



ANNO SEXTO

# GEORGIIV. REGIS.

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## Cap. Ivii.

An Act for providing additional Burying Ground for the Parish of *Saint Mary Stratford Bow*, in the County of *Middlesex*. [20th May 1825.]

**W**HEREAS the present Cemetery or Burial Ground belonging to the Parish of *Saint Mary Stratford Bow*, in the County of *Middlesex*, is confined within very narrow Limits, and having been long in use, is so occupied and filled with Vaults as to be rendered altogether inadequate to the Purposes of a Burial Ground for the increased and increasing Population of the said Parish: And whereas the Purchase of the Ground adjoining the East and West Ends of the said Burial Ground, within the said Parish, and certain Houses and other Buildings thereon, will afford the Means of enlarging the same, and will be a great Convenience and Benefit to the said Parish, and of public Utility; but inasmuch as the same cannot be accomplished 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 within Two Calendar Months after the passing of this Act, a General Meeting of the Churchwardens, Overseers of the Poor, Vestrymen and Occupiers of Lands and Tenements within the said Parish of *Saint Mary Stratford Bow*, paying to the Rates of the said Parish, for the Time being, shall be held at the Vestry Room in the Church of the said Parish upon public Notice to be openly read and published in the Church of the said Parish by Order of the Churchwardens and Overseers, or either of them, upon the *Sunday* next preceding the Day of such Meeting, during or immediately after Divine Service; and the said Churchwardens, Overseers, Vestrymen, and Occupiers as afore-

First and other Meetings of Vestry.

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said



said present at such Meeting, or at any Meetings to be held either by Adjournment or by Notice, to be given in manner aforesaid, or the major Part of them, shall proceed to put this Act in Execution, and are hereby vested with full Authority for executing the same.

Power to  
treat for  
Lands.

II. And be it further enacted, That the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, shall have full Power and Authority to treat and agree, and to employ any Person or Persons to treat and agree for the Purchase of the several Houses, Buildings, Lands, Tenements, and Hereditaments, of what Nature and Kind soever, situate at the East and West Ends of the said Churchyard, and specified or referred to in the Schedule hereunto annexed, and of any subsisting Leases, Terms, Estates, and Interests therein, as they shall judge necessary or proper to be purchased, for the Purpose of enlarging or improving the said Cemetery or Burial Ground, or for any of the Purposes of this Act.

Misnomers  
not to pre-  
vent the Exe-  
cution of  
this Act.

III. And be it further enacted, That if any of the Houses, Buildings, Lands, Tenements, and Hereditaments, within the Limits mentioned or referred to in the said Schedule, or any of the Persons in whose Possession or Occupation the same, or any Part thereof, are or is stated or described to be, or the Owner or Owners, Lessee or Lessees thereof, or any Person interested therein, or in any Part thereof, or claiming any Interest therein, shall happen to be misnamed, mis-spelt, mis-stated, omitted, or incorrectly described in the said Schedule, then and in such Case, if it shall appear to any Two Justices of the Peace for the County of *Middlesex*, and shall be certified by Writing under their Hands, that such Misnomer, Mis-spelling, Mis-statement, Omission, or incorrect Description proceeded from Mistake, such Misnomer, Mis-spelling, Mis-statement, Omission, or incorrect Description shall not prevent or retard the Execution of this Act; but the said Premises, and every Part thereof, shall and may be purchased, sold, agreed for, valued, and assessed in manner in this Act mentioned, and conveyed, disposed of, and applied for the Purposes of this Act, as fully and effectually as if the same were properly named, spelt, stated, inserted, and described in the said Schedule.

If Church-  
wardens,  
&c. do not  
contract for  
Premises  
within Five  
Years, Pow-  
ers to cease.

IV. And be it further enacted, That if the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, shall not, within the Space of Five Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for as herein-after mentioned, the Houses, Buildings, Lands, Tenements, and Hereditaments which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth those Powers which are hereby granted to them for such Purpose only, shall cease and be utterly void.

Incapacita-  
ted Persons  
empowered  
to sell Lands,  
&c.

V. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trust, Wards, either Infants,



Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised or possessed of or interested in their own Right, or entitled to Dower or any other Interest therein, and to and for all and every other Person or Persons whomsoever, who are, is, or shall be seised or possessed of or interested in any Houses, Buildings, Lands, Tenements, and Hereditaments comprised within the Limits described and referred to in the said Schedule, which or Part of which shall be thought by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any or either of them, proper to be purchased, to contract for, sell, and convey the same, and every or any Part thereof, to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law, to all Intents and Purposes whatsoever; and all such Houses, Erections, and Buildings, shall be conveyed to the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, of the said Parish for the Time being, or any Five or more of them, and their Successors, and who are hereby authorized to hold the said Lands, Houses, Erections, and Buildings, in perpetual Succession, for the Purposes of this Act, any Law, Statute, or Custom to the contrary notwithstanding; and all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, and all Persons whosoever, so contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale, which he, she, they, or any of them, shall respectively make by virtue or in pursuance of this Act.

VI. And be it further enacted, That all and every Body or Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Trustee or Trustees, or other Person or Persons herein-after capacitated to contract for, sell, and convey any such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid, and any of the Owner or Owners of any such Houses, Buildings, Lands, Tenements, and Hereditaments, or of any Share or Shares, Estate or Estates, Interest or Interests therein, may accept and receive, and shall be entitled to have and receive such Satisfaction or Recompence for the Value thereof, and such Body or Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants for a Year, or from Year to Year, or at Will, or other Occupier or Occupiers of any such Premises, may accept and receive, and shall be entitled to have and receive such Compensation for such Injury or Damage as shall be sustained on account of the Execution of this Act, or in anywise relating thereto, as shall be agreed upon between them and the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; and in case the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, and the Parties interested in such Houses, Buildings, Lands, Tenements, and Hereditaments, or sustaining such Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained by a Jury in manner herein-after directed.

Owners and Occupiers of Premises to have Compensation.

VII. And



Parties refusing or unable to treat, Churchwardens, &c. to issue Precept for impanneling Jury.

VII. And be it further enacted, That if any such Body or Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant for Life or Years, or in Fee Tail, General or Special, Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees, or Trustees, or any other Owners, Proprietors, or Occupiers, or other Person or Persons seised or possessed of or interested in any such Houses, Buildings, Lands, Tenements, or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein as aforesaid, for and on his, her, or their Part or Parts, or for or on the Part of his, her, or their Cestuique Trust or Wards, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money, Satisfaction, Recompence, or other Compensation, as shall be offered by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Person or Persons authorized by them, or any Five or more of them, on their Behalf; or if any Body or Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Trustee or Trustees, seised, possessed, or interested as aforesaid, shall (Notice in Writing, signifying the Intention of the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, to contract for the Purchase thereof, having been given to the principal Officer or Officers of such Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of such Houses, Buildings, Lands, Tenements, or Hereditaments, or affixed upon the same Premises), for the Space of Fourteen Days next after such Notice, neglect or refuse to treat or agree, or shall not agree, or by reason of Absence or Disability cannot agree with the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or with any Person or Persons authorized by them, for the Sale and Conveyance of such Houses, Buildings, Lands, Tenements, or Hereditaments, or their respective Shares, Estates, or Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or of the Person or Persons so authorized by them, then and in every such Case the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid shall, and they are hereby empowered from Time to Time to issue a Warrant or Precept, directed to the Sheriff of the County of *Middlesex*, who is hereby authorized, directed, and empowered accordingly to impanel, summon, and return a competent Number of indifferent Persons, qualified according to the Laws of this Realm to serve on Juries, not less than Twenty-four, nor more than Thirty-six, to come and appear before the said Sheriff, at such Time and Place as in such Warrant and Precept shall be appointed; and out of the Persons so to be impannelled, summoned, and returned, or out of such of them as shall appear, a Jury of Twelve Men shall be drawn by the said Sheriff, in such Manner as Juries for the Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are directed to be drawn; and in default of a sufficient Number of Jurymen, the said Sheriff shall return other substantial and indifferent Men of the Bye-standers, or of others who can be speedily procured to attend the Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned

cerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at liberty to challenge the Array; and the said Sheriff is hereby authorized and empowered from Time to Time, as Occasion shall require, by Precept or Precepts to summon and call before him all and every or any Person and Persons whomsoever, who shall be thought necessary and proper to be examined as a Witness or Witnesses on his, her, or their Oath or Oaths, touching or concerning the Premises; and the said Sheriff shall and may, on the Application of either Party, authorize the said Jury or any Five or more of them to view the Place or Places and Premises in question, in such Manner as he or they shall direct; and the said Sheriff shall have Power to adjourn from Day to Day as Occasion shall require, and to command such Jury, Witnesses, and Parties to attend until all such Affairs for which they were summoned shall be concluded; and the said Jury, upon their Oaths (which Oaths, as well as the Oaths of such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer), shall inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money to be paid for the Purchase, or a Satisfaction or Recompence for either the Entirety of such Houses, Buildings, Lands, Tenements, or Hereditaments, or for any Share or Shares, Estate or Estates, Interest or Interests therein, and the Compensation which shall be made in respect of Good Will, Improvements, or any Injury or Damage whatsoever, to be lost or sustained by any Body or Bodies, or Person or Persons; and the said Sheriff shall give Judgment for such Purchase Money, Satisfaction, Recompence, or Compensation so to be assessed; which said Verdict or Verdicts, and the said Judgment or Judgments thereupon, shall be binding and conclusive to all Intents and Purposes, upon all Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, and upon all other Persons; provided always; that not less than Fourteen Days Notice in Writing be given to the Party or Parties with whom such Controversy shall arise, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Clerk, or Agent, or Head Officer of any such Body Politic, Corporate, Collegiate, or Ecclesiastical, or Corporation Aggregate or Sole, or with some Tenant or Occupier of the Premises intended to be valued, or respecting which any such Controversy shall arise.

VIII. And be it further enacted, That the said Verdicts, Judgments, and Determinations, and all other Proceedings of the said Sheriff and Juries, so to be made, given, and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Sheriff, and shall be transmitted to and kept by the Clerk of the Peace, or other Person or Persons having the Custody of the Records of the Quarter Sessions of the County of *Middlesex*, and shall be deposited with and be deemed Records of such Quarter Sessions to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same upon paying for such Inspections the Sum of One Shilling.

IX. And be it further enacted, That any Justice of the Peace for the said County of *Middlesex* shall have Power from Time to Time to impose any reasonable Fine, not exceeding the Sum of One hundred Pounds, on such Sheriff or his Under Sheriff, Deputy or Deputies, Bailiffs or Agents

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Verdicts to  
be deemed  
Records, and  
Copies Evi-  
dence.

Fines on  
Sheriffs,  
Jury, and  
Witnesses,  
for Non-  
attendance.

[Local.]



respectively making Default in the Premises, and on any of the Persons who shall be summoned and returned on any such Jury or Juries and shall not appear, without sufficient Excuse, or appearing shall refuse to be sworn on the said Jury or Juries, or being so sworn shall not give his or their Verdict, and also on any Person or Persons who shall be summoned to give Evidence touching any of the Matters aforesaid, and shall not attend, or attending shall refuse to be sworn, or to affirm, or be examined to give Evidence as a Witness, and on any Person or Persons who shall in any Manner wilfully neglect his or their Duty in the Premises, contrary to the true Meaning of this Act.

Verdict of Value of Lands and Damages to be ascertained separately.

X. And be it further enacted, That the said Sheriff and Juries shall award all Determinations, Judgments, and Verdicts, which they shall make and give in the Execution of the Powers hereby vested in them, concerning the Value of Houses, Buildings, Lands, Tenements, and Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, separately and distinctly from the Consideration of any other Loss or Damage to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Houses, Buildings, Lands, Tenements, and Hereditaments; or Share or Shares, Estate or Estates, Interest or Interests therein, and the Money assessed or adjudged for such Loss or Damages as aforesaid, separately and apart from each other.

Jury under same Regulations as in Courts at Westminster.

Perjury.

XI. And be it further enacted, That every such Jury and Juryman aforesaid shall be under and subject to the same Regulations, Pains, and Penalties, as if such Jury or Juryman had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all and every Person and Persons who, in any Examination upon Oath to be taken by virtue of this Act, shall wilfully give false Evidence before the said Sheriffs, or before any such Jury as aforesaid, shall and may be prosecuted for the same, and upon Conviction thereof, shall be subject to such Punishments and Disqualifications as any Person or Persons can or may be subject to for Perjury by the Laws or Statutes of this Realm.

By whom Expences of Juries shall be paid.

XII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Persons entitled to receive the same within Fourteen Days after Demand made thereof from the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or of any Goods or Chattels of the



Treasurer or Treasurers of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid (unless such Treasurer or Treasurers shall pay such Costs and Charges out of the Monies received by him by virtue of this Act, which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Middlesex*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Persons entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, as such Recompence or Satisfaction as aforesaid; all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, the Costs and Charges so incurred shall be borne by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County of *Middlesex*, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, the Amount thereof, having been first paid by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

XIII. And be it further enacted, That all and every Sum and Sums of Money which shall be contracted, or agreed or awarded to be paid, for any House, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, Idiot, Cestuique Trust, or Person or Persons under any other Disability or Incapacity, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid 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 Churchwardens,

Overseers,

Application  
of Compen-  
sation Money  
when  
amounting to  
200*l.* and  
upwards.



Overseers, Vestrymen, and Occupiers of Lands and Tenements within the Parish of *Saint Mary Stratford Bow*, pursuant to the Directions of 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, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, in the Redemption or Purchase of the Land Tax, or the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction or Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Houses, Buildings, Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used for the Purposes of this Act, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, 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; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being be entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application  
when less  
than 200*l.*  
and more  
than 20*l.*

XIV. And be it further enacted, That if any Money so contracted or agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, and belonging to any Body Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, Cestuique Trust, or other Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to be signified in Writing under their  
respective



respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid for the Time being of the said Parish, or any Three or more of them, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising therefrom, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

XV. And be it further enacted, That where such Money to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purpose of this Act, as the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid of the said Parish for the Time being shall think fit, or in case of Infancy, Lunacy, or Idiotcy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, and to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid shall direct the same to be paid, shall be sufficient Discharges for the same.

Application  
where Money  
under 20*l.*

XVI. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, be not known or cannot be found, then and in every such Case it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, to order the said Sum or Sums so awarded to be paid 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, to the Credit of the Parties interested in the said Houses, Buildings, Lands, Tenements, and Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Per-

In case Titles  
are deficient,  
Money to be  
paid into the  
Bank.

[*Local.*]

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son or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum and Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums; mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

In case of not making out Title, Interest of Money paid into Bank shall be paid to Person who was in Possession of Premises when bought.

XVII. And be it further enacted, That where any Question shall arise touching the Title of any Party or Parties to any Money to be paid into the Bank of *England* in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, or of any Estate, Right, or Interest therein, to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Party or Parties who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Party or Parties, or under the Possession of such Party or Parties, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or Part, Estate, Right, or Interest therein, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends of the said Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Party or Parties was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Part, Estate, or Interest therein.

Costs of Purchase for incapacitated Persons to be paid by the Churchwardens, Overseers, &c.

XVIII. And be it further enacted, That where by reason of any Disability or Incapacity of the Party or Parties entitled to any Houses, Buildings, Lands, Tenements, Hereditaments, or any Part, Estate, Right, or Interest therein, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and to be applied in the Purchase of other Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of such last-mentioned Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the Charges of obtaining such Order, to be paid by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; and the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid shall from Time to Time, out of any Monies applicable to the Purposes of this Act, pay such Sums of Money for the Purposes aforesaid as the said Court shall direct.

Property to vest on Payment of Purchase Money.

XIX. And be it further enacted, That from and immediately after actual Payment or Tender being made of the Monies contracted or agreed or otherwise awarded to be paid as the Purchase Money or Compensation for any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest of or in the same, which shall be purchased or taken by virtue or in pursuance of this Act, either to the Per-  
son



son or Persons, Party or Parties, respectively entitled to receive the same Monies, or where the Provisions of this Act shall so require or allow, into the Bank of *England*, for the Purpose of being disposed of in the Manner in this Act directed, all and every the Premises, Estate, Right, or Interest, for or in respect whereof such Monies have been so paid or tendered, shall absolutely vest in the said Churchwardens, Overseers, Vestrymen, and Inhabitants of the said Parish for the Time being, paying or tendering such Purchase Money, for the Purposes for which they are by this Act to purchase or take the same; and the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands of any Person or Persons whomsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

XX. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, and they are hereby empowered, as they shall see fit, to sell or let so much or such Part or Parts of the Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased by or vested in them by virtue of the Powers herein contained, as shall at any Time or Times be found by them to be unnecessary or more than sufficient for the Purposes of this Act; and for completing and carrying any such Sales into effect, the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, are hereby authorized and empowered to make and execute any Conveyances of such of the said Premises as shall be sold, unto the Purchasers thereof, and such Conveyances shall in all Cases be deemed sufficient in Law to vest such of the said Premises as shall be expressed and intended to be granted by such Conveyances in the Purchaser or Purchasers thereof, and his, her, or their respective Heirs and Assigns; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Premises, or any Part or Parts thereof, it shall be lawful for the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall be sufficient Discharge and Discharges to any Person or Persons for the Money therein and thereby expressed to be received, and the Person or Persons having paid the same shall not be answerable or accountable for any Loss, Misapplication, or Nonapplication thereof.

Power to re-  
sell or let  
Premises  
not wanted.

XXI. Provided always, and be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, and they are hereby authorized and empowered to make the first Offer of Sale of the said Part or Parts of the said Premises hereinbefore mentioned, as shall not be wanted for the Purposes of this Act, to the Trustees for executing an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Roads leading from Whitechapel Church in the County of Middlesex, unto Passingford Bridge, and through to the End of the several Parishes or Places of Shenfield and Woodford, in the County of Essex, and for other Purposes relating thereto*; and in case the

First Offer to  
be made to  
Trustees of  
Essex Roads.

4 G. 4. c. 106.



the said Trustees shall, for the Space of One Calendar Month after such Offer shall be made to them, refuse or decline to purchase the same, then the same shall be offered to the Person or Persons from whom such Premises shall have been purchased or taken by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; and in case the said Trustees, or such Person or Persons as aforesaid, shall respectively refuse or decline to purchase the same, then and in either of such Cases, on an Affidavit being made and sworn to before a Master or Master Extraordinary in the High Court of Chancery, by some Person (not interested in the Premises), stating that such an Offer was made by or on the Behalf of the said Churchwardens, Overseers, Vestrymen, and Occupiers, to the said Trustees, or to such Person or Persons as aforesaid, and also stating that such Churchwardens, Overseers, Vestrymen, and Occupiers, and the said Trustees, or such Person or Persons, did not agree, or declined to purchase the said Premises, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was declined by such Trustees, or such Person or Persons to whom the same was so offered as aforesaid; but in case such Trustees or such Person or Persons shall be desirous of purchasing the same, and cannot agree with the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, in regard to the Price to be paid for the Purchase thereof, then and in such Case the Price or Value thereof shall be settled and ascertained by a Jury, in the like Manner as the Price or Value of any Hereditaments to be purchased or taken by the said Churchwardens, Overseers, Vestrymen, and Occupiers, for the Purposes of this Act, is herein-before directed to be settled and ascertained; and the Costs and Charges of ascertaining and determining the same shall be borne and paid in like Manner as herein-before is directed with respect to Purchases made by the said Churchwardens, Overseers, Vestrymen, and Occupiers, *mutatis mutandis*; and all the Monies to arise by any Sales or Lettings which may be made by the said Churchwardens, Overseers, Vestrymen, and Occupiers of the said Premises, or any Part thereof, shall be applied to and for the Purposes of this Act.

Delivery of  
Possession.

XXII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in Possession of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid for the Purposes of this Act, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year, or from Year to Year, shall, at the End of Six Calendar Months next after Notice in Writing, signed by the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, or by the Vestry Clerk of the said Parish, shall have been given to him, her, or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenant's Holding or not, quit and relinquish the said Premises unto the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or other Person or Persons authorized by them to take Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid shall give Satisfaction  
and



and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case of Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury, in the same Manner as the Sums of Money to be paid for the Purchase of any Lands or Hereditaments are herein-before directed to be ascertained; and all and every Person and Persons, Bodies Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, in Possession of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part of any Houses, Buildings, Lands, Tenements, or Hereditaments, which shall or may be purchased in pursuance of this Act by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or vested in them for any of the Purposes of this Act, shall, upon Payment or Tender as aforesaid of such Recompence or Satisfaction, for any of his, her, or their Term, Estate, or Interest in the Premises, as shall be mutually agreed upon, or as shall be settled, ascertained, and awarded by the Verdict or Inquisition of a Jury in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions, unto the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or unto such Person or Persons as shall be appointed by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, to receive Possession of the same; and all Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Person or Persons shall hold the said Premises, shall, at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none effect as against the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; and if any such Tenant at Will or Lessee, or other Person or Persons, Bodies Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, as aforesaid, shall refuse or neglect to or not deliver up the Premises in his or her Possession at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the said County of *Middlesex* to issue his Precept or Warrant to the Constables of the said County for the Time being, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that special Purpose, commanding and requiring such Constable or Constables, or any of them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on behalf of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, and the said Constables and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

XXIII. And be it further enacted, That in all Grants and Conveyances to be made by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, under or by virtue or in pursuance of the several Powers and Authorities to them hereby given, the Words "Grant, Bargain, and Sell," shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee, Lessee, or other Purchaser, his, her, or their Heirs, Executors, Administrators, and Assigns, from the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, for themselves and their Successors, that they the said last-mentioned Churchwardens, Overseers, Vestrymen, and Oc-

The Words  
'Grant, Bar-  
gain, and Sell,'  
to operate as  
Covenants for  
the Title.

[Local.]



cupiers as aforesaid, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant, Release, or Conveyance, seised of the Hereditaments and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, and for quiet Enjoyment thereof against the said last-mentioned Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, their Successors and Assigns, and all claiming under them; and all such Purchasers shall be indemnified and saved harmless by the said last-mentioned Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, and their Successors, out of the Monies to be raised by virtue of this Act.

Bargains and Sales to have the Force of Fines and Recoveries.

XXIV. And be it further enacted, That the Conveyance of the Estate or Interest of any Feme Covert to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, by Indenture or Indentures of Bargain and Sale, sealed and delivered by such Feme Covert, and in the Presence of and attested by Two credible Witnesses, and duly acknowledged and enrolled in the Court of Chancery, or in the Courts of King's Bench or Common Pleas at *Westminster*, or either of them; within Six Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme Covert in the Premises, as any Fine or Fines, Recovery or Recoveries, would or could do if levied and suffered thereof in due Form of Law; and all Bargains and Sales whatsoever, to be made of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, as shall be purchased or taken by virtue of and for the Purposes of this Act, and enrolled as aforesaid, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever, would have had if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seised of any Estate in Trust for such Bargainer or Bargainers, in any legal Manner or Form whatsoever.

Mortgagees on Tender of Principal and Interest to convey.

XXV. And be it further enacted, That all and every Mortgagee or Mortgagees of such Houses, Buildings, Lands, Tenements, or Hereditaments, as shall be purchased or taken by virtue of this Act, or any Parts or Shares thereof, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on Tender of the Principal and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, by such Person or Persons as the Churchwardens or any One or more of them shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his,



her, or their Interest in the Premises to the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or such Person or Persons as shall be appointed as aforesaid in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey or assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest thereon, shall amount to more than the real Value of the said Houses, Buildings, Lands, Tenements, or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act, such Value to be ascertained in manner herein-before directed, then the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises, to be determined as aforesaid.

XXVI. And be it further enacted, That in case any such Mortgagee or Mortgagees shall refuse or neglect or be incapacitated to convey or assign as aforesaid, then upon Payment of the Principal Money and Interest due on any such Mortgage as aforesaid into the Bank of *England*, in the Manner herein-before mentioned, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank of *England* shall give a Receipt or Receipts for the said Money, in like Manner as herein-before directed in case of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand whatsoever of the said Mortgagee or Mortgagees, and all and every Person or Persons in Trust for him, her, or them, shall vest in the said Churchwardens, Overseers, and Vestrymen, and Inhabitants as aforesaid, and their Successors, and they shall be deemed to be in the actual Possession of the Premises comprized in such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided always, that if the Money and Interest due in respect of any Mortgage or Mortgages of the said Houses, Buildings, Lands, Tenements, and Hereditaments, or Part or Parts thereof, which shall be purchased or taken by virtue of this Act, shall amount to more than the real Value of the Premises charged therewith, or of such of them, or such Part or Parts thereof as shall be purchased or taken by virtue of this Act, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum to be ascertained as the Value of the Houses, Buildings, Lands, Tenements, and Hereditaments, or Part or Parts thereof to be purchased or taken as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Houses, Buildings, Lands, Tenements, and Hereditaments, or Part or Parts thereof, to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or to such Person or Persons as shall be appointed as aforesaid; and in default of so doing, and on Payment of such Money into the Bank of *England*, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as aforesaid, and thereupon all the Estate, Right, Title, Interest, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and all and every Person or Persons in Trust for him, her, or them, in the said Houses, Buildings, Lands, Tenements, and Hereditaments, or Part or Parts thereof, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Churchwardens, Overseers,

Upon Payment of Principal and Interest into the Bank, Premises to vest in Churchwardens, &c.



Overseers, Vestrymen, and Occupiers as aforesaid, and their Successors, and they shall be deemed to be in the actual Possession of the said Premises, to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees.

Mortgagors  
to convey or  
be foreclosed.

XXVII. And be it further enacted, That if the Money and Interest due in respect of any Mortgage or Mortgages of the said Houses, Buildings, Lands, Tenements, and Hereditaments, or Part or Parts thereof, which shall be purchased or taken by virtue of this Act, shall amount to more than the Value of the Premises charged therewith, or of such Part or Parts thereof as shall be purchased or taken by virtue of this Act, the Mortgagor or Mortgagors; or other the Person or Persons entitled to the Redemption thereof, shall, upon Payment or Tender of the Sum to be awarded or assessed as the Value of the Houses, Buildings, Lands, Tenements, and Hereditaments, or Part or Parts thereof to be purchased or taken as aforesaid, to such Mortgagee or Mortgagees, or into the Bank as aforesaid, forthwith, without any Consideration, convey, assign, or release his, her, or their Right, Equity of Redemption, and Interest in such Houses, Buildings, Lands, Tenements, and Hereditaments, or Part or Parts thereof, to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or to such Person or Persons as shall be appointed as aforesaid, and in default of so doing, shall be and are hereby barred and foreclosed from all Right or Equity of Redemption of and in the same Premises; and all the Estate, Right, Title, Interest, Property, Claim, and Demand of him, her, or them, and of every Person and Persons in Trust for him, her, or them, in the said Premises, shall vest in the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, and their Successors, and they shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever.

Purchase  
Money to be  
paid by  
Churchwar-  
dens, &c.  
before they  
take Posses-  
sion of the  
Premises

XXVIII. And be it further enacted, That all Sums of Money or other Consideration, Recompence, and Satisfaction to be paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England*, as herein-before mentioned, before the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Person or Persons authorized by them, shall proceed to take Possession or pull down any House or Houses, or other Erections or Buildings comprized in or affected by such Agreement or Verdict respectively, or to use the Ground thereof, or any other Lands, Tenements, or Hereditaments, or Part thereof, for any of the Purposes of this Act.

Power to  
clear Ground  
and sell old  
Materials.

XXIX. And be it further enacted, That the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, shall and they are hereby authorized to fill up or cause to be filled up any Inlet or Inlets, and also to take down or cause to be taken down all Houses and other Erections and Buildings which shall be purchased or taken by virtue of this Act, or such of them or such Part thereof as they shall think proper to be taken down, and to remove the Vaults, Drains, and Cellars therein or thereunder, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased or taken by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses,  
and



and other Erections and Buildings to be taken down and removed pursuant to this Act; and the Monies to be produced by the Sale thereof, after deducting the Expences of taking down such Houses and Buildings, and of such Sale or Sales, and also the Rents and Profits of the said Houses, Buildings, Lands, Tenements, and Hereditaments, to be purchased or taken by virtue of this Act, until the same shall be taken down or cleared, shall be applied and disposed of for and towards the Purposes of this Act.

XXX. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, and they are hereby authorized and empowered, by themselves, their Agents, Workmen, and Servants, to design, lay out, make, repair, and maintain the Lands, Tenements, and Hereditaments, which shall be purchased by or vested in the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, under the Authority of this Act, or any Part or Parts thereof, as and for an additional Cemetery or Burial Ground for the said Parish, and to enclose the same by a Wall, or Iron or other Railing or Fence, according to such Plan or Plans and in such Manner and Form as they shall approve of and deem necessary or proper for carrying into Effect the Purposes of this Act.

Churchwardens, &c.  
to enlarge  
Cemetery.

XXXI. And be it further enacted, That the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, in making the said additional Cemetery or Burial Ground, shall not extend beyond the Line or Boundary described in the said Schedule, without the Consent in Writing of the Person or Persons whose Lands or Premises shall be further wanted for the Purposes of this Act.

Not to deviate from  
Schedule.

XXXII. And be it further enacted, That all Timber, Stone, and Brick, and other Materials to be made use of, or which shall be collected to be made use of by Order of the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, for the said new Ground, and for fencing in the same, and other Works carrying on for the Purposes of this Act, and which may not be the immediate Property of their Agents and Contractors, shall be and the same are hereby vested in the Churchwardens and Overseers of the said Parish for the Time being, and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions in their Names as such Churchwardens and Overseers, or to prefer or cause to be preferred any Bill or Bills of Indictment against and prosecute any Person or Persons who shall steal, take away, or damage any such Materials, or disturb them in the Possession thereof; and every Action so to be brought, and every Indictment wherein any such Materials shall be laid to be the Property of the said Churchwardens and Overseers, shall be good and valid in the Law to all Intents and Purposes; and such Action or Indictment so commenced or preferred by such Churchwardens and Overseers shall in nowise abate or be discontinued by reason of any Change of such Churchwardens and Overseers pending the same, but shall be proceeded in by such Churchwardens and Overseers for the Time being, as if no such Change had taken place; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Materials  
vested in the  
Churchwardens and  
Overseers.

[Local.]

15 A

XXXIII. And



New Church-  
yard shall  
be consecra-  
ted.

XXXIII. And be it further enacted, That such new or additional Cemetery or Burial Ground shall be consecrated by the Lord Bishop of the Diocese for the Time being; and it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, to alter, repair, pull down, and rebuild, and to erect, build, and make, or order and direct to be altered, repaired, pulled down, and rebuilt, the Walls or Fences of the present Churchyard or Burial Ground, and of the said new or additional Cemetery or Burial Ground, and the Gates or Entrances into the same respectively, and to stop up and discontinue, or alter or vary, or order to be stopped up and discontinued, or altered or varied; such of the Entrances and Gates now leading into the present Churchyard or Burial Ground, and of the Ways, Paths, or Passages leading into, through, or over the same Churchyard or Burial Ground, as to them shall appear useless or unnecessary, or as they shall think fit to alter or vary; provided that the same be done with the Approbation of the Lord Bishop of the Diocese aforesaid, and by and with the Concurrence and Order of Two Justices of the Peace for the said County of *Middlesex*; and such Order to be made by such Justices shall be subject to an Appeal to the General or Quarter Sessions of the Peace to be held for the said County of *Middlesex* within Four Calendar Months after such Order shall be made, and subject to the Rules, Orders, and Directions mentioned and contained in an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend an Act of the Thirteenth Year of the Reign of His present Majesty, for the Amendment and Preservation of the Public Highways, in so far as the same relates to Notices of Appeal against turning or diverting a Public Highway, and to extend the Provisions of the same Act to the stopping up of unnecessary Roads.*

55 G. 3. c. 168.

For borrow-  
ing Money on  
the Credit of  
the Rates.

XXXIV. And for the more speedily and effectually enabling the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, and they are hereby empowered, from Time to Time when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Five thousand Pounds, to be raised for the Purposes of this Act, upon the Credit of the Rates or Assessments herein-after authorized to be made, and by any Writing or Writings under their Hands and Seals to mortgage, demise, grant, or assign over the said Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with lawful Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following; (that is to say),

Form of  
Mortgage  
of Rates.

‘ BY virtue of an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here insert the Title of this Act*], we \_\_\_\_\_ of the Churchwardens, Overseers, Vestrymen, and Occupiers of Lands and Tenements within the Parish of *Saint Mary Stratford Bow*, in the County of *Middlesex*, in pursuance of the said Act, in consideration of the Sum of \_\_\_\_\_ advanced and lent by \_\_\_\_\_ upon the Credit and for the Purposes of the said Act, do grant, bargain, sell, and demise unto \_\_\_\_\_ the



the said his, her, or their Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments for the Relief of the Poor of the said Parish of *Saint Mary Stratford Bow*, as the said Sum of doth or shall bear to the whole Sum which may at any Time become due and owing or charged upon the Credit of the said Act; to be had and holden from this Day of in the Year until the said Sum of with Interest at the Rate of *per Centum per Annum* for the same, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals this Day of in the Year of our Lord

And every such Grant or Mortgage shall be good, valid, and effectual in the Law; and Copies of such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Vestry Clerk of the said Parish, and which said Book or Books shall and may at all seasonable Times be perused and inspected without Fee or Reward by any Person or Persons entitled to any such Mortgage or paying to the said Rates or Assessments; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, or Interest in or to such Mortgage, and the Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by endorsing on the Back of such Mortgage Security, and in the Presence of One or more credible Witness or Witnesses, the following Words, or Words to the Effect following; (that is to say),

**T**HE within-named Assignee, Executor, Form of  
or Administrator of the within-named [as the Transfer.  
*Case may be*], do hereby transfer this Mortgage Security, with all my Right and Title to the Principal Money thereby secured, and to all Interest now due upon the same, unto his Executors, Administrators, and Assigns. Dated this Day of

Which Transfer shall be produced and notified to the said Vestry Clerk within One Calendar Month next after the Day of the Date thereof, who shall enter the same in the said Book or Books, for which Entry the said Vestry Clerk shall be paid the Sum of Five Shillings and no more; and such Transfer shall then entitle such Assignee, his or her Executors, Administrators, and Assigns, to the Benefit of such Mortgage Security and Payment thereon; and every such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons (except such as the same shall be last transferred to) to release, discharge, or make void the original Mortgage Security, or the Monies due thereon, or any Part thereof.

XXXV. And in order to raise Money towards carrying the several Purposes of this Act into Execution, be it further enacted, That it shall be lawful for the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid of the said Parish as aforesaid, or any Five or more of them, and they are hereby authorized and empowered, in each and every Year, until the said additional Burial Ground shall be provided and enclosed, and Rate to be made.



and all the Monies hereby authorized to be borrowed or raised for the Purposes of this Act shall be paid off and discharged, and the several other Purposes of this Act shall be carried into complete Execution, to make at some Meeting or Meetings to be holden for that Purpose, (of which Meeting or Meetings; and of the Purposes thereof, public Notice shall be duly read and published in the Parish Church of the said Parish, by Order of the Churchwardens and Overseers, or either of them, upon the *Sunday* next immediately preceding the Day of such Meeting, during or immediately after Divine Service), a Rate or Rates, Assessment or Assessments, on all and every House and Houses, Building and Buildings, Lands, Tenements, and Hereditaments within the said Parish, not exceeding Sixpence in the Pound in any One Year, on the full annual Rent or Value of all and every of such Houses, Buildings, Lands, Tenements, and Hereditaments; and such Rate or Rates, Assessment or Assessments, shall be made at any Time after the passing of this Act, and shall be paid by the Tenant or Occupier or Holder of the Premises to, and raised and levied and collected by, any Collector or Collectors to be appointed by the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, and shall when collected be applied by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, for the Purposes of this Act; and it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or for such Person or Persons as they shall appoint, at all convenient Times to inspect the Poor's Rate and Valuation of the Rental of the said Parish, in order the better to ascertain such Rent or Value, and to take Copies of such Rate and Valuation: Provided always, that the Sum to be raised for the Purposes of this Act by any such Rate or Assessment as aforesaid, shall not in the whole exceed the Sum of Five thousand Pounds, exclusive of such further Sum as may be necessary for Payment of the Interest upon the said Sum of Five thousand Pounds, or such Part thereof as hath been or shall be borrowed, and also exclusive of such Sum as hath been or shall be expended in the applying for, obtaining, and passing of this Act, and incident thereto, and Interest upon such Part of the said Sum as hath been or shall be advanced or lent by any Person or Persons for or towards such last-mentioned Purposes.

Rates to continue in force until altered, and not to be reduced below a certain Sum without Consent of Creditors.

XXXVI. And be it further enacted, That the Rate or Assessment to be made as aforesaid, in or for any Year, shall be and continue in force, and shall be collected and recovered in or for every following or subsequent Year, until the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid shall make a new Rate or Assessment by virtue of this Act (or until the Money to be borrowed by virtue of this Act, with all Interest for the same, and all other Debts under this Act, shall be paid off and discharged), in like Manner as if they had made such Rate or Assessment in and for every following and subsequent Year: Provided always, that no Rate or Assessment which shall be made by virtue of this Act shall be reduced below the Sum of Three-pence in the Pound in any One Year, until all and every the Sum and Sums of Money which shall be borrowed by virtue of this Act at Interest shall be paid off and discharged, without the Consent of the Creditor or Creditors entitled to Three-fourth Parts of the Money so due and owing.

XXXVII. And



XXXVII. And be it further enacted, That the said Rate or Rates, Assessment or Assessments, shall be payable on such Days as shall be appointed by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, the First Day of Payment not being earlier than One Calendar Month after making the First Rate or Assessment herein-before mentioned, and the same shall be payable and paid to the Collector or Collectors to be appointed by virtue of this Act; and it shall be lawful for the Person or Persons to be appointed by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, Collector or Collectors of the said Rate or Rates, Assessment or Assessments, and he and they is and are hereby authorized and empowered to receive, levy, and collect the same accordingly.

Rates how payable.

XXXVIII. And be it further enacted, That the several Lessors, Landlords, Owners, and Proprietors of all Houses, Buildings, or Tenements within the said Parish, let, or which shall hereafter be let out in Parts, or separate Apartments, or ready-furnished, shall respectively, for the Purposes of this Act, be deemed and taken to be Occupiers thereof, and shall be liable and subject to the Payment of all the Rates or Assessments by this Act directed to be raised, levied, and received; provided always, that each and every Person renting or occupying any such Part or separate Apartment, or any ready-furnished House, or any other Building or Tenement as aforesaid, shall in the First Place be liable to the Payment of the said Rates or Assessments, and all Arrears thereof, to be recovered in manner herein-after directed; and the respective Persons so renting and occupying any such Part or separate Apartments, or ready-furnished House, or other Building or Tenement, who shall pay such Rates or Assessments, or any Arrears thereof, and from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable by him, her, or them, to such respective Lessors or Landlords, Owners or Proprietors of such Houses, Buildings, or Tenements, and the Receipt of the Collector or Receiver of the said Rates for such Payment shall be a sufficient Discharge for and to all and every such Tenant or Tenants, Occupier or Occupiers, to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay, or as shall be recovered on his, her, or their Goods and Chattels respectively by virtue of this Act; but no such Person so renting or occupying any such Part or separate Apartment, or ready-furnished House, or other Building or Tenement, shall be subject or liable to pay, for or in respect of any such Rates or Assessments, any Sum or Sums of Money beyond the Amount of the Rent which shall be then actually due in respect of the said Premises from him, her, or them respectively: Provided always, that nothing in this Act contained shall extend, or be construed to extend, to affect or make void any Contract, Covenant, or Agreement, made between any Landlord and Tenant, touching and concerning the Payment of the Rates or Assessments to be made, raised, and received by virtue of this Act, or in any other respect whatsoever.

Landlords of Houses let in Apartments or ready-furnished, to be deemed the Occupiers.

Tenants of Houses let in separate Apartments or ready-furnished, to pay Rates and deduct out of Rent.

Act not to affect Agreements between Landlord and Tenant.

XXXIX. And be it further enacted, That whenever any Person or Persons shall come into or occupy any House, Building, Land, Tenement, or Hereditaments, out of or from which any other Person or Persons assessed by virtue of this Act shall be removed, or which, at the

Persons to pay Rates in proportion to the Time they occupy.

[Local.]

15 B

Time



Time of making any such Rate or Assessment was empty or unoccupied, then and in every such Case every Person so receiving from, and every Person so coming into or occupying the same, shall be liable to pay such Rate or Assessment in proportion to the Time only during which such Person or Persons occupied the same respectively; and the Proportion of the said Rate or Assessment shall be levied and recovered in the same Manner as if such Person had not removed, or such Person so coming in or occupying had been originally rated and assessed to such Rate or Assessment; which said Proportion, in case of Dispute, shall be ascertained by any One or more of the Justices of the Peace for the said County of *Middlesex*.

**Recovery of Rates.**

XL. And be it further enacted, That in case any Person or Persons charged with any such Rates or Assessments to be made or assessed by virtue of this Act, shall refuse or neglect to pay the Money rated or assessed upon him, her, or them respectively, after Demand thereof made by Notice left at his, her, or their House or other Premises within the said Parish, it shall be lawful for any One of His Majesty's Justices of the Peace for the said County, and he is hereby authorized and required to summon, by Writing under his Hand, all and every Person and Persons so charged, and who shall have so refused or neglected as aforesaid, (on Oath being made before such Justice by the Collector or Collectors for the Time being of his, her, or their having attended upon and at the Place or Places of Abode of such Person or Persons then intended to be summoned, and having so as aforesaid demanded the Rate or Rates, and of the same being unpaid,) to appear before such Justice, or before any other Justice of the Peace for the said County, at a Time and Place to be mentioned in such Summons, (Service of every such Summons, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his, her, or their last or most usual Place of Abode, to be deemed good Service); and if any Person or Persons so summoned shall refuse or neglect without sufficient Cause to attend at the Time and Place mentioned in such Summons, or if he, she, or they do or shall attend, and shall not make it appear to such Justice that he, she, or they is or are not chargeable with such Rate or Rates according to this Act, then all and every the Person and Persons who shall have been so summoned, shall pay as well such Rate as the reasonable Costs and Charges of such Summons, Service, and Attendance before such Justice; in all Cases where the Rates or Assessment, Costs and Charges, shall not be paid upon the Return of such Summons, it shall be lawful for the said Justice who shall have granted the same, or before whom the same shall be made returnable, and he is hereby authorized and required (on Oath being made before him of the due Service of such Summons as aforesaid, which Oath he is hereby authorized to administer) to grant a Warrant or Warrants under his Hand and Seal, authorizing and directing such Collector or Collectors; or the Constable or Constables of any Township or Townships, Place or Places, within the said Parish, or any other Person or Persons specially appointed by such Justice, to levy all such Rates or Assessments, and all Arrears thereof, and the Expences of the Summons and Warrant, and of the Service and Execution thereof respectively, by Distress of the Goods and Chattels of the Party liable to pay the same; and if on Demand by such Collector or Collectors, Constable or Constables, or other Person or Persons, after such Warrant



or Warrants shall be granted, the said Rate or Rates, Assessment or Assessments, and Arrears so due and payable and unpaid, and the Costs and Charges of the said Summons and Warrant, and of such Distress, and of taking and keeping such Goods and Chattels, shall not be paid and satisfied, it shall be lawful for such Collector or Collectors, Constable or Constables, or other Person or Persons, to cause the said Goods and Chattels, or so much thereof as shall be sufficient, to be sold to pay the said Rate or Rates, Assessment or Assessments, together with such Costs, Charges, and Expences as aforesaid, returning the Overplus of the Money arising by such Sale (if any) to the Owner or Owners of the Goods or Chattels respectively, on Demand thereof made by him, her, or them; which Costs, Charges, and Expences, in case of Dispute, shall be settled and ascertained by any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*.

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

*Middlesex*, } TO the Collector of the Churchyard Rate of the Parish  
to wit: } of *Saint Mary Stratford Bow*, in the County of *Middlesex*;  
[or to such Person or Persons by Name as may be specially appointed  
for that Purpose; as the Case may be], and to all Constables and  
other His Majesty's Officers of the Peace for the said County:

WHEREAS the under-mentioned Persons, now or late Inhabitants, Householders, Tenants, Occupiers, or Enjoyers of Lands, Houses, Shops, Warehouses, Yards, Coach Houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments, or Part of some Building or Tenement within the Parish of *Saint Mary Stratford Bow* in the County of *Middlesex*, were and are rated and assessed, or liable to the Rate or Rates duly made for the Purposes of an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act, &c.* [here set forth the Title of this Act]: And whereas the said Persons have refused or neglected to pay the said several Sums of Money at and against their Names hereunder respectively set down, for Money due from them for or towards the Purposes in the said Act mentioned, and the said several Sum and Sums are still remaining due, in arrear, and unpaid, as appeareth on Oath to \_\_\_\_\_ of His Majesty's Justices of the Peace for the said County of *Middlesex*, and the said several Persons having been summoned to appear before \_\_\_\_\_ to answer the Premises, as also appeareth to \_\_\_\_\_ the said Justice upon Oath, and \_\_\_\_\_ nor any or either of them having shewn any sufficient Cause why such Sum or Sums of Money should not be paid; These are therefore, in His Majesty's Name, to will and require you, or either of you, forthwith to levy the several Sums due from the said Persons, and hereunder joined to or set against their Names respectively, by Distress and Sale of their respective Goods and Chattels, rendering to them respectively the Overplus (if any, and the reasonable Charges of such Summons, Distress, Sale, and keeping, and obtaining this Warrant, being first deducted); and if no sufficient Distress can be had or taken, that then you are to certify the same to \_\_\_\_\_ to the End such further Proceedings may be had therein as to Law doth

Form of  
Warrant of  
Distress.



doth appertain; and do hereby strictly charge and command all and singular the Constables, and other His Majesty's Officers of the Peace for the said County, to be aiding and assisting in all things relating to the Execution of this Warrant. Given under my Hand and Seal this \_\_\_\_\_ Day of \_\_\_\_\_ in the \_\_\_\_\_ Year of our Lord

	£	s.	d.
' A. B.	-	-	-
' C. D.	-	-	-
' E. F.	-	-	-
' G. H.	-	-	-
' I. K.	-	-	-

For Recovery of Rates from Persons quitting the Premises rated in the Parish.

XLII. And be it further enacted, That in case any Person or Persons who shall be rated or assessed by virtue of this Act shall quit his, her, or their Land or Lands, House or Houses, Shop or Shops, Warehouse or Warehouses, Coach House or Coach Houses, Stable or Stables, Cellar or Cellars, or other Hereditaments, whereon any Rate or Assessment shall be made by virtue of this Act, before he, she, or they shall have paid such Rate, and shall afterwards refuse or neglect to pay the same, when demanded of such Person or Persons, or at his, her, or their Place or Places of Abode, by the said Collector or Collectors, then and in every such Case it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Middlesex*, and he is hereby required to grant a Warrant or Warrants of Distress, under his Hand and Seal, (on Oath being made before him by the said Collector or Collectors, of the Person or Persons having been so rated, and of his, her, or their having so quitted the Premises as aforesaid, and of the said Rate or Assessment having been demanded of or from, or at the then Place of Abode of such Person or Persons; and which Oath such Justice is hereby authorized and empowered to administer), authorizing and directing any Constable or Constables of the said Parish, or of any other Parish or Place in the same County, where such Person or Persons shall then reside, or other Person or Persons to whom such Warrant or Warrants shall be specially directed, to distrain the Goods and Chattels of the Person or Persons so refusing or neglecting to pay, and to sell the same.

Churchwardens, &c. may rectify Omissions in Rates.

XLIII. Provided always, and be it further enacted, That if it shall appear to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, at any Time after making any Rate or Assessment to be made under the Authority of this Act, that the Name of any Person or Persons liable to be included in such Rate or Assessment hath been omitted therein, it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, to add, or cause to be added, to such Rate or Assessment, the Name or Names of any Person or Persons so omitted, together with the Sum or Sums for which he, she, or they ought to be so rated, and the Amount of such Rate or Assessment in respect thereof; and every such Addition made to any of the said Rates shall be as valid and effectual in Law, to all Intents and Purposes, as if the same had been inserted in the Rate at the Time the same was first made out.

XLIV. Pro-



XLIV. Provided always, and be it further enacted, That the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, may, if they think proper, compound or agree to accept less than the full Amount of the Rates imposed on any Dwelling House, Cottage, or Tenement, or other Premises within the said Parish, the annual Value whereof respectively in their Judgment shall not exceed Ten Pounds.

Churchwardens, &c. may compound for Rates.

XLV. And be it further enacted, That every Person or Persons appointed Collector or Collectors by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, who shall collect or receive any of the Monies arising by any such Rate or Assessment, shall, as often as thereunto required by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, deliver in Writing under his or their Hand or Hands to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or unto such Person or Persons as they or any Five or more of them shall appoint, a true and perfect Account in Writing of all Monies which he or they shall have collected and received by such Rate or Assessment, and shall pay all the Monies by such Rate or Assessment in his or their Hands, Custody, or Power, unto the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; and if any such Collector or Collectors shall refuse or neglect to receive the Sums to be rated and assessed by virtue of this Act, or to account for such Money in his or their Hands, Custody, or Power, every such Collector or Collectors so offending shall for every such Refusal or Neglect forfeit and pay any Sum not exceeding Five Pounds; which Penalty, and also all the Money in the Hands, Custody, or Power of such Collector or Collectors, so due and owing from such Collector or Collectors to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, for or on account of such Rate or Assessment, shall and may be levied and recovered by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*, which Warrant such Justice is hereby required to give on Proof of any such Refusal or Neglect, or that any Sum or Sums of Money is or are due and owing from such Collector or Collectors to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, for or on account of such Rate or Assessment, on the Oath or Oaths (which Oath or Oaths such Justice is hereby empowered to administer) of any credible Witness or Witnesses, directed to any Person or Persons whomsoever, by Distress and Sale of the Goods and Chattels of the Collector or Collectors so refusing or neglecting, or from whom any Sum or Sums of Money shall be so due and owing for or on account of such Rate or Assessment as aforesaid, rendering the Overplus (if any) upon Demand, to the Owner of such Goods and Chattels, after deducting such Penalty, and such Sum or Sums of Money as shall appear to be due and owing to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, for or on account of such Rate or Assessment, and the Costs and Charges of such Distress and Sale; or the Sum or Sums of Money so due and owing from such Collector or Collectors shall be paid by the Surety or Sureties for such Collector or Collectors, or in case of Refusal or Neglect of Payment by such Surety or Sureties, shall be recovered from such Surety or Sureties, by the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, by any Action

Collectors to account for Rates.



or Actions of Debt, to be commenced and prosecuted agreeably to the Directions of this Act.

Power to borrow Money at a lower Interest, to discharge Securities at a higher Rate.

XLVI. Provided always, and be it further enacted, That in case the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall be lawful for the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, or any Five or more of them, from Time to Time to charge the said Rates or Assessments in manner aforesaid with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as assessed, and to pay off and discharge the Assignments or Securities bearing a higher Rate of Interest, according to the Interest and Regulations herein prescribed for paying off Assignments or Securities.

Application of Money borrowed or received.

XLVII. And be it further enacted, That the several Rates and Assessments to be made by or under the Authority of this Act, and all the Money which shall be borrowed, advanced, or lent as aforesaid on the Credit of the said Rates or Assessments, or which shall arise or be received under any of the Powers or Provisions of this Act, shall be paid to the Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid; and the Sums shall be applied and disposed of in manner following; that is to say, in the first Place, in paying and defraying the Costs and Expences of applying for, obtaining, and passing this Act, and then for purchasing Lands, Tenements, and Hereditaments for enlarging the present Burial Ground, and in otherwise carrying this Act into Execution, and lastly, in Payment of the Principal and Interest of the Money to be borrowed by virtue of this Act; and when and so soon as all the Monies authorized to be raised or to be borrowed by virtue of this Act, and the Interest of such Money so to be borrowed, shall be paid off and discharged, and the several Purposes of this Act shall be carried into Execution, the Rates and Assessments granted by this Act shall cease, and be no longer paid or payable: Provided always, that all such Persons as shall have advanced and lent or paid any Money for or towards defraying the Expences of applying for and obtaining this Act, shall be severally repaid such Money, with Interest for the same from the respective Times of advancing and lending the same, out of the Money which shall be first raised under and by virtue of this Act.

Penalties on Nuisances near the Church or Churchyards.

XLVIII. And be it further enacted, That if any Person or Persons shall beat any Carpet in the said Churchyard or any Part thereof, or shall place or lay any Rubbish, Stones, Soil, Manure, Litter, Compost, or Dung, or other similar Nuisance, Matter, or Thing, in or against the Walls, Rails, or Fences surrounding the said Church, or in or upon the Churchyard or Burial Ground thereto belonging, or the Walls, Rails, and Fences surrounding the same, or shall permit or suffer the same Rubbish, Stones, Soil, Manure, Litter, Compost, or Dung, or other similar Nuisances, to remain near such Church or Burial Ground, or the Fences or Fence thereof, 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.

XLIX. And



XLIX. And be it further enacted, That if any Person shall, within or adjoining to the said Churchyard or Burial Ground, blow, use, or make to sound any Horn, Trumpet, or other noisy Instrument, for the Purpose of hawking, selling, or distributing any Article, or for the Purpose of calling or collecting Passengers, Parcels, or Goods, or for any other Purpose whatsoever, it shall be lawful for any Constable, or for any Person or Persons whatsoever, without any Warrant or other Authority than this Act, to seize and apprehend every Person so offending, and convey such Offender before any Justice of the Peace, who shall examine upon Oath any Witness or Witnesses appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and in every such Case he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings; and in case the Offender shall not, upon Conviction, forthwith pay the Penalty, such Justice is hereby required to commit such Offender to the Common Gaol or House of Correction for the said County, there to be kept to Hard Labour for any Time not exceeding Six Days, unless the Penalty shall be sooner paid.

Penalty for  
blowing  
Horns, &c.

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

Inhabitants  
to be Wit-  
nesses.

LI. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act or by virtue of the Powers thereof imposed (the Manner of levying and recovering whereof is not otherwise particularly directed), shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace of the County of *Middlesex*, (which Warrant such Justice is hereby empowered to grant), upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath, (which Oath such Justice is hereby empowered to administer), and the Overplus (if any) of the Monies arising by such Distress and Sale shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures, when recovered (if not herein-before directed to be otherwise applied), shall be paid to the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, to be applied to the Purposes of this Act; and it shall 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 or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants 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 or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Forfeiture and such Costs as aforesaid, and the same shall not be forthwith

Recovery of  
Penalties.







Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid, so appealing, having first given Twenty-one Days Notice at the least of their Intention to bring such Appeal, and of the particular Matter or Matters, Cause or Causes thereof, to the Party or Parties interested therein; and such other Person or Persons appealing (not being the said Churchwardens, Overseers, Vestrymen, and Occupiers as aforesaid) having first given Twenty-one Days Notice at the least of his, her, or their Intention to bring such Appeal, and of the particular Matter or Matters, Cause or Causes thereof, to the Vestry Clerk of the said Parish, or other the Person or Persons against whose Act, Judgment or Judgments, Determination or Determinations, such Appeal is made; and such last-mentioned Person or Persons, within Four Days after such last-mentioned Notice, entering into a Recognizance before some Justice of the Peace of such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order or Award of the said Court thereon; and the said Justices at such Sessions, upon due Proof of such Notice or Notices and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Cause and Matter of such Appeal in a summary Way, and to make such Order therein, and to award such Costs to either of the Parties, or otherwise, as they the said Justices shall judge proper; and the said Justices may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable; and all such Orders and Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

LV. Provided always, and be it further enacted, That on any Appeal from any Rate or Assessment to be made for the Purposes of this Act, the Justices at such General or Quarter Sessions shall and may, if the same shall be found incorrect, amend the same in such Manner as may be necessary for giving Relief in the particular Complaint brought before them, without quashing such Rate or Assessment, and without altering the same with respect to other Persons mentioned therein; but if upon Appeal from the whole Rate or Assessment it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Justices may relieve on Appeal against Rates, without quashing the whole Assessment.

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

Distress not unlawful for Want of Form.

LVII. And be it further enacted, That no Order, Verdict, Judgment, or other Proceeding made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for

Proceedings not to be quashed for Want of

[Local.]

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Want



Form, or removable by Certiorari.

Want of Form only, or 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.

Plaintiff not to recover without Notice, or after Tender of Amends.

LVIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Fourteen Days at least before such Action shall be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

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

Public Act.

LX. 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.



## The SCHEDULE referred to by the foregoing Act.

Description of Premises.	Owners.	Occupiers.
Public House and Ground.	John Gamson and Wife. James Shackelford. George Shackelford. Robert Emans Crawley, Esquire. Frederick Hodgson, Esquire. Thomas Drane, Esquire. Ambrose Harbord Steward, Esquire, and Alfred Head, Esquire.	Thomas Corrigan.
House.	John Gamson and Wife. Robert Emans Crawley, Esquire.	Thomas Willis. Thomas Bayles.
House.	John Gamson and Wife. Robert Emans Crawley, Esquire.	William Vincent. Isaac Emery. Peter Kinsenor. James Howard. Nancy Barker.
House.	John Gamson and Wife. Robert Emans Crawley, Esquire.	Martha Fougeron.
House.	John Stock, Esquire.	Thomas Calto.
Ditto.	Ditto.	Thomas Davis.
Ditto.	Ditto.	Elizabeth Hill.
Ditto.	Ditto.	James Thompson.
Ditto.	Ditto.	John Wray.
Ditto.	Ditto.	Samuel Fowler.
Ditto.	Ditto.	Elizabeth Barnes.
Ditto.	Ditto.	William Jackson.
House.	Charles Smith, William Smith, and Richard Tho- mason.	John Duck.
Ditto.	Ditto.	William Lane.
House.	The Drapers Company.	The Drapers Company.

Being all the Premises which lie at the East and West Ends of the present Churchyard of the said Parish Church of Saint Mary Stratford Bow, and between the Turnpike Roads which surround the same.



THE UNIVERSITY OF CHICAGO

Department of Chemistry

Chicago, Illinois

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