of *Saint Mary*.

Church to be called and dedicated to St. Mary.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby required, (under the Direction of His Majesty's said Commissioners for building Churches), at any of their Meetings, first giving Notice of such their Intention by Public Advertisement, to contract or agree with any Person or Persons for providing Materials for, and for erecting, building, finishing, and completing the said intended Church, with a Vestry, Steeple or Tower, Offices, Pews, Seats, Crypt, Vaults, Catacombs, and Conveniences, or any Part or Parts thereof respectively, or otherwise for carrying this Act into Execution; and all such Contracts or Agreements, when made and entered into by or between the said Trustees and any other Person or Persons, with Sureties to be approved of by the said Trustees for the due Performance thereof, shall be reduced into Writing, and shall be good, valid, and binding, as well upon the said Trustees and their Successors, as upon all other Parties thereto, his, her, and their Heirs, Executors, Administrators, and Assigns; and the said Trustees shall and may pay or order Payment to be made of the Monies due upon any such Contracts out of all such Monies, except Pew Rents, as shall come to the Hands of their Treasurer by virtue of this Act.

Trustees may contract for providing the Materials and building the Church, &c.

Particulars to
be contained
in Contracts.

XXV. And be it further enacted, That every such Contract or Contracts shall specify the several Works to be done, and the Prices to be received, or paid for the same, and the Time or Times at which the said Works shall be completed, and the Penalties to be incurred for Nonperformance thereof, and shall be signed by any Three or more of the said Trustees present at any Meeting to be called for the Purpose of entering into the same, and also by the Person or Persons contracting to perform such Works respectively.

Materials to
be vested in
Trustees.

XXVI. And be it further enacted, That until the said new Church, together with the Vaults, Catacombs, and Appurtenances to the same, shall be built and completed, all the Stones, Bricks, Tiles, Timber, Iron, Lead, and other Materials, to be purchased or procured for building the same, or for any Works to be erected or executed by virtue of this Act, or for any of the Purposes of this Act, shall belong to and be the Property of, and the same is and are hereby vested in the said Trustees for executing this Act; and it shall be lawful for the said Trustees in the Name of any One or more of them, or their Treasurer or Clerk, to bring or cause to be brought any Action or Actions, or to direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who shall steal, take, or carry away any such Stones, Bricks, Tiles, Timber, Iron, Lead, or other Materials, or shall spoil, injure, deface, or destroy any of the Works, Erections, or Buildings to be made or erected by virtue of this Act; and in all such Actions and Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, or that the Works, Erections, or Buildings for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Trustees for carrying into execution an Act (inserting the Title of this Act), without particularly specifying or stating the Name or Names of all or any of the said Trustees.

Parish of
Greenwich
authorized
and required
to make an
annual Rate
of 3d. in the
Pound, for
Three Years
after the
Opening of
the Church.

XXVII. And be it further enacted, That immediately after the said Church is open and consecrated for Divine Service, it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, and Parishioners of the said Parish in Vestry assembled, for the Purpose of making any Rate or Assessment for the Relief of the Poor, and they are hereby authorized and required once in every Year for the Term of Three Years next after the opening and consecrating of the said new Church, to make a Rate or Assessment towards the Maintenance, Support, and Service of the said new Church, of Three-pence in the Pound upon all and every Person and Persons who inhabit, hold, use, occupy, and enjoy any Land, House, Shop, Waterworks, Wharf, Warehouse, or other Building within the said Parish, and on every Person or Persons who by Law are chargeable and assessable for and towards the Relief of the Poor of the said Parish, (except such Persons as are not in the whole assessed to the Sum of Ten Pounds to the Poor Rates in the said Parish), the Amount of which said Rates shall be paid by the Collector or Collectors appointed to collect the said Rates, within Three Months after the said respective Rates shall have been made, into the Hands of the Trustees of the said intended new Church, upon a Receipt signed by any Three

of the said Trustees, which said Rates shall be assessed and levied in the same Manner as the Poor Rates of the said Parish are assessed and levied.

XXVIII. And be it further enacted, That a Register of every Baptism or Burial in the said Church, or a Copy thereof, shall be received in all Courts of Law and Equity as Evidence of Baptism, or Burial respectively, in such Church.

Registers of Baptisms and Burials to be received in Evidence.

XXIX. And be it further enacted, That the Vicar of the Parish of *Greenwich*, and the present Clerk and Sexton of the said Parish of *Greenwich*, shall respectively from Time to Time have, receive, take, and enjoy the like Burial Fees, Dues, and Profits from or in respect of the Burials, Monuments, Tombs, and other Stones to be had, erected, or placed within the said intended Church, Vaults, and Catacombs, as are now payable to the said Vicar, Clerk, and Sexton, for or in respect of the Burials, Monuments, Tombs, or other Stones within the present Church of the said Parish, or such other Rates, Fees, and Dues with respect to the Burials, and the erecting of Monuments, Tombs, and other Stones within the said intended Church. Vaults and Catacombs, as may hereafter from Time to Time be ordered, settled, and established by the Ordinary of the Diocese for the Time being: Provided always, that from and after the Decease, Resignation, or Removal of the present Clerk and Sexton of the said Parish of *Greenwich*, any Clerk or Sexton to be appointed for the Mother Church of the said Parish shall not be entitled to claim or receive, or intermeddle with any Fees or Dues whatever, for any Register of Baptism, or for Burials performed in the said Church, or any Monuments, Tombs, or other Stones erected, or other Fees or Dues taken in or about the said Church, or the Vaults or Catacombs thereof, but the said Fees or Dues shall be paid to the Vicar of the said Church: Provided also, that no Burials shall at any Time be made or allowed under the Site of the said intended Church, except such as shall be in Vaults or Catacombs, of which Vaults there shall be no more than One Tier, and inclosed in Leaden or other Metal Coffins, and any Undertaker or other Person who shall bury or cause to be buried, or be concerned in burying any Corpse in the Vaults or Catacombs within or under the said Church, without such Corpse being inclosed in a Leaden or Metal Coffin, shall forfeit and pay the Sum of Fifty Pounds, to be recovered in Manner hereinafter mentioned, and applied to the Purposes of this Act.

The Vicar, &c. to receive the like Fees for Burials, &c. as in the old Church.

Burials not allowed under the Church, except in Vaults, &c.

Penalty.

XXX. And be it further enacted, That in the said intended Church the said Trustees shall cause to be set out and appropriated in a convenient Manner, a sufficient Number of Sittings in the Gallery of the said intended Church, or in the Body of the same, not being less in the whole Number than Four hundred and seventy-five Sittings in the said Church, which shall for ever afterwards be free and open to be used and occupied during the Time of Divine Service, and the Administration of the Holy Sacrament of the Lord's Supper, by any poor Person or Persons being Inhabitants of the said Parish who shall be willing to occupy the same, without any Payment, Appointment, or Permission whatsoever, and shall also provide One hundred Sittings, free

Free Sittings to be allotted for the Use of the Poor.

free of Expence to the Occupiers thereof, to be called "The Vicar's Seats," and to which such poor Persons shall be in like Manner admitted without any Payment whatever, by Authority of the Vicar for the Time being, and also Twenty-five Seats or Sittings to be called the "Free Seats of the Royal Hospital," to be appropriated to Pensioners of the Royal Hospital for Seamen at *Greenwich*.

Pews to be assigned in lieu of Interest for Loans.

XXXI. And be it further enacted, That if any Sum shall be borrowed for the said intended Church by the said Trustees, then until the Money so advanced by way of Loan shall have been paid off under or by virtue of this Act, there shall be assigned by the said Trustees to every Person, being an Inhabitant Householder, who shall have advanced the Sum of One hundred Pounds or upwards, upon Loan as aforesaid; (and so in proportion for any less Sum advanced) in lieu of Interest for his said Money, one Pew capable of containing Five grown Persons, which said Pew shall be used and occupied in consideration of the said Loan, without any annual or other Payment for the same, until the Money so advanced shall have been repaid to the Person lending the same; and immediately after the said Money shall have been so repaid, the said Pew shall be let to the Person then in the Use and Occupancy thereof, at such annual Rent as shall be fixed upon by the said Trustees, and in case any such Person shall be unwilling to occupy the said Pew or Sittings at such fixed yearly Rent, then the said Pew, or such Proportion thereof as shall not be agreed to be occupied by such Persons as aforesaid, shall be by the said Trustees let to any other Person applying for the same.

Pews for Life or Years, &c. may be disposed of by the Trustees.

XXXII. And be it further enacted, That the said Trustees may and they are hereby authorized, with Consent of the Ordinary, to let to any Inhabitant Householder of the said Parish requiring the same, Pews or Sittings for Life, or for a Term of Years, but to be subject to the like Use and Occupancy by the Party hiring the same as is last herein-before mentioned, at such Price as the said Trustees, or the major Part of them, shall from Time to Time determine.

Other Seats to be let by the Trustees, giving a Preference to the Inhabitants.

XXXIII. And be it further enacted, That all other the Pews and Seats to be made and erected in the said intended Church and the Galleries thereof, shall and may, with such Consent as aforesaid, be let by the said Trustees to Inhabitant Householdors of the said Parish, and to any Inhabitant of any adjoining Parish or Place in the Church or Chapel of which there shall not be sufficient, or from Distance from the Parish Church, convenient Accommodation, for such Time or Times, and at or for such annual Rents, and subject to such Rules, Orders, and Regulations, as the said Trustees shall think proper, and from Time to Time agree and direct in that Behalf; and that the Rents or Sums of Money to be paid for the Use and Occupation of any Seats or Pews shall be paid, applied, and disposed of for the Purposes of this Act, and shall be recovered and recoverable in such Manner as herein-after mentioned: Provided always, that it shall and may be lawful to and for the several Parishioners of the said Parish and Residents therein, on Demand in Writing made to the Trustees, to hire or rent such Pews respectively, as at the Time of their respective Applications shall be unoccupied, at such Rent or Rents,
Sum

Sum or Sums of Money, and under such Rules, Orders, and Regulations as aforesaid, in preference to any other Person or Persons not being a Parishioner or Parishioners.

XXXIV. Provided always, That no Pew or Seat shall be let to any Person or Persons not an Inhabitant Householder of the said Parish, except from Year to Year.

Pews not to be let to any but Inhabitants.

XXXV. And be it further enacted, That the several annual Rents at or for which Pews or Sittings shall be set or let, shall be entered in proper Books, which Books shall be preserved in the said intended Church; and if any of the Rents agreed to be paid for any of the said Pews or Seats shall remain in arrear or unpaid for the Space of Twenty-one Days after the same shall become due, and the Payment thereof shall have been duly demanded by Writing under the Hand of the Person or Persons appointed to collect and receive the same, or under the Hands of Three of the said Trustees, and left at the Place of Abode of the Person renting, occupying, or contracting for the same, that then it shall be lawful for the said Trustees for the Time being, to re-enter into and upon such Pews or Seats, and take Possession of the same, and thereby determine and put an End to the holding of such Person or Persons so in Arrear, and to let such Pew or Pews, Seat or Seats, to any other Person or Persons whomsoever, and also to sue for and recover the Rent or Rents of such Pews or Seats, in the same Manner as any Church Rate or Pew Rent may by any Law in force at the Time of the same becoming due be recovered.

Pews to be numbered.

Power for recovering Rents.

XXXVI. And be it further enacted, That it shall be lawful for the Holders of such Pews or Seats, so long as they shall have respectively agreed for or taken such Pews or Seats, and shall respectively pay the Rents for the same, to occupy such Pews or Seats so to be let or set to him, her, or them, without any Disturbance or Molestation whatsoever, at the respective Rents so to be paid to the said Trustees, or to the Person or Persons to be appointed to receive the same: Provided always, that if any Renter or Occupier of any such Pew or Seat shall directly or indirectly let or demise the same, or any kneeling Place or Sitting therein, for Money or for any Emolument to any Person or Persons whomsoever, or shall receive any Sum of Money or other Advantage for assigning or giving up his or her Right to the Use or Occupation of such Pew or Seat, then and in every such Case the Use and Occupation of such Pew or Seat shall become forfeited, and the Trustees for the Time being shall have Power immediately after such Event shall happen, to let such Pew or Seat to such Person or Persons as they shall think proper.

Renters of Pews or Seats to hold for the Term agreed, without Molestation, but not to underlet to Advantage.

XXXVII. And be it further enacted, That it shall be lawful for the Trustees for the Time being, with the Consent of the Vicar, and of the Ordinary, from Time to Time to sell and dispose of all or any of the Vaults and Catacombs to be constructed under the said Church, (except the Space herein-after allotted for the Vicar's Vault) for the Purposes of Burial, and all such Catacombs, Vaults, and Arches to be sold by virtue of this Act shall be conveyed as Freehold Inheritance in Fee Simple unto the Purchaser or Purchasers of the same

Trustees empowered to sell the Catacombs and Vaults.

respectively, being Parishioners of *Greenwich*, and a Conveyance of the same, made and executed by any Five of the said Trustees, at a General Meeting convened pursuant to Notice for that Purpose, with such Consent as aforesaid, shall be valid and effectual in the Law, to vest the same in the Purchaser or Purchasers, and his, her, and their respective Heirs and Assigns absolutely for ever, but subject nevertheless to the Payment of such or the like Burial Fees as would have been payable if such Purchase had not been made; and all the Monies to arise from the Sale of the said Catacombs, Vaults, and Arches shall be applied and disposed of by the said Trustees in Manner following; that is to say, One Half of the Purchase Money for the same, shall be paid to the Vicar of the said Parish for the Time being, to and for his Use and Benefit, and the other Half thereof shall be retained by the said Trustees for the Purpose of being invested in the Funds, or other Government Securities, and the Interest thereof paid to the Vicar of the said Church for the Time being: Provided always, that no greater Space of the said Crypt than Eight Square Feet shall be purchasable by or conveyed to any One Person.

Portion of the
Vaults to be
appropriated
as the Vicar's
Vault.

XXXVIII. And be it enacted, That a Portion of the Space underneath the said Church, not exceeding One Fourth of the whole Crypt, shall be appropriated to the Vicar for the Time being of the said Parish, for such Persons as he shall permit to be buried therein, and the Fees to be received for Burial in the said Vicar's Vault shall be paid wholly to the Vicar for the Time being.

To fix the
Rates of Burials,
&c.

XXXIX. And be it further enacted, That it shall and may be lawful to and for the said Trustees at any of their Meetings, and with the Concurrence of the Vicar for the Time being, and of the Ordinary, to settle and fix the Rates and Fees for the Burials of the Dead in the Vaults and Catacombs of the said new Church to be built or used by virtue of this Act; and shall and may from Time to Time, with such Concurrence as aforesaid, make such Rules, Orders, and Regulations relative to and concerning Burials in the said Vaults and Catacombs, and with respect to the Pews, Seats, and Conveniences in the said Church, and may from Time to Time, with the like Concurrence, alter and amend the said Rates and Fees, and make such other Rules, Orders, and Regulations in and concerning the same Premises, as to the said Trustees shall appear reasonable, necessary, and convenient.

Application
of Rents, &c.

XL. And be it enacted, That the said Trustees shall pay and dispose of all such Monies as shall be received as and for the Rents of Pews or Sitings in the said Church, and of all other Monies (except such as are herein-before provided for), which shall be collected and raised by them in virtue of the Powers, Authorities, and Duties intrusted to or imposed upon them by virtue of this Act, in Manner following, that is to say; the said Trustees shall pay any Sum not exceeding Forty Pounds *per Annum* to an Organist to the said intended new Church; and subject to the Reservation of the said annual Sum, the said Trustees shall pay over to the Vicar of the Parish of *Greenwich* for the Time being the Residue and Remainder of the said Pew Rents and other Monies, to provide for the Celebration of Divine Service of the said Church, with such Reservation as the

Trustees and the said Vicar shall agree upon for the Payment of any Sums of Money borrowed for the Use of the said Church.

XLII. And be it further enacted, That during the Continuance of the Trust, as herein-before mentioned, the Appointment of the Organist shall be from Year to Year, and that the Trustees for the Time being, or the major Part of them, shall, with the Concurrence of the Vicar, from Time to Time, at a Meeting to be held for that Purpose, by Writing under their Hands, nominate and appoint the Organist, and the Vicar for the Time being shall nominate and appoint the Pew Opener or Pew Openers, and Sexton, which said Sexton shall be the Collector of the Pew Rents to the said intended new Church; and the said Vicar shall fix what Salary or annual Stipend shall be paid to them for their respective Services, and after the Expiration of the said Trust, the whole of the said Appointments shall be made by the Vicar for the Time being.

Organist and Sexton to be appointed by the Trustees.

XLIII. And for the further and better enabling the said Trustees to carry the several Purposes of this Act fully into Execution, be it further enacted, That it shall and may be lawful for the said Trustees, with the Consent of the Vicar for the Time being, and with the Approbation of the Ordinary, from Time to Time after the passing of this Act, to raise or borrow, and take up at Interest, by way of Mortgage, Annuity, or otherwise, such Sum and Sums of Money, not exceeding in the whole the Sum of Two thousand Pounds, as they shall judge necessary for the several Purposes of this Act, upon the Credit of the Sum and Sums of Money to be reserved as herein-before mentioned out of the Rents of Pews and Seats in the said intended Church, and by Writing under the Hands and Seals of any Three or more of the said Trustees, to assign all or any Part of the said reserved Rents to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the principal Money to be advanced, with lawful Interest for the same; and the Charges and Expences of such Assignment shall be from Time to Time defrayed by the said Trustees out of the Money so borrowed.

Power to borrow Money.

XLIV. And be it enacted, That if any Person or Persons shall wilfully and maliciously injure, pull, or break down any Tree or Trees, Railing or Railings, Fence or Fences, Wall or Walls, or other Enclosure of the said new Church, or other Buildings or Works, or any Part or Parts thereof, or wilfully or maliciously break down or destroy any Head or Foot Stone, or Monument, which shall be therein erected or placed, or obliterate or deface any Inscription thereon, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, and shall also make Satisfaction for the Damage by him, her, or them done as aforesaid.

Persons injuring the Church or Ornaments subject to Penalty.

XLV. Provided always, and be it enacted, That it shall not be lawful to hold any Vestry or other Meeting of the Inhabitants for any Parochial or other Purpose whatsoever, except for Divine Service, in the said intended new Church.

No public Meeting to be held in the Church.

XLVI. Provided always, and be it further enacted, That all and every the Trustees herein-before named, and their Successors to be appointed

Indemnity to Trustees.

appointed as herein-before mentioned, shall from Time to Time and at all Times hereafter be amply and fully indemnified, from and out of the Monies to be raised under this Act, of and from all Costs, Damages, and Expences which they or any of them shall and may sustain or be put unto for or by reason of any Action, Suit, or other Proceedings, which may be had, sued, commenced, or prosecuted against them, or any or either of them, for any Matter or Thing which may be by them respectively legally done in or about the Execution of this Act, and the Trusts reposed in them under the same.

Rates not chargeable upon the Emoluments arising from the Church.

XLVI. And be it enacted, That neither the said Church nor the Vicar on account of the Pew Rents or other Emoluments received therefrom, nor the said Trustees, shall be charged or chargeable with Parochial Rates or Assessments for or on account of any Monies which may come to their Hands by virtue of this Act.

Penalty on committing Nuisances near the Church or Church Yard.

XLVII. And be it further enacted, That if any Person or Persons shall run, drive, draw, or roll, or cause or permit any Truck, Wheel, Sledge, Cask, Wheelbarrow, Handbarrow, Baker's or Butcher's Cart or Carriage, to be run, driven, drawn, or rolled in Front of the said intended new Church, during the Time of Divine Service, or shall blow any Horn, or use any noisy Instrument for the Purpose of hawking or selling or distributing any Article whatsoever, to the Disturbance of the Congregation assembled in the said Church, or place or lay any Rubbish, Stones, Soil, Manure, Litter, Compost, Dung, or other Nuisance, Matter, or Thing, in or against the said Church when built, or in or against the Walls, Rails, or Fences surrounding the same, or shall permit or suffer the same Rubbish, Stones, Soil, Manure, Litter, Compost, Dung, or other Nuisance, Matter, or Thing, to remain in, against, or near such Church longer than shall be necessary for the housing or removing the same therefrom, every Person or Persons so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, to be recovered in such Manner as hereinafter directed as to other Offences against this Act.

Trustees to account.

XLVIII. And be it further enacted, That within Six Months after the Expiration of the said Term of Seven Years from the Consecration of the said intended new Church (at which Period the said Trust is herein-before declared to cease and determine), the said Trustees and their Treasurer shall and they are hereby respectively required to submit to the Examination of Two of His Majesty's Justices of the Peace for the County of *Kent* (such Justices not being Trustees), a full, true, and perfect Account, signed by the said Trustees and Treasurer respectively, of all Monies received, laid out, and expended by them in the Execution of this Act, a Copy of which said Accounts, when examined and certified as correct, under the Hands and Seals of the said Justices, shall be transmitted to the said Commissioners for building Churches, or to the Bishop of the Diocese if there should be then no longer any Commissioners for the building of Churches, who shall, if they think proper, at any Time within Six Months from the Time the said Accounts are transmitted to them, further investigate the same, and the Accounts so certified by the said Justices shall be a sufficient Voucher and Indemnity to the said Trustees for all Monies appearing

appearing by the said Accounts to have been received, laid out, and expended.

XLIX. And be it further enacted, That the said Church, and all Matters and Things relating thereto, (except where otherwise provided for under and by virtue of this Act) shall be subject to all the Provisions, Rules, Powers, Authorities, and Regulations of the Act of Parliament passed in the Fifty-ninth Year of the Reign of His late Majesty, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*; and of any Act or Acts for amending or rendering more effectual the said Act of Parliament, or for giving further Powers to His Majesty's Commissioners for building new Churches.

Church sub-
ject to Pro-
visions of
59 G. 3.

L. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Treasurer, Clerk, Surveyor, or other Officer or Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustee, Treasurer, Clerk, Surveyor, or other Officer or Officers) who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the County of *Kent*, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Apprehend-
ing Offenders.

LI. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted, or authorized to be imposed, shall, upon Proof of the Offences respectively before any Justice of the Peace for the County or Place wherein the Offender shall be or reside, either by the Confession of the Party offending, or by the Oath of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant), and the Overplus (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and the Monies arising by such Penalties, Forfeitures, and Fines, when paid or levied, shall be from Time to Time paid to the said Trustees, and applied for the Purposes of this Act; and in case such Penalties and Forfeitures shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant of Distress, unless the same Offender or Offenders shall give a sufficient Security to the Satisfaction of such Justice for his or their Appearance before him, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be

For Reco-
very of Pe-
nalties and
Forfeitures.

[*Local.*]

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lawful

lawful for such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the said County, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid or satisfied.

Form of Conviction.

LII. And be it further enacted, That in all Cases where any Person or Persons shall be convicted of any Offence committed against this Act, it shall be sufficient if the Conviction is in the Form or to the Effect following :

‘ County of Kent, } BE it remembered, That on the Day
‘ to wit. } of in the Year of the Reign of
‘ our Sovereign Lord A. B. is convicted before
‘ me [or us] One [or Two, &c.] of His Majesty’s Justices of the Peace
‘ for the County of *Kent*, by virtue of an Act passed in the Third
‘ Year of the Reign of King *George* the Fourth, intituled *An Act*
‘ [*here set forth the Title of this Act*], for that he the said *A. B.* did, on
‘ the Day of , in the Year of our Lord
‘ [here state the Offence], by reason
‘ whereof I [or we] do hereby adjudge the said *A. B.* to have forfeited
‘ [*if the Offender is to be fined*] the Sum of [*insert the Penalty*], toge-
‘ ther with the Sum of for Costs and Charges
‘ [*if any given*], or [*if to be imprisoned, then*] do adjudge the said *A. B.*
‘ to be committed to the [*naming the Gaol*] for the Space of [*insert*
‘ the Time] [*and if the Commitment be for Non-payment of a Penalty,*
‘ then add] unless the said Sum of shall be sooner
‘ paid. Given under my [or our] Hand and Seal [or Hands and
‘ Seals], the Day and Year above written.’

Proceedings not to be quashed for Want of Form, or removable by Certiorari.

LIII. And be it further enacted, That no Order, Verdict, Judgment or other Proceedings, made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, nor be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty’s Courts of Record at *Westminster*, or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Persons aggrieved may appeal to the Sessions.

LIV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment, or any Judgment or Determination, or by any Matter or Thing made, given, or done in pursuance of this Act, such Person or Persons may appeal to the next General Quarter Sessions of the Peace, to be holden for the said County of *Kent*, which shall happen next after the Expiration of Two Calendar Months after the Cause of Complaint shall have arisen, such Person or Persons first giving, or causing to be given, Fourteen Days Notice in Writing at least of his, her, or their Intention of appealing, and of the Matter and Grounds thereof, to the Clerk or Treasurer to the said Trustees, and within Three Days next after such Notice entering into a Recognizance before some Justice of the Peace for the same County, with sufficient Sureties, conditioned for prosecuting and trying such Appeal at the

then next Sessions, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Sessions; and the Justices assembled at such General Quarter Sessions, upon due Proof of such Notice and Recognizance having been given and entered into as aforesaid, shall, and they are hereby authorized to hear and determine the Matter of such Appeal in a summary Way, and award such Costs to either Party or otherwise as they the said Justices shall think proper; and their Determination and Order shall be binding and conclusive upon all Parties, to all Intents and Purposes whatsoever.

LV. Provided always, 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, after Two Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead, at his and their Election, specially, or 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 any such Action or Suit shall be brought before Fourteen Days Notice shall have been given, or after a sufficient Satisfaction made or tendered, or after the Time limited for bringing the same, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover full Costs of Suit, and shall have such Remedy for recovering the same, as any Defendant hath for Costs of Suit in any other Cases by Law. Limitation of Actions.

LVI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, all such Estate, Right, Title, and Interest (save and except such as is hereby meant and intended to be barred), as he or they had or enjoyed, or might or could have held or enjoyed, in case this Act had not been passed. General Saving.

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

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