ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. XLIII.

An Act for building a New Chapel at *Plymouth Dock*, in the Pariſh of *Stoke Damerel*, in the County of *Devon*. [24th *April* 1797.]

WHEREAS the Pariſh of *Stoke-Damerel*, in the County of *Devon* and Dioceſe of *Exeter*, is of conſiderable Extent, and very populous, and there is only One Church and One Chapel in the ſaid Pariſh: And whereas the Town of *Plymouth-Dock*, Part of the ſaid Pariſh, is near a Mile diſtant from the ſaid Pariſh Church, and the Inhabitants of the ſaid Pariſh have increaſed ſo much of late, that the ſaid Church and Chapel are not ſufficient to contain ſuch of the Inhabitants as are deſirous of attending the publick Worſhip of Almighty God: And whereas Sir *John Saint Aubyn*, of *Clowance*, in the County of *Cornwall*, Baronet, Lord of the Manor of *Stoke-Damerel*, which extends throughout the ſaid Pariſh, and alſo having the Advowſon or Right of Preſentation to the ſaid Pariſh Church, from a Deſire of promoting the Service of Almighty God, hath allotted and ſet apart a Piece of Ground, within and Parcel of the ſaid Manor, being Part of a Field called *Gadges Hill*, containing from Eaſt to Weſt One hundred and Ten Feet, and from North to South Eighty Feet, bounded on the North by *Duke Street*, and on the Eaſt, South, and Weſt, by the ſaid Field called *Gadges Hill*, for the Scite of a new Chapel: And whereas Preamble.

whereas *Mary Connock*, of *Trevorgy*, in the County of *Cornwall*, Widow, having a Life Intereſt of, in, and unto the ſaid Field called *Gadges Hill*, for and in Conſideration of the Sum of Forty-two Pounds, of lawful Money of *Great Britain*, to her in Hand paid, hath aſſigned, transferred, and ſet over, unto the Truſtees herein-after named, the ſaid Piece of Ground, being Part of the ſaid Field, for the Purpoſes aforeſaid: And whereas the Right Reverend Father in God *Henry Reginald*, by Divine Permiſſion Lord Biſhop of the ſaid Dioceſe of *Exeter*, and alſo the Reverend *Thomas Williamſon* Clerk, the preſent Rector of the ſaid Pariſh of *Stoke-Damerel*, are conſenting that the ſaid Piece of Ground, ſo ſet apart for the Scite of the ſaid Chapel, ſhall be veſted in Truſtees, and their Succeſſors, with Powers to erect thereon a Chapel, to be called by the Name of *The Chapel of Saint John the Baptiſt*, and to contain in Length from Eaſt to Weſt from Outſide to Outſide One hundred and ten Feet, and in Breadth from North to South from Outſide to Outſide Eighty Feet, and alſo to make and erect Galleries, Pews and Seats, Bell or Bells, and other Requiſites and Ornaments therein, and in all Things to finiſh, furniſh, and complete the ſaid Chapel fit for celebrating Divine Service; and alſo, by and with the Conſent of the Majority of the Proprietors of Pews within the ſaid Chapel, to build and erect an Organ therein; and with like further Powers to raiſe Money ſufficient to defray the Expences attending the building, finiſhing, furniſhing, completing, and keeping in good Order and Repair the ſaid Chapel; and alſo for providing proper Annual Stipends or Salaries for a Curate and Chapel Clerk, and likewiſe for an Organiſt at any Time or Times hereafter when an Organ may and ſhall be erected in the ſaid Chapel, and alſo proper Bibles and Prayer Books for the Uſe of the Curate and Chapel Clerk, Surplices for the Curate, and Bread and Wine for the Holy Sacrament, and for defraying the Expences of Lighting, and all other incidental Charges of the ſaid Chapel: But foraſmuch as the pious and charitable Purpoſes aforeſaid cannot be effectually eſtabliſhed and carried into Execution, otherwiſe than by the Aid 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 all that Piece of Ground, within and Parcel of the ſaid Manor of *Stoke-Damerel*, containing from Eaſt to Weſt One hundred and ten Feet, and from North to South Eighty Feet, bounded on the North by *Duke Street*, and on the Eaſt, South, and Weſt, by a Field called *Gadges Hill*, ſhall be and the ſame is hereby veſted in the ſaid Sir *John Saint Aubyn*, and the Perſon or Perſons who for the Time being ſhall be Lord or Lords, Lady or Ladies, of the ſaid Manor of *Stoke-Damerel*, and alſo in *Francis Saint Aubyn*, and the Steward or Stewards of the ſaid Manor for the Time being, and alſo in *Richard Nelſon*, *Joſeph Greenway*, *Benjamin Parham*, *Robert Bone*, *Robert Duins*, *Thomas Netherton*, *William Plucknett*, and *John Lampen*, and their Succeſſors, Truſtees to be appointed in the Manner herein-after mentioned; to the Intent that on the ſaid Piece or Parcel of Ground a Chapel ſhall be erected, and that the ſaid Chapel, when ſo erected and completed, ſhall be conſecrated by the Biſhop of the ſaid Dioceſe, and be for ever ſet apart as a Place for the Celebration of Divine Worſhip, according to the Uſe of the Church of *England*,

The Ground ſet apart as the Scite to the Chapel, veſted in Truſtees; for the Purpoſe of erecting ſuch Chapel.

England, as now by Law eſtabliſhed, and ſhall be called by the Name of *The Chapel of Saint John the Baptiſt.*

In caſe of Death, or Refuſal to act, Truſtees to chuſe others.

II. And be it further enacted, That if at any Time or Times hereafter any of the ſaid Truſtees for building the ſaid intended Chapel (except the ſaid Sir *John Saint Aubyn*, and the Lord or Lords, Lady or Ladies, of the ſaid Manor of *Stoke-Damerel* for the Time being, the ſaid *Francis Saint Aubyn*, or the Steward or Stewards of the ſaid Manor for the Time being) or any other Truſtee or Truſtees that may afterwards be appointed, ſhall happen to die, or refuſe to act in the ſaid Truſt, it ſhall and may be lawful to and for the ſaid Sir *John Saint Aubyn*, and the Lord or Lords, Lady or Ladies, of the ſaid Manor of *Stoke-Damerel* for the Time being, and the other remaining Truſtees and Proprietors, or the Majority of them, from Time to Time, when and as often as Occaſion may require, to elect, nominate, and appoint One or more fit and able Perſon or Perſons, of the Number of the ſaid Proprietors inhabiting within the ſaid Pariſh of *Stoke-Damerel*, in the Room and Stead of ſuch of the ſaid Truſtees as ſhall ſo die or refuſe to act as aforeſaid; and all and every Perſon and Perſons ſo nominated, elected, and appointed, ſhall have the like Powers and Authorities as the Truſtee or Truſtees in whoſe Place he or they ſhall ſo ſucceed was or were veſted with.

No Building to be erected within a certain Diſtance of the intended Chapel.

III. And be it further enacted, That it ſhall not be lawful for any Perſon or Perſons whomſoever to erect, or cauſe to be erected, any Houſe or other Building within the Diſtance of Thirty-five Feet on the Eaſt, Weſt, or North Parts of the ſaid intended Chapel, nor any other Building or Buildings within the ſame Diſtance to the Southward thereof, other than and except the Garden Wall or Walls of any Houſe or Houſes that may hereafter be erected to the Southward of the ſaid Chapel, which ſaid Wall or Walls ſo to be erected as aforeſaid ſhall not exceed Six Feet in Height.

Truſtees appointed.

IV. And be it further enacted, That the ſaid Sir *John Saint Aubyn*, and the Lord or Lords, Lady or Ladies, of the ſaid Manor of *Stoke-Damerel* for the Time being, and alſo the ſaid *Francis Saint Aubyn*, and the Steward or Stewards of the ſaid Manor for the Time being, and alſo the ſaid *Richard Nelſon*, *Joſeph Greenway*, *Benjamin Parham*, *Robert Bone*, *Robert Duins*, *Thomas Netherton*, *William Plucknett*, and *John Lampen*, and their Succeſſors, ſhall be and they are hereby appointed Truſtees for building and completing the ſaid Chapel; and they are accordingly hereby authorized and empowered to erect and build, or cauſe to be erected and built, a Chapel within or upon the ſaid Piece or Parcel of Ground, and alſo to make and erect, or cauſe to be made and erected, Galleries, Pews, and Seats, Bell or Bells, and other Conveniencies and Ornaments, in the ſame Chapel, in order that it may, in all Things, be made fit and proper to be conſecrated and ſet apart for celebrating Divine Worſhip, according to the Uſe of the Church of *England*, now by Law eſtabliſhed, and alſo, by and with the Conſent of the Majority of the Proprietors, to erect an Organ therein.

Power for Truſtees to meet.

V. And for the better Execution of the Powers and Authorities aforeſaid, be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to meet together at the Committee Room in the Workhouſe of *Stoke-Damerel* aforeſaid, ſo ſoon as conveniently may be after the paſſing of this Act, and to adjourn themſelves from Time to Time to the ſame or any other Place or Houſe in *Plymouth-*

Dock aforeſaid, as they or their Succeſſors, or any Five or more of them, ſhall think proper and convenient; and at ſuch Meeting or Meetings to receive Propoſals from, and contract with, any Surveyor or Surveyors, Builder or Builders, Workman or Workmen, or any other Perſon or Perſons, for the building and completing the ſaid Chapel, and providing proper Materials for that Purpoſe, ſo as the Contract or Contracts to be made for the ſaid intended Works be entered in a Book to be kept for that Purpoſe, and ſigned by the Truſtees empowered to make ſuch Contract, and alſo by ſuch Perſon or Perſons with whom ſuch Contract or Contracts ſhall be made; and alſo that it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to nominate and appoint a fit and able Perſon to inſpect and ſurvey the ſaid intended Building, and to allow him ſuch reaſonable Recompence for ſo doing, as to the ſaid Truſtees and their Succeſſors, or any Five or more of them, ſhall ſeem meet; and alſo to nominate and appoint One or more Perſon or Perſons to collect and receive all the Money already, or which ſhall be hereafter ſubſcribed or raiſed for the Purpoſes aforeſaid, and to pay and apply the ſame accordingly, and to act as Treaſurer or Treaſurers; and ſuch Treaſurer or Treaſurers ſhall, and he and they is and are hereby required to give ſuch Security for the due Execution of his or their Office or Offices, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem meet and expedient.

Preparatory Mode to raiſe Money.

VI. And whereas the Method propoſed for raiſing Money for defraying the Expences of paſſing this Act, and of building, finiſhing, completing, and providing Neceſſaries for the ſaid intended Chapel, is intended to be by the Sale and Diſpoſal of the Pews or Seats to be erected and ſet up in the ſaid Chapel; and for that End a Book hath been provided, and is intended to be kept, for the Purpoſes directed by this Act; and there have been fairly made and entered in the ſaid Book, Plans or Drawings of all ſuch Pews or Seats as are intended to be made and erected in the ſaid Chapel, as well in the Body as in the Galleries thereof, and which Plans or Drawings contain the Situation, Size, Meaſure, or Dimenſions of each and every Pew or Seat; and there has been alſo entered and fairly written in the ſame Book, in Words at length, the Price or Value of each and every of the ſaid Pews or Seats, which hath been ſet and aſcertained in a juſt and equal Proportion, to the Satisfaction and good Liking of the ſeveral Perſons who have already ſubſcribed for, and are deſirous to become Proprietors of the ſaid Pews; and the Number of each and every Pew or Seat hath alſo been fairly and legibly entered and written, in the ſame Book, in Words at Length; and the ſeveral Subſcribers for the ſame have reſpectively ſet their Names or Marks in the ſaid Book againſt the reſpective Number and Price of the Pew or Seat for which they reſpectively ſubſcribe and are deſirous to become Proprietors of; and Calculations or Eſtimates have been made, by able and experienced Workmen, of the Expences of building and finiſhing the ſaid intended Chapel, agreeable to the Plans or Drawings which have been formed, made, and approved of for the ſame; and the Amount of the ſeveral Values or Prices of the ſaid Pews or Seats, ſo ſet and aſcertained as aforeſaid, will, according to the beſt Calculation that can at preſent be formed, be ſufficient to defray all the ſaid Charges and Expences, and alſo the Charges and Expences of providing Plate for the Communion, and other Neceſſaries for the ſaid intended Chapel, and the obtaining and paſſing this Act; be it therefore enacted, That when and ſo ſoon as the Sum or Sums of Money to be paid on the Contract or Contracts intended to be made for building

and finiſhing the ſaid intended Chapel can be known and aſcertained, an Account ſhall be taken in Writing, and fairly entered in the ſaid Book, of all and every ſuch Sum and Sums of Money as are to be paid on or by virtue of ſuch Contract or Contracts, before the ſaid Contract or Contracts are entered in the ſaid Book and confirmed; and an Eſtimate ſhall alſo be made and taken by Two or more Perſons (of Judgement and Experience in ſuch Caſes) to be choſen by the ſaid Truſtees or their Succeſſors, or any Five or more of them, of all ſuch Sum or Sums of Money, as the Plate for the Communion, Books, Surplices, and other Neceſſaries proper for the ſaid Chapel, not included in the ſaid Contract or Contracts, and all other Charges and Expences (in the Judgement and Opinion of the ſaid Two or more Perſons, to be choſen as aforeſaid) attending the erecting and completing the ſaid Chapel fit for Divine Service, and the Charges and Expences incident to or attending the paſſing this Act, will amount unto; which Eſtimate and Account ſhall alſo be made and taken in Writing, and fairly entered in the ſaid Book.

If the Sum to be raiſed by Sale of Pews is inſufficient, a Rate to be made.

VII. And be it further enacted, That if it ſhall happen that the Charges and Expences of obtaining and paſſing of this Act, and the building, finiſhing, furniſhing, and providing Neceſſaries for the ſaid intended Chapel, ſhall exceed the Amount of the ſaid ſeveral Values or Prices of the ſaid Pews or Seats ſo ſet and aſcertained, that when and as ſoon as all ſuch Charges and Expences can be known and aſcertained, it ſhall and may be lawful to and for the ſaid Truſtees and their Succeſſors, or any Five or more of them, and the ſaid Subſcribers, or the major Part of them, aſſembled and met purſuant to Notice to be for that Purpoſe given in Writing fixed up at or near the Gate of His Majeſty's Dock Yard at *Plymouth-Dock* aforeſaid, or in ſome other publick Place or Places there, Ten Days next preceding ſuch Meeting, to make or cauſe to be made One or more Rate or Rates on themſelves and all others the Subſcribers for Pews or Seats in the ſaid Chapel, in equal Degree (not exceeding Sixpence in the Pound in any One Rate) in Proportion to the ſaid original Price or Sum ſubſcribed for each and every Pew or Seat reſpectively, and entered in the ſaid Book as aforeſaid, in order to pay off and diſcharge all ſuch Charges and Expences; which ſaid Rate or Rates ſhall be approved and ſigned by the ſaid Truſtees, or Two of them, and by the major Part of the Subſcribers aſſembled and met together for the Purpoſe of making the ſame; and the ſame Rate or Rates, being ſo ſigned and approved, ſhall and may be collected, received, and gathered in by the Treaſurer or Treaſurers for the Time being.

Times of Payment of Subſcriptions.

VIII. And be it further enacted, That the ſeveral Perſons who have ſubſcribed as aforeſaid for or towards anſwering the Purpoſes of this Act, ſhall and will pay the ſeveral Sums of Money by them reſpectively ſubſcribed as aforeſaid at the reſpective Times and in Manner following; that is to ſay, One Fifth Part thereof from and immediately after the paſſing of this Act, One other Fifth Part thereof when the Walls of the ſaid Chapel ſhall be raiſed Three Feet high, One other Fifth Part when the Walls of the ſaid Chapel ſhall be carried to a ſufficient Height to receive the Roof, One other Fifth Part thereof after the Roof of the ſaid Chapel ſhall be laid on and covered in, and the remaining Fifth Part thereof when the Building of the ſaid Chapel, and the Pews to be erected and ſet up therein, ſhall

ſhall be finiſhed, and the ſaid Chapel ſhall be fit and ready to be conſecrated.

Remedy in caſe of Refuſal.

IX. And be it further enacted, That in caſe any of the Perſons ſo ſubſcribing as aforeſaid, his, her, or their Executors or Adminiſtrators, ſhall neglect or refuſe to pay the Money ſo ſubſcribed, or any Part thereof, at the reſpective Times herein-before in that Behalf mentioned and appointed, or the Sum or Sums of Money to be aſſeſſed on him, her, or them reſpectively by any Rate or Rates as aforeſaid, or any Part thereof, it ſhall and may be lawful to and for the ſaid Truſtees and their Succeſſors to ſue for and recover the ſame, with Double Coſts of Suit, in the Name or Names of the Treaſurer or Treaſurers for the Time being ſo to be appointed by them as aforeſaid, by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, or at the Aſſizes held at *Exeter*, in the County of *Devon*; or if the ſaid Truſtees ſhall not think it expedient to commence any Action or Actions as aforeſaid, that then and from Three Calendar Months next after a perſonal Demand made, or Notice in Writing left at the laſt Place of Abode of the Perſon or Perſons required to pay ſuch his, her, or their Subſcription or Subſcriptions as aforeſaid, the Right and Intereſt in the Pew or Pews of the Perſon or Perſons ſo making Default, ſhall from thenceforth be forfeited and loſt; and it ſhall and may be lawful, in every ſuch Caſe, to and for the ſaid Truſtees and their Succeſſors, or any Five or more of them, aſſembled and met together, to ſtrike out of the ſaid Book, the Name or Names of the Subſcriber or Subſcribers who, or whoſe Executors or Adminiſtrators, ſhall neglect or refuſe to pay the Money ſo by him, her, or them reſpectively ſubſcribed, or which ſhall or may be aſſeſſed on him, her, or them reſpectively as aforeſaid; and the Subſcriber or Subſcribers whoſe Name or Names ſhall be ſo ſtruck out of the ſaid Book, his, her, and their Executors and Adminiſtrators, ſhall forfeit and loſe his, her, and their Claim, Right, Intereſt, and Pretenſion, of, in, or to the Pew or Seat, Pews or Seats, for which he, ſhe, or they did reſpectively ſubſcribe; and it ſhall and may be lawful to and for the ſaid Truſtees and their Succeſſors, or any Five or more of them, to admit any Perſon or Perſons whomſoever to ſubſcribe for ſuch forfeited Pew or Seat, Pews or Seats, upon the original Terms and Conditions, or ſuch others as ſhall be at leaſt equally advantageous or beneficial, as to them ſhall ſeem expedient; and the Perſon or Perſons ſo taking or ſubſcribing for the ſaid forfeited Pew or Pews, ſhall have as good Claim, Right, Title, and Intereſt, of, in, and to the ſame reſpectively, as any original Subſcriber might have had or been entitled to.

Additional Truſtees to be named after the Chapel is completed.

X. And be it further enacted, That when and as ſoon as the ſaid Chapel ſhall have been erected and conſecrated as aforeſaid, it ſhall and may be lawful to and for the Lord or Lords, Lady or Ladies of the Manor of *Stoke-Damerel* for the Time being, and he, ſhe, or they is or are hereby authorized and empowered, to elect, nominate, and appoint Nine fit and able Perſons, out of the Number of the ſaid Subſcribers and Proprietors, inhabiting within the ſaid Pariſh of *Stoke-Damerel*, who, with the Rector of the ſaid Pariſh of *Stoke-Damerel* for the Time being, ſhall be, and are hereby added to the ſaid Truſtees herein-before appointed; and the ſaid Lord or Lords, Lady or Ladies of the Manor, and Rector of the ſaid Pariſh of *Stoke-Damerel* for the Time being, and their Succeſſors, ſhall be,

and are hereby incorporated with the Truſtees herein-before appointed, and made One Body Politick and Corporate, by the Name of *The Truſtees of Saint John the Baptiſt Chapel, in the Pariſh of Stoke Damerel, in the County of Devon*, who ſhall have perpetual Succeſſion, and be enabled to ſue and be ſued by that Name in all Courts within this Realm; and that the ſaid Truſtees for the Time being ſhall have Capacity, and they are hereby authorized and enabled to purchaſe and take in Perpetuity, for the Uſe and Benefit of the Curate of the ſaid Chapel for the Time being, any Lands, Tenements, and Hereditaments, or other Income or Revenue, over and above and excluſive of the Annual Sum of Fifty Pounds, herein-after by this Act made payable to the ſaid Curate for the Time being, not exceeding in the Whole the Yearly Rent or Sum of Two hundred Pounds; the Statutes of Mortmain, or any other Law or Statute to the contrary notwithſtanding.

In Default of the Firſt Nomination of them by the Lord of the Manor, the Choice to fall on the major Part of the Proprietors of Pews.

XI. Provided always, That if the Lord or Lords, Lady or Ladies, of the Manor of *Stoke Damerel* for the Time being ſhall neglect or refuſe to elect, nominate, and appoint, ſuch Nine Truſtees as aforeſaid, either by Writing under his, her, or their Hand and Seal, or Hands and Seals, or otherwiſe, for the Space of Six Months next after the ſaid Chapel ſhall have been conſecrated by the Biſhop as aforeſaid, that then and in ſuch Caſe it ſhall and may be lawful to and for the ſeveral Subſcribers and Proprietors of Pews or Seats, or the major Part of ſuch of them as ſhall be ſo aſſembled, upon Ten Days Notice to be for that Purpoſe given in the ſaid Chapel, on ſome *Sunday* immediately after the Morning Divine Service, and they are hereby authorized and empowered to elect, nominate, and appoint, ſuch Nine fit and able Perſons, out of the Number of the ſaid Subſcribers and Proprietors inhabiting within the ſaid Pariſh of *Stoke Damerel*; and they and their Succeſſors ſhall from thenceforth be, and they are hereby added to and incorporated with the ſaid other Truſtees, and inveſted with all ſuch Powers and Authorities as though they had been elected and named by the Lord or Lords, Lady or Ladies, of the Manor of *Stoke Damerel* for the Time being, as aforeſaid.

When the whole Number of Truſtees are reduced to Seven, Proprietors to fill up Vacancies.

XII. And be it further enacted, That from Time to Time when and as often as the ſaid Truſtees, except the Lord or Lords, Lady or Ladies of the Manor, and the Rector of the ſaid Pariſh of *Stoke Damerel* for the Time being, the ſaid *Francis Saint Aubyn*, and the Steward or Stewards of the ſaid Manor for the Time being, ſhall, by Death, or by not acting for the Space of Two Years in the ſaid Truſt, be reduced to Seven in Number, or leſs, it ſhall and may be lawful to and for the ſeveral Subſcribers and Proprietors or Owners of Pews or Seats, on Ten Days Notice to be for that Purpoſe given in the ſaid Chapel as aforeſaid, to aſſemble and meet together, and the major Part of them ſo aſſembled ſhall and they are hereby required to elect, nominate, and appoint, ſuch and ſo many other fit and able Perſons, Subſcribers and Proprietors as aforeſaid inhabiting within the ſaid Pariſh of *Stoke Damerel*, in the Room and Stead of ſuch of the ſaid Truſtees as ſhall ſo die, or not act, as aforeſaid, ſo as the whole Number of Truſtees do not exceed Eighteen at any One Time, excluſive of the Lord or Lords, Lady or Ladies of the Manor, and Rector of the ſaid Pariſh of *Stoke Damerel* for the Time being, the ſaid *Francis Saint Aubyn*, and the Steward or Stewards of the ſaid Manor for the Time being; and all and every Perſon and Perſons ſo from Time to

Time to be nominated, elected, and appointed, as aforeſaid, ſhall have and be inveſted with the like Powers and Authorities as the Truſtees in whoſe Place they ſhall be ſo elected were veſted with.

Pews veſted in the Subſcribers.

XIII. And be it further enacted, That, from and immediately after all the ſaid ſeveral Pews or Seats ſhall be made and erected in the ſaid intended Chapel, and the full Subſcriptions for the ſame paid and ſatisfied in Manner herein-before directed, together with ſuch Sum or Sums of Money as ſhall be charged and aſſeſſed by any Rate or Rates that may be made as aforeſaid, all and every the ſaid Pews and Seats, ſo ſubſcribed for and entered in the ſaid Book as aforeſaid, ſhall immediately be, and the ſame are thereupon hereby veſted in the ſeveral Perſons ſo ſubſcribing and paying their Subſcriptions, and Sum or Sums of Money charged and aſſeſſed by any Rate or Rates as aforeſaid for the ſame reſpectively, and their reſpective Executors, Adminiſtrators, and Aſſigns; and ſhall and may be bargained, ſold, leaſed, aſſigned, and transferred, by the Proprietors or Owners thereof for the Time being.

Pews may be ſold.

Pews to be numbered.

XIV. And be it further enacted, That each and every of the ſaid Pews or Seats ſhall be marked and diſtinguiſhed with different Numbers, agreeable to the Numbers on the ſaid Plans of the ſaid Pews ſo entered in the ſaid Book as aforeſaid, to be carved or painted on the Doors of the ſaid Pews reſpectively.

Limitation of Proprietors Right.

XV. Provided always, That no One Pew or Seat ſhall have more than One Proprietor thereof; nor ſhall any Pew or Seat be at any Time bargained, ſold, or conveyed, to more than One Perſon.

Grant, Leaſe, or Aſſignment of Pews, to be entered.

XVI. And provided alſo, That no Grant, Bargain, Sale, Deviſe, Leaſe, or Aſſignment, of any Pew or Seat to be made by any Proprietor thereof, ſhall be good or available to the Perſon or Perſons purchaſing or taking under the ſame, until a Memorandum or Entry in Writing of the Alienation of the Property thereof ſhall be firſt made and entered in the aforeſaid Book; and until a Note or Memorandum thereof ſhall be indorſed and ſigned by Five at leaſt of the ſaid acting Truſtees on the Back of the Deed, Inſtrument, or Probate of the Will, conveying or deviſing the ſame, ſignifying that Cognizance hath been taken, or ſuch Entry thereof made as aforeſaid, to prevent Confuſion and a Plurality of Claims; which Note or Memorandum the ſaid Truſtees, or Five or more of them, are (upon Application to them made, and due Proof had of ſuch Tranſmiſſion of Property) hereby authorized and required to make and ſign accordingly.

Proprietor of Pews not to alter the ſame.

XVII. And be it further enacted, That after the ſaid intended Chapel ſhall be conſecrated, it ſhall not be lawful for any Perſon or Perſons whomſoever to make, or cauſe to be made, any Manner of Alteration in any of the ſaid Pews or Seats in the ſaid Chapel, without the Conſent and Approbation of the ſaid Truſtees, or their Succeſſors, or the major Part of them.

Rates to be made for paying Salaries and incidental Expences.

XVIII. And, for the Purpoſe of paying the Salaries or Stipends to the Miniſter or Curate, and to the Chapel Clerk for the Time being, (and likewiſe to the Organiſt for the Time being, when an Organ ſhall be erected),

erected), and alſo for providing Bread and Wine to be uſed in the Communion, in the ſaid intended Chapel and for defraying the Expence of Lights, and all other incidental Expences (Repairs excepted) of the ſaid Chapel, be it further enacted, That every Subſcriber for, or Proprietor of, any Pew or Seat, or Pews or Seats in the ſaid Chapel, his, her, or their Executors, Adminiſtrators, or Aſſigns, reſpectively, ſhall and do annually and every Year, well and truly pay, or cauſe to be paid, to the ſeveral Perſons, and in the Manner and Form herein-after directed, at and after ſuch Rate for each and every Pound or Twenty Shillings of the original Price or Sum given, paid, or ſubſcribed, for each Pew or Seat reſpectively, a Rate, Aſſeſſment, or Sum of Money, as will raiſe or amount in the Whole to ſuch an Annual Sum as the Truſtees (Proprietors of Seats or Pews) ſhall think neceſſary; which ſaid Rate or Aſſeſſment ſhall be approved and ſigned by the ſaid Truſtees, or the Majority of them, as aforeſaid; and every Subſcriber or Proprietor poſſeſſing a Seat or Pew in the ſaid Chapel ſhall be obliged to pay the ſaid Rate, Aſſeſſment, or Sum of Money, by Four even and equal quarterly Payments, the Firſt Payment to begin and be made at the End of Three Calendar Months next after the ſaid intended Chapel ſhall be conſecrated, and a Miniſter or Curate appointed thereto; and in caſe the ſaid Rate, or any Part thereof, ſhall be behind and unpaid for the Space of Three Calendar Months next after the ſame ſhall become due, it ſhall and may be lawful to and for the ſaid Truſtees, and their Succeſſors, or the major Part of them, or to and for the Perſons appointed to collect and receive the ſaid Rates as herein-after directed, by the Directions of the ſaid Truſtees, or the major Part of them, to enter into and upon ſuch Seat or Pew, Seats or Pews, and to let or diſpoſe of, ſell, aſſign, and transfer the ſame, to any other Perſon or Perſons, in Manner as aforeſaid, on ſuch Terms as they ſhall think reaſonable; or to or for the ſaid Collectors, by the Directions of the ſaid Truſtees, or the major Part of them, to ſue for and recover the ſaid Rates in Arrear, with Treble Coſts of Suit, by Action of Debt in any of the Courts of Record at *Weſtminſter*, or at the Aſſizes held at *Exeter*, in the County of *Devon*, ſo as to them ſhall ſeem requiſite and expedient.

Directing the Nomination of a Curate.

XIX. And be it further enacted, That the Right of Nomination of a fit and proper Perſon to officiate as Miniſter or Curate in the ſaid intended Chapel, ſhall be veſted in, and the ſame is hereby veſted in the Rector for the Time being of the Pariſh Church of *Stoke Damerel* aforeſaid, and it ſhall and may be lawful for the ſaid Rector, and he is hereby required to nominate, under his Hand and Seal, to the Biſhop of the ſaid Dioceſe, an able and fit Perſon in Prieſt's Orders, for the Purpoſe of being licenſed by the ſaid Biſhop to officiate as Miniſter or Curate in the ſaid intended Chapel, and to perform all the Offices and Duties of the Curate, according to the Uſe of the Church of *England*, as now by Law eſtabliſhed; and if the ſaid Rector ſhall not nominate as aforeſaid to the Biſhop a fit and proper Perſon to be licenſed to ſerve the Office of Miniſter or Curate of the ſaid intended Chapel, within Three Calendar Months after the ſaid intended Chapel ſhall have been conſecrated as aforeſaid, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Sir *John Saint Aubyn*, or the Lord or Lords, Lady or Ladies, of the ſaid Manor of *Stoke Damerel* for the Time being, and he, ſhe, or they, are hereby required to nominate under his, her, or their Hand or Hands, and

and Seal or Seals, to the Biſhop of the ſaid Dioceſe, an able and fit Perſon in Prieſt's Orders, for the Purpoſe of being licenſed by the ſaid Biſhop, to officiate as Miniſter or Curate in the ſaid intended Chapel, and to perform all the Offices and Duties of the Curate, according to the Uſe of the Church of *England*, as now by Law eſtabliſhed; and if the ſaid Sir *John Saint Aubyn*, or the Lord or Lords, Lady or Ladies of the ſaid Manor of *Stoke Damerel* for the Time being, ſhall not nominate as aforeſaid to the Biſhop a fit and proper Perſon to be licenſed to ſerve the Office of Miniſter or Curate of the ſaid intended Chapel for the Space of Three Calendar Months, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Biſhop to appoint a fit and proper Perſon to officiate in the ſaid intended Chapel as Miniſter or Curate thereof, and to grant him a Licence for that Purpoſe; and the Perſon ſo appointed and licenſed ſhall be taken, deemed, and conſidered as the lawful Curate, and ſhall be entitled to receive, for his own Uſe, the Stipend, and all other Profits and Emoluments belonging to the ſaid Office or Place of Miniſter or Curate; and when and as often as the ſaid Office or Place of Miniſter or Curate ſhall at any Time thereafter become vacant, the ſaid Rector for the Time being ſhall nominate, under his Hand and Seal, a fit and proper Perſon as aforeſaid to the ſaid Biſhop, in order to obtain a Licence to ſerve the ſaid Curacy; and in Default of ſuch Nomination for the Space of Six Calendar Months, to be computed from the Day of ſuch Vacancy, then and in every ſuch Caſe the Gift, Patronage, and Nomination, ſhall lapſe and belong to the ſaid Biſhop for that Turn, in like Manner as other Benefices lapſe by the Laws now in being.

Curate's Salary.

XX. And be it further enacted, That the Miniſter or Curate of the ſaid intended Chapel for the Time being, ſhall have and receive the Yearly Salary or Stipend of Fifty Pounds at leaſt, free and clear from all Deductions whatever, to be paid to him during ſo long Time as he ſhall continue Miniſter or Curate of the ſaid Chapel, by Four Quarterly Payments, that is to ſay, upon the Feaſts of the Annunciation of the Bleſſed Virgin *Mary*, *Saint John* the Baptiſt, *Saint Michael* the Archangel, and *Saint Thomas* the Apoſtle, in every Year.

Curate's Duty.

XXI. And it is hereby further enacted, That the Miniſter or Curate for the Time being of the ſaid intended Chapel ſhall, and is hereby required, on every *Sunday* Morning and Evening, and on every *Chriſtmas Day* and *Good Friday*, in the Morning and Evening, and on every *Tueſday* and *Thurſday* Evening in every Week, and on every Evening in *Paſſion* Week, in every Year, to read in the ſaid Chapel the Prayers preſcribed in the Book of Common Prayer or Publick Liturgy of the Church of *England*; and ſhall alſo on every Sunday throughout the Year, in the Morning and in the Evening, and alſo on every *Thurſday* Evening, and alſo on every *Chriſtmas Day* and *Good Friday* in the Morning and Evening, preach a Sermon in the ſaid Chapel; and ſhall on every *Chriſtmas Day* and *Eaſter Day*, and on the laſt *Sunday* in every Month, except the Month of *December* and the Month in which *Eaſter Day* ſhall ſo happen, after Morning Service performed, adminiſter the Holy Sacrament in the ſaid Chapel, except on *Whitſunday* in the Morning, when the Pariſhoners are to reſort to the Pariſh Church, as an Acknowledgement of its being the Mother Church; but ſubject alſo to ſuch Variations and Regulations as the Biſhop

of *Exeter* for the Time being ſhall in his Diſcretion think neceſſary, concerning the Time of the Curate's reading Prayers, and preaching on the Days aforeſaid; and that the Rector of the Pariſh of *Stoke-Damerel* for the Time being ſhall have full Power and Licence to read Prayers and preach in the ſaid Chapel, at all Times when it ſhall ſo pleaſe him, as in his own Parochial Church; and that he the ſaid Rector may at ſuch Time or Times enjoin the Curate or officiating Miniſter to repair to and do his Duty at the Mother Church. Subject to the Controul of the Biſhop.

XXII. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to any Donation, Gift, Legacy, or Bequeſt, which ſhall or may be hereafter made or given, by any Perſon or Perſons whomſoever, to or for the Benefit of the Miniſter or Curate for the Time being of the ſaid intended Chapel, by way of increaſing the Salary of, or making better Proviſion for the ſaid Miniſter or Curate; but that all and every ſuch Donations, Gifts, Legacies, or Bequeſts, ſhall and may be had, taken, and received by the Miniſter or Curate for the Time being of the ſaid Chapel, purſuant to the Intentions and Directions of the Donor, without the Let, Hindrance, or Controul of the ſaid Truſtees, or any of them, or any other Perſon or Perſons whatſoever, the Statute of Mortmain, or any Thing herein contained to the contrary thereof in anywiſe notwithſtanding. Not to extend to any Gift for the Benefit of the Curate.

XXIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Lord or Lords, Lady or Ladies, of the ſaid Manor of *Stoke-Damerel*, and the Rector of the ſaid Pariſh of *Stoke-Damerel* for the Time being, alternately to nominate and appoint a Chapel Clerk to ſerve and officiate in the ſaid Chapel, the Firſt Appointment of ſuch Chapel Clerk to be made by the Lord or Lords, Lady or Ladies, of the ſaid Manor; and the ſaid Chapel Clerk for the Time being ſhall have, receive, and be entitled to the Yearly Salary or Stipend of Five Pounds, at the leaſt, to be paid to him during ſo long Time as he ſhall continue to act as Chapel Clerk of the ſaid Chapel, by Four equal Quarterly Payments in every Year, as aforeſaid; provided always, that if any Complaint ſhall be made to the ſaid Biſhop reſpecting the Miſbehaviour or Neglect of Duty of the ſaid Chapel Clerk, the ſaid Biſhop ſhall have Power to enquire in a ſummary Manner into the Matter of Complaint, and, if he ſhall ſee Cauſe, to remove the ſaid Chapel Clerk from his ſaid Office. Alternate Nomination of the Clerk veſted in the Lord of the Manor and Rector of *Stoke-Damarel* for the Time being.

XXIV. And be it further enacted, That the Owners and Proprietors of the Pews and Seats in the ſaid Chapel, aſſembled in the ſaid Chapel, or the major Part of them ſo aſſembled, ſhall and may, on ſome convenient Day within One Month next after the Conſecration of the ſaid intended Chapel, and ſo annually on the ſame Day in the Month in which ſuch Meeting ſhall be holden, appoint and chuſe, by Ballot or otherwiſe, One of the Proprietors of Pews for the Time being; and that the Rector of the ſaid Pariſh of *Stoke-Damerel* for the Time being, ſhall and may at ſuch Meeting, and ſo annually as aforeſaid, nominate and appoint One other of the Proprietors of Pews for the Time being; the Perſons ſo from Time to Time named, appointed, and choſen reſpectively, to be Collectors (in the Room, Place, and Stead of Chapelwardens) to collect and receive the Rates of the ſaid Pews or Seats, and the Rate to be made for the Repairs Collectors inſtead of Chapel Wardens.

of the ſaid intended Chapel, as herein-before and herein-after directed, and all Money which ſhall be collected on Briefs, and to pay Salaries or Stipends to the Miniſter or Curate, and Chapel Clerk, of and belonging to the ſaid intended Chapel, and alſo to an Organiſt (when any Perſon ſhall be appointed to officiate as ſuch by the Majority of Proprietors of Pews within the ſaid Chapel) at a Salary or Stipend, to be appointed as aforeſaid, and alſo to pay all other incidental Expences, and to perform and tranſact all Things requiſite and neceſſary for preſerving good Order in the ſaid Chapel; which ſaid Perſons, ſo to be appointed and choſen, ſhall continue in the ſaid Office for the Space of One whole Year next following ſuch their Appointment, and ſhall be and are hereby required to accept and take on them reſpectively the Office of Collector as aforeſaid, on Pain that every Perſon ſo appointed, and neglecting or refuſing to accept and execute the ſaid Office (not being a Second Time contrary to his Inclination appointed thereto, within Ten Years after he ſhall have ſo ſerved the ſaid Office) ſhall forfeit and pay for every ſuch Neglect or Refuſal any Sum not exceeding Forty Shillings, to be recovered, with Double Coſts of Suit, by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, or at the Aſſizes held at *Exeter*, in the County of *Devon*, by and in the Name of the laſt preceding Collectors.

Collectors to have Cuſtody of Keys of the Chapel.

XXV. And be it further enacted, That the Keys of the ſaid intended Chapel ſhall from Time to Time be kept by and left in the Cuſtody of the Collectors for the Time being, during their Continuance in Office, who ſhall alſo have the Cuſtody and the keeping of the Plate, Furniture, Records, and Books, belonging to the ſaid Chapel, and ſhall and may depoſite and keep the ſame, either in the Veſtry Room of the ſaid Chapel, or in their Houſes, as ſhall be judged moſt proper by a Majority of the Proprietors or Owners of Pews, in a ſtrong Cheſt, to be for that Purpoſe provided with Three ſecure Locks and different Keys, One of which Keys ſhall be from Time to Time kept by each of the ſaid Collectors, and the other by the ſaid Rector, Miniſter, or Curate for the Time being; and that all Offerings and Oblations made and collected at the Time of celebrating the Sacrament of the Lord's Supper, ſhall be paid into the Hands of the Rector of *Stoke-Damerel*, to be by him diſtributed to ſuch poor Perſons within the ſaid Pariſh as he may think proper Objects of Charity.

Collectors to keep Accounts.

XXVI. And be it further enacted, That all Perſons to be appointed Collector or Treaſurer in purſuance of this Act, for the Purpoſes herein-before mentioned, to collect and receive the Rates of the Pews and Seats in the ſaid intended Chapel, or the Rates herein-before directed to be made and aſſeſſed, for the Time being, ſhall and they reſpectively are hereby enjoined and required to keep true and perfect Accounts of all and every Sum and Sums of Money by them received on Account of the ſaid intended Chapel, and the Pews and Seats therein, and of all Rates to be collected and received as aforeſaid, and of all Sum and Sums of Money iſſued and paid out of the ſame; and ſhall enter all ſuch Receipts and Payments in a proper Book or Books to be kept for that Purpoſe; which ſaid Books and Accounts ſhall and may be inſpected by the ſaid Subſcribers and Proprietors, or any of them, or any claiming Seats and Pews under them, or any of them reſpectively, upon Demand.

Collectors to render an Account on Oath.

XXVII. And be it further enacted, That all such Collectors for the Time being shall from Time to Time, when required by the said Trustees and their Successors, or the major Part of them, make and render to the Persons so requiring the same, or to such other Person or Persons as they shall in that Behalf nominate and appoint, a true and perfect Account upon Oath (which Oath any One of His Majesty's Justices of the Peace for the said County of *Devon* is hereby empowered and required to administer without Fee or Reward) of all such Sums of Money by such Collectors respectively collected and received, and all other Matters and Things committed to their Care by virtue of and under the Authority of this Act; and pay and deliver unto such Person or Persons as the said Trustees for the Time being, or the major Part of them, shall direct and appoint, all and every such Sum and Sums of Money as shall remain in their Hands at the Time of such Account; and if any such Collectors shall refuse or neglect to account for and pay such Sum and Sums of Money accordingly, any Two or more of the said Justices shall and may by virtue of this Act, commit such Person or Persons to the Common Gaol of the said County of *Devon*, there to remain without Bail or Mainprize, until they respectively shall have made a true and perfect Account and Satisfaction, and paid so much as upon such Account shall appear to be remaining in their respective Hands, or shall or may make such Composition for the same, as the said Subscribers, or Persons claiming by, from, or under them, from Time to Time respectively, or the major Part of them assembled at any publick Meeting to be by them for that Purpose appointed, shall think just and reasonable; which Composition the said Subscribers or Claimants, or the major Part of them to be assembled as aforesaid, are hereby authorized and empowered from Time to Time to make and accept.

Penalty on Refusal.

Surplus Money, how to be disposed of.

XXVIII. Provided always, and be it further enacted, That in case any Surplusage Money, arising by or from the said Subscriptions, or the Rents or Profits arising from the letting or disposing of the said Seats or Pews, or by the Forfeitures in this Act incurred, shall at any Time or Times remain, the same shall be laid out and applied by the said Trustees, or the major Part of them assembled, upon Ten Days publick Notice to be for that Purpose given in the said Chapel on *Sunday* immediately after Divine Service in the Morning, for and towards such Uses, Intents, and Purposes, as the said Trustees and Proprietors for the Time being, or the major Part of them, shall think meet or expedient.

Chapel to be supported by Proprietors.

XXIX. And be it further enacted, That after the said intended Chapel shall be built, finished, fitted for Divine Service, and consecrated as aforesaid, the same shall be supported and kept in Repair by the Owners and Proprietors for the Time being of the Pews or Seats therein.

Not obliged to rebuild in case the Chapel is destroyed by Accident.

XXX. Provided always, That nothing in this act contained shall extend, or be construed to extend, to oblige the said Proprietors and Owners of Pews to re-build the said Chapel at their own Expence, in case the same should at any Time be destroyed by Fire, Lightning, Storm, or other inevitable Accident.

XXXI. Pro-

In case the Chapel is not re-built within a certain Time, the Ground shall revert to the Lord of the Manor.

XXXI. Provided also, and be it further enacted, That in case the said intended Chapel shall (while the same is building, or at any Time after the Completion thereof) be destroyed by Fire, Lightning, Storm, or other inevitable Accident as aforesaid, and the Proprietors and Owners of the same for the Time being shall refuse or neglect, for the Space of Six Years from its being so destroyed as aforesaid, to rebuild and finish the said Chapel, it shall and may be lawful to and for the said Sir *John Saint Aubyn*, or the Lord or Lords, Lady or Ladies, of the said Manor for the Time being, to enter in and upon the said Piece of Ground (granted and set apart for the Purpose of building such Chapel as aforesaid) and the same to have again, repossess, and enjoy, in as full and ample a Manner as he, she, or they might or could have done in case this Act had not been made; any Thing herein contained to the contrary thereof notwithstanding.

Not to make any Repairs without previous Application.

XXXII. Provided always, and be it further enacted, That the said Owners and Proprietors of Pews in the said Chapel shall not be obliged to cause or direct any Repairs to be done to the said Chapel, unless and until an Application shall be made to the said Trustees for the Time being on that Behalf, by the Persons acting as Collectors of the said intended Chapel for the Time being, and until a Report be made by them, in Writing, of some able Workman or Workmen by them the said Trustees, or the major Part of them, to be appointed in that Behalf, that such Repairs are necessary to be done, and such Report be allowed and confirmed by a Majority of the said Trustees for the Time being (on due Notice to be given in the said Chapel) assembled for that Purpose.

Rates to be made for Repairs.

XXXIII. Provided also, and be it further enacted, That when and as often as any Repairs shall be necessary to be made or done in, to, or about the said Chapel (the same being reported, allowed, and confirmed as aforesaid) it shall and may be lawful to and for the said Trustees, or any Five of them, by and with the Consent and Approbation of the Proprietors of Pews within the said Chapel, or the major Part of them, assembled pursuant to Notice to be for that Purpose given in the said intended Chapel on the *Sunday* next preceding such Meeting immediately after Divine Service in the said Chapel, to make, or cause to be made, One or more Rate or Rates, on themselves and all others the Owners and Proprietors of Pews or Seats in the said Chapel in equal Degree (not exceeding Sixpence in the Pound in any One Rate) in Proportion to the said original Price or Sum subscribed for each and every Pew or Seat respectively; which said Rate or Rates shall be approved and signed by the major Part of the said Trustees (Proprietors of Seats or Pews) for the Time being assembled for the Purpose of making the same; and the said Rate and Rates, being so signed and approved, shall and may be collected, received and gathered in by the Collectors for the Time being, in the same or like Manner as the Rates of the said Pews or Seats are herein-before directed to be collected and received; and in case any Proprietor or Proprietors of any Pew or Pews, Seat or Seats, his, her, or their Executors or Administrators, or any Person or Persons whomsoever claiming or to claim by, from, or under him, her, or them, or any of them, shall at any Time or Times neglect

or refuſe to pay to the Collectors for the Time being the Sum or Sums ſo charged and aſſeſſed on him, her, or them reſpectively, by the ſaid Rate or Rates, for or in reſpect of the ſaid Repairs, by the Space of Three Calendar Months next after a Perſonal Demand made, or Notice in Writing left at the laſt Place of Abode of the Perſon or Perſons required to pay the ſame, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees for the Time being, or the major Part of them, or to and for the ſaid Collectors for the Time being, to be appointed and choſen as aforeſaid, by the Directions of the ſaid Truſtees, or the major Part of them, either to enter in and upon the Seat or Pew, and Seats or Pews of the Perſon or Perſons ſo neglecting or refuſing to pay the ſaid Rate or Rates as aforeſaid, and to let or diſpoſe of, or ſell and aſſign the ſame, to any other Perſon or Perſons, on ſuch Terms as they ſhall think reaſonable; or to ſue for and recover the Money aſſeſſed and charged in and by ſuch Rate or Rates, in the Name or Names of ſuch Collectors, with Treble Coſts of Suit, by Action of Debt in any of the Courts of Record at *Weſtminſter*, or at the Aſſizes held at *Exeter* in the County of *Devon*, as to them ſhall ſeem requiſite and expedient.

Not to affect Rights of the Mother Church.

XXXIV. Provided always, That nothing in this Act contained ſhall prejudice, impeach, or defeat the Right, Title, Intereſt, Claim, or Demand of the Rector for the Time being of the ſaid Pariſh of *Stoke-Damerel*, or of his Succeſſors, of, in, or to any Tythes, Offerings, Oblations, Obventions, or other Eccleſiaſtical Rights, Dues, Benefits, or Advantages, or any other Right, Title, or Intereſt, within the ſaid Pariſh of *Stoke-Damerel*, of Right due and payable to the Rector for the Time being, or which he can or may claim, demand, or be entitled unto.

Curate not to bury, or do any Act that may infringe on the Rights or Emoluments of the Mother Church.

XXXV. And be it further enacted, That the Miniſter or Curate for the Time being of the ſaid intended Chapel, ſhall not at any Time or Times preſume to bury, or ſuffer to be buried, in the ſaid intended Chapel, or Chapel Yard, any Corpſe whatſoever; neither ſhall the ſaid Miniſter or Curate for the Time being, on any Account or Pretence whatſoever, preſume himſelf, or ſuffer any other Perſon, to baptize or chriſten, or to marry, or to do or cauſe to be done any Act whatſoever in his Function of Miniſter of the ſaid intended Chapel, within the ſaid Pariſh of *Stoke-Damerel*, which may in any Reſpect tend to leſſen or infringe on the Rights, Privileges, or Emoluments of the ſaid Mother Church (ſave and except the churching of Women after Child Birth, which he is hereby authorized and required to do, at any Time or Times when and as often as Occaſion may require): Provided always, that in caſe any Emolument ſhall ariſe, accrue, or be paid for the churching of Women as aforeſaid, the ſame ſhall be paid by the Miniſter or Curate officiating in the ſaid intended Chapel, unto the Rector of the ſaid Pariſh of *Stoke-Damerel* for the Time being.

Empowering the Biſhop to remove the Curate for Neglect of Duty.

XXXVI. And be it further enacted, That in caſe the ſaid Miniſter or Curate for the Time being ſhall not reſide in the ſaid Pariſh, and perform himſelf the Duty required to be done in the ſaid intended Chapel, or ſhall be abſent for the Space of more than Two Calendar Months in any One Year (except on Account of Sickneſs) or ſhall not provide a proper Perſon to perform the Duty required to be done in the ſaid intended Chapel during his Abſence or Illneſs as aforeſaid, then and

and in ſuch Caſes, and in all other good and reaſonable Cauſes, the ſaid Biſhop ſhall have Power, on Complaint being made to him, to enquire into the Matter in a ſummary Manner; and if he ſhall ſee Cauſe, to revoke any Licence granted to any Miniſter or Curate of the ſaid intended Chapel, and to remove ſuch Curate, and to declare the ſaid Curacy void, and to be void with reſpect to the Perſon of the ſaid Curate: Provided always, that if the ſaid Biſhop ſhall revoke any Licence, and remove any Miniſter or Curate of the ſaid intended Chapel as aforeſaid, that he ſhall forthwith give Notice thereof to the Rector for the Time being of the ſaid Pariſh Church of *Stoke-Damerel*.

Proprietors of Pews not to be exempted from paying Church and Pariſh Rates.

XXXVII. And be it further enacted, That the ſaid Proprietors of Seats or Pews in the ſaid intended Chapel ſhall not, in reſpect thereof, be exempted or excuſed from paying any Church or Pariſh Rates which ſhall be legally charged or aſſeſſed upon them, towards defraying the Charges incident to the Repairs and Support of the ſaid Mother Church of *Stoke-Damerel*; any Thing herein contained to the contrary thereof notwithſtanding.

Limitation of Actions.

XXXVIII. Provided always, and be it further enacted, That if any Action ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, then and in every ſuch Caſe ſuch Action ſhall be brought within Six Calendar Months next after the Cauſe of Action ſhall ariſe, and not afterwards, and ſhall be laid in the ſaid County of *Devon*, and not elſewhere; and the Defendant

General Iſſue.

or Defendants in ſuch Action may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if it ſhall appear ſo to be done, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or ſhall diſcontinue his, her, or their Action, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs,

Treble Coſts.

the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts in any other Caſe by Law.

General Saving.

XXXIX. Saving nevertheleſs to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all Bodies Politick and Corporate, and all other Perſons whomſoever, their Heirs, Executors, Adminiſtrators, and Aſſigns (other than the ſaid Sir *John Saint Aubyn*) all ſuch Eſtate, Right, Title, and Intereſt, as they or any of them might have or claim in or to the ſaid Piece or Parcel of Ground ſo ſet apart for the Scite of the ſaid Chapel as aforeſaid, in as ample Manner and Form as if this Act had not been made.

Publick Act.

XL. And be it further enacted, That this Act ſhall be deemed, taken, and allowed to be a Publick Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

FINIS.