Anno ſeptimo

Georgii III. Regis.

An Act for enlarging the Term and Powers granted by Two Acts of Parliament, of the Third of King *George* the Firſt, and the Eleventh of His late Majeſty, for enabling the Pariſhioners of *Saint Mary Rotherhith*, in the County of *Surrey*, by certain Funeral Rates therein mentioned, to finiſh the ſaid Pariſh Church, and for purchaſing an additional Burial Ground, and to enable them to raiſe Money for purchaſing the preſent Parſonage Houſe, and converting the Scite thereof into a Burial Ground, and for providing a new Parſonage Houſe.

WHEREAS by an Act made and paſſed in the Third Year of the Reign of His late Majeſty King George the Firſt, intituled, An Act to enable the Pariſhoners of the Pariſh of *Saint Mary Rotherhithe*, in the County of *Surrey*, by certain Funeral Rates therein mentioned, to finiſh the ſaid Pariſh Church, ſeveral Rates and Duties therein ſpecified were granted for diſcharging ſuch Debts of the ſaid Pariſh as had been contracted in and about the rebuilding and enlarging the ſaid Church, and to ſatisfy ſuch other Sums of Money as ſhould be neceſſary for finiſhing and adorning the ſaid Church, not exceed- Preamble, reciting Act 3 *Geo.* I.

exceeding the Sum of Fifteen hundred Pounds in the Whole, to be advanced and lent upon the Credit of the ſaid Act, and for which One or more Annuity or Annuities might be granted for One or more Life or Lives, in ſuch Manner and Form as by the ſaid Act is appointed: And whereas by an Act made and paſſed in the Eleventh Year of the Reign of His late Majeſty King George the Second, the Term and Powers granted by the ſaid former Act were enlarged, and the Pariſhioners of the ſaid Pariſh were enabled to raiſe ſuch further Sums of Money as ſhould be neceſſary for purchaſing a convenient Piece of Ground for an additional Burial Ground, and for other the Purpoſes therein mentioned, in ſuch Manner as by the ſaid laſt-mentioned Act is directed: And whereas the ſaid Pariſhioners have been daily increaſing ſince the ſaid laſt-mentioned Act was obtained; and now are ſo greatly increaſed, that they are obliged to purchaſe another Piece of Ground for an additional Burial Ground for the ſaid Pariſh, their preſent Churchyard and Burial Ground not being ſufficient for the Interment of their Dead: And whereas it hath been agreed in full and open Veſtry, by the Churchwardens and other Inhabitants of the ſaid Pariſh, to purchaſe of the Maſter, Fellows, and Scholars of Clare Hall, in the Univerſity of Cambridge, who are the Patrons of the Rectory of the ſaid Pariſh, and of the Reverend Thomas Cokayne, the preſent Rector thereof, the Parſonage Houſe of the ſaid Pariſh, with the Garden and Appurtenances thereunto belonging, at or for the Price or Sum of Eight hundred Pounds, in order to pull down the ſaid Houſe, and uſe the Site thereof, with the Garden and Ground thereunto belonging, for an additional Burial Ground for the ſaid Pariſh; and the ſaid Maſter, Fellows, and Scholars, and alſo the ſaid Rector, have agreed, by and with the Conſent of the Right Reverend Father in God John Lord Biſhop of Wincheſter, Ordinary of the ſaid Dioceſe, to ſell and convey, unto Truſtees to be appointed for the Uſe of the Inhabitants of the ſaid Pariſh, the ſaid Parſonage Houſe, Garden, and Appurtenances, for the Purpoſe aforeſaid, at and for the ſaid Sum of Eight hundred Pounds, and to apply that Sum in the Purchaſe of another Piece of Ground, and the Erection of a new Parſonage Houſe in the ſaid Pariſh of Saint Mary Rotherhithe, according to a Plan ſettled and approved of by them: And whereas the ſaid Inhabitants are not able to raiſe the Sums neceſſary for ſuch intended Purchaſe, and for defraying the Expences of incloſing and making the

ſame Site and Ground fit and commodious for the Burial of their Dead therein, without the Aid of Parliament, and are deſirous that the Term and Powers granted by the before-mentioned Acts may be enlarged, and the ſaid Rates and Duties thereby granted be continued, and that the like Rates and Duties, which are now payable by the ſaid former Acts, may be payable for every Perſon who ſhall be interred in the ſaid new intended Burial Ground; and that the ſaid Pariſhioners may be enabled to raiſe ſuch further Sums of Money, by the like Ways and Means as by the ſaid former Acts are directed, as ſhall be ſufficient to complete the ſaid Purchaſe, and to defray the Expences of incloſing and making the ſame Site and Ground fit and commodious for the Burial of the Dead, and other incidental Charges relating thereto: May it therefore pleaſe Your moſt Excellent Majeſty (at the humble Requeſt of the Rector, Churchwardens, and other the Inhabitants of the ſaid Pariſh, by and with the Conſent of the Right Reverend Father in God John Lord Biſhop of Wincheſter, Ordinary of the ſaid Dioceſe) that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, and all and every the Powers and Authorities thereby given, and all and every the Articles, Clauſes, and Proviſoes therein contained, and the ſeveral Rates and Duties to be paid and payable by virtue of the ſaid Acts, for the Burial of every Perſon of the reſpective Age or Ages therein mentioned, ſhall continue and be in full Force and Effect for ſuch further Time, and for ſuch Ends and Purpoſes, as are herein after-mentioned; and that the like Rates and Duties, which are now payable by virtue of the ſaid former Acts, ſhall be paid and payable during the Continuance of this Act, for every Perſon of the reſpective Age or Ages in the ſaid former Acts mentioned, who ſhall be interred in the ſaid intended new Burial Ground, when the ſame ſhall be purchaſed, incloſed, and made fit and convenient for the Burial of the Dead therein.

Recited Acts, and Powers, &c. therein,

as alſo the Rates and Duties payable by the former Acts, continued.

And it is hereby further enacted by the Authority aforeſaid, That the Truſtees impowered to put the ſaid former Acts in Execution, and the Truſtees herein after named, or any Nine or more of them, are hereby impowered to raiſe, levy, and receive, in ſuch Manner and Form, and by ſuch Ways and Means, as the ſaid Truſtees in the ſaid former Acts are impowered to do, any

Truſtees impowered to raiſe a further Sum, not exceeding 1500*l.* and apply the ſame as the Act directs.

further Sum or Sums of Money, not exceeding in the Whole the Sum of Fifteen hundred Pounds, and to apply the ſame, and ſo much of the ſaid Rates and Duties granted by the ſaid former Acts as have already exceeded the annual Amount of the ſaid Annuities now ſubſiſting, and have not yet been applied, and as have not yet been collected and paid, and as ſhall ariſe from the ſaid Rates and Duties granted by the ſaid former Acts, and ſhall be more than ſufficient to ſatisfy the ſaid Annuities now ſubſiſting, or ſuch of them as ſhall be ſubſiſting, until One or more new Annuity or Annuities ſhall be granted as herein after is directed, in Manner following; that is to ſay, In the firſt Place, for ſatisfying the Charges and Expences of obtaining this Act; and in the next Place, for the purchaſing of the Maſter, Fellows, and Scholars of Clare Hall aforeſaid, and the Rector of the ſaid Pariſh of Saint Mary Rotherhithe, the Parſonage Houſe of the ſaid Pariſh, with the Outhouſes, Buildings, Garden, and Appurtenances thereunto belonging, at or for the Price or Sum of Eight hundred Pounds, in order that the ſaid Houſe and Buildings may be pulled down, and the Site thereof, with the Garden and Ground thereunto belonging, uſed as and for an additional Burial Ground for the ſaid Pariſh, and for incloſing and making the ſame Site and Ground fit and commodious for the Burial of the Dead therein, and for defraying other incidental Charges relating thereto, in ſuch Manner as to the ſaid Truſtees, or the major Part of them, at any General Meeting ſhall ſeem meet; and the ſaid Truſtees impowered to put the ſaid former Acts in Execution, and the Truſtees herein after named, or any Five or more of them, are alſo hereby impowered to order and appoint the ſaid Rates and Duties, to be paid and payable by the ſaid former Acts and by this preſent Act, to be collected by, and paid to, ſuch Perſon or Perſons, as the ſaid Rates and Duties granted by the ſaid former Acts are in that Behalf directed to be collected and paid; and ſuch Perſon or Perſons, ſo authorized to collect and receive the ſaid Rates and Duties granted by the ſaid former Acts and by this preſent Act, ſhall have ſuch Poundage for collecting and receiving the ſame, and ſhall account for and be compellable to make ſuch Account for all the ſaid Rates and Duties, and ſhall be ſubject and liable to ſuch Puniſhment for any Neglect or Refuſal ſo to do, in ſuch Manner and Form, and by ſuch Ways and Means, as by the ſaid former Acts are in that Behalf alſo directed or appointed.

Collectors of the Rates to be appointed.

And it is hereby further enacted by the Authority aforeſaid, That the ſaid Truſtees impowered to put the ſaid former Acts in Execution, and the Truſtees herein after named, or any Nine or more of them, at any General Meeting, are hereby alſo impowered to grant One or more Annuity or Annuities for Life or Lives, to any Perſon or Perſons who ſhall advance and lend upon the Credit of this Act the ſaid Sum of Fifteen hundred Pounds, or any Part thereof, not exceeding the Rate of Eight Pounds and Ten Shillings per Annum for every One hundred Pounds, and ſo in Proportion for every greater or leſſer Sum; all which ſaid Annuities ſhall not exceed in the Whole the Sum of One hundred twenty ſeven Pounds and Ten Shillings per Annum; and ſhall be payable and paid by the ſaid Truſtees, or any Five or more of them, at ſuch Place and Times reſpectively, as the ſaid Annuities appointed to be granted by the ſaid former Acts are thereby directed to be paid; and the ſaid Rates and Duties granted by the ſaid former Acts and by this preſent Act, ſhall be, and are hereby charged and made chargeable with and for the Payment of the ſaid Annuities to be granted by force and virtue of this Act; and the Names and Surnames, with the proper Additions and Places of Abode, of all ſuch Perſons who ſhall be Purchaſers of any of the Annuities to be granted by force and virtue of this Act; and of all Perſons by whoſe Hands the ſaid Purchaſers ſhall pay in any Sum or Sums of Money upon the Credit of this Act; and alſo the Sum and Sums ſo paid for ſuch Annuities, and the reſpective Days of Payment thereof, ſhall be fairly written and entered in ſuch Manner and Form, and in ſuch Book or Books, as by the ſaid former Acts are in that Behalf directed touching and concerning the Annuities thereby granted; and to which Book or Books it ſhall be lawful for the ſaid reſpective Purchaſers and their Aſſigns, from time to time, and at all ſeaſonable Times, to have Reſort to and inſpect the ſame, without Fee or Reward; and the ſaid Annuities ſhall and may be aſſigned or aſſignable in like Manner as the Annuities already granted by virtue of the ſaid former Acts are and may be aſſigned; and no ſuch Aſſignment ſhall be revocable, ſo as ſuch Entry or Memorandum thereof be made in ſuch Manner and Form as by the ſaid former Acts Aſſignments of the Annuities to be granted by virtue thereof are directed to be entered; and ſuch Entry ſhall be made gratis: And in caſe the ſaid Rates and Duties ſhall fall ſhort, and be deficient to ſatisfy and pay the Annuities by this Act

Truſtees impowered to grant Annuities for Lives, for the Monies lent upon the Credit of this Act.

Annuities not to exceed 127 *l.* 10 *s.* *per Ann.*

and to be charged on the Rates and Duties.

Entry to be made of the Perſons, and Sums paid in by them towards purchaſing the Annuities.

Annuities made aſſignable.

Deficiencies of the Rates to be made good.

Act charged thereon, ſuch Deficiency ſhall, from time to time, be made good by the Pariſhioners and Inhabitants, by making and collecting ſuch Rates upon themſelves, from time to time, as ſhall be ſufficient to anſwer and pay all ſuch Deficiencies, in like Manner, and by the ſame Ways and Means, as by the ſaid former Acts may be done in the like Behalf; and the ſaid Rates and Duties ſhall have Continuance for and during ſuch Time only as any of the Annuities granted by virtue of the ſaid former Acts, and which ſhall be granted purſuant to this Act, ſhall have Continuance; and as the ſaid Annuities now ſubſiſting, and the Annuities which ſhall be granted by virtue of this Act, ſhall reſpectively determine, the ſaid Rates and Duties ſhall decreaſe and be leſſened in proportion to the Decreaſe of the ſaid Annuities; and that from and after the Determination of all the ſaid Annuities, the ſaid Rates and Duties ſhall wholly ceaſe and determine; and from thenceforth only ſuch Rates and Duties as were payable for Burials within the ſaid Pariſh, before the obtaining the ſaid former Acts, ſhall be paid and payable for all Burials, as well in the ſaid new as old Burial Ground, and that in ſuch Manner and Form, and to ſuch Uſes, as before the paſſing of the ſaid former Acts the ſame were payable and ought to be paid; any thing herein or in the ſaid former Acts contained to the contrary notwithſtanding.

Rates to be continued for ſuch Time only as the Annuities ſhall continue; and to decreaſe proportionably with them.

The old Rates to take Place on the Determination of the Annuities.

Reſervation of Rights to the Rector.

Provided always, That this Act, or any Thing therein contained, ſhall not extend, or be conſtrued, adjudged, deemed, or taken to extend, to leſſen, prejudice, or defeat, any the Rights which the preſent Rector of the ſaid Pariſh, or any future Rector or Rectors thereof, ſhall or may have, or ought to have, in the ſaid intended new Burial Ground; but that the ſaid preſent Rector and his Succeſſors ſhall for ever hereafter have and enjoy, from time to time, all the ſame Rights, Privileges, and Profits, in, unto, out of, and from, the ſaid new Burial Ground, as the preſent Rector hath or ought to have, or which any future Rector or Rectors of the ſaid Pariſh ſhall or may have, or ought to have, in, unto, out of, or from, any of the preſent Burial Grounds or Burial Places now belonging to the ſaid Pariſh, in as full, large, ample, and extenſive, Manner, to all Intents and Purpoſes whatſoever.

Powers granted for making Sale of, and conveying of the Premiſſes.

And it is hereby further enacted by the Authority aforeſaid, That the preſent Maſter, Fellows, and Scholars, of Clare Hall, in the Univerſity of Cambridge, and their Succeſſors for the time being, and the Reverend Thomas Cokayne, the preſent Rector of the Pariſh of Saint Mary Rotherhithe

Rotherhithe aforeſaid, and any future Rector or Rectors thereof, ſhall be and they are hereby fully and effectually enabled and impowered abſolutely to ſell and convey unto the Truſtees impowered to put the ſaid former Acts in Execution, and the Truſtees herein after named, or any Nine or more of them, and their Heirs and Aſſigns, the Parſonage Houſe of the ſaid Pariſh of Saint Mary Rotherhithe, with the Outhouſes, Buildings, Garden, and Appurtenances thereunto belonging, at or for the Price or Sum of Eight hundred Pounds, in order and to the Intent that the ſaid Parſonage Houſe and Buildings ſhall and may be pulled down, and that the Site thereof, with the Garden and Ground thereunto belonging, ſhall and may be uſed as and for an additional Burial Ground for the ſaid Pariſh; and which ſaid Parſonage Houſe, Buildings, Garden, and Appurtenances, the ſaid Truſtees impowered to put the ſaid former Acts in Execution, and the Truſtees herein after named, or any Nine or more of them, are hereby impowered to purchaſe for ſuch the Purpoſe aforeſaid.

Upon Payment of the Purchaſe-money, Premiſſes to veſt in the Truſtees, for the Uſe of the Pariſh.

And it is hereby enacted by the Authority aforeſaid, That from and immediately after ſuch Sale and Conveyance, and Payment of the ſaid Sum of Eight hundred Pounds, for the Purchaſe of the ſaid Premiſſes, being made unto the ſaid Maſter, Fellows, Scholars, and Rector, or their Succeſſors as aforeſaid, they the ſaid Truſtees, and their Heirs and Aſſigns, ſhall hold and enjoy the ſaid Parſonage Houſe, Outhouſes, Buildings, Garden, and Appurtenances, and every Part thereof, for ever, freed and diſcharged of and from all Right, Title, Uſe, Truſt, Eſtate, and Intereſt whatſoever, which they the ſaid Maſter, Fellows, Scholars, and Rector, or any or either of them, now have or can claim, or which their Succeſſors, or any of them, might have or claim, in or to the ſaid Premiſſes or any Part thereof; in Truſt nevertheleſs only to and for the Uſe of the Inhabitants of the ſaid Pariſh for the Purpoſes aforeſaid, and to and for no other Uſe, Truſt, Intent, or Purpoſe whatever.

Truſtees impowered to pull down the Parſonage Houſe, &c. and diſpoſe of the Materials;

And it is hereby enacted by the Authority aforeſaid, That the ſaid Truſtees impowered to put the ſaid former Acts in Execution, and the Truſtees herein after named, or any Five or more of them, are hereby impowered to pull down the ſaid Parſonage Houſe and the Buildings thereunto belonging, and to ſell or diſpoſe of the Materials thereof, and to apply the Monies ariſing thereby, or therefrom, in and towards the Purpoſes of this Act; and they the ſaid Truſtees, or any Five or more of them,

and incloſe the Ground.

are alſo hereby impowered to incloſe and make the Site of the ſaid Parſonage Houſe and Buildings, with the Garden and Ground thereunto belonging, fit and commodious for the Burial of their Dead therein.

Purchaſe-money to be applied

And it is hereby further enacted by the Authority aforeſaid, That they the ſaid Maſter, Fellows, and Scholars, of Clare Hall, and their Succeſſors for the time being, and alſo the preſent Rector of the Pariſh of Saint Mary Rotherhithe aforeſaid, or any future Rector or Rectors thereof, ſhall and do, and they are hereby required and impowered, as ſoon as conveniently may be after their Receipt of the ſaid Sum of Eight hundred Pounds before mentioned, and within Two Years from the Paſſing of this Act, to apply, lay out, and expend, the ſaid Sum of Eight hundred Pounds in the Purchaſe of the Freehold and Inheritance of a Piece or Parcel of Ground in the ſaid Pariſh of Saint Mary Rotherhithe, and the Erection of a new Parſonage Houſe and Buildings thereon, and the finiſhing and completing the ſame, fit and commodious for the Reſidence of the ſaid Rector therein, according to the Plan and Elevation now ſettled and approved of by and between them the ſaid Maſter, Fellows, and Scholars, and the preſent Rector of the ſaid Pariſh; and which ſaid Piece or Parcel of Ground the ſaid Maſter, Fellows, and Scholars, and the ſaid Rector, and their Succeſſors for the time being, are hereby impowered to purchaſe for the Purpoſe aforeſaid; and the ſaid preſent Rector and his Succeſſors ſhall for ever hereafter have and enjoy, from time to time, all the ſame Rights, Privileges, and Profits, in, unto, out of, and from, the ſaid Piece or Parcel of Ground, and the Parſonage Houſe and Buildings thereon to be erected as aforeſaid, as the preſent Rector now hath or ought to have, or which any future Rector or Rectors of the ſaid Pariſh ſhall or may have, or ought to have, of, in, unto, out of, or from, the preſent Parſonage Houſe, Garden, and Appurtenances, now belonging to the ſaid Pariſh, in as full, large, ample, and extenſive Manner, to all Intents and Purpoſes whatſoever.

in the Purchaſe of other Ground, and building a new Parſonage Houſe.

Additional Truſtees for putting the former and this Act in Execution, &c.

And it is hereby enacted by the Authority aforeſaid, That the Reverend Matthew Audley Clerk, Nicholas Leach, John Randall, William Richardſon, John Wells, and William Wells, Eſquires; William Chapman, John Pettit, William Wood, Lewis Preſton, Walter Pace, Henry Bird, William Shaw, Shadrach Leſter, William Skeggs, Richard Chapman, William Woolcomb, and George Hooper, Gentlemen; ſhall be, and they are hereby, appointed and added Truſtees, jointly with the Reverend

Thomas Cokayne Clerk, Samuel Gillam Eſquire, John Coulter, Michael Roberts, William Coote, Thomas Oſborn, Henry Mills, and Robert Inwood, Gentlemen, the preſent Truſtees of the ſaid recited Acts, for putting the ſame and this preſent Act in Execution, and all the Powers and Authorities therein and herein enacted and granted, to all Intents and Purpoſes, as if they had been named in the ſaid recited Acts; and that as the Number of the ſaid Truſtees ſhall, by Death, or Removal out of the ſaid Pariſh for the Space of Six Calendar Months, or refuſing to act in the ſaid Truſt, or otherwiſe, be reduced to Nine, it ſhall and may be lawful for the ſurviving Truſtees, at any General Meeting, by any Writing or Writings under their Hands and Seals, to nominate, elect, and appoint, ſo many other fit and able Perſon or Perſons, inhabiting within the ſaid Pariſh, in the Room of any of the ſaid Truſtees ſo dying, removed, or refuſing to act; and ſo, from time to time, for any ſurviving Truſtees under the ſaid former Acts, or this preſent Act, to nominate, elect, and appoint, others to be Truſtees with them as aforeſaid, when the Number of Truſtees for putting the ſaid former or this preſent Act in Execution ſhall, in the Manner and by the Means aforeſaid, be reduced to Nine; and all and every Perſon and Perſons ſo nominated, elected, and appointed, is and are hereby impowered to act and do in as full and ample Manner as any of the Truſtees appointed for putting the ſaid former Acts, or this preſent Act, in Execution, are impowered to act and do.

Election to be made of new Truſtees, in the Room of ſuch as ſhall die, remove, or refuſe to act.

And be it enacted by the Authority aforeſaid, That if any Suit or Action ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done, or to be done, in purſuance of this Act, every ſuch Suit or Action ſhall be commenced within Six Months next after the Fact committed, and not afterwards; and ſhall be brought and tried in the County of Surrey, and not elſewhere; and the Defendant or Defendants therein 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 of and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Suit or Action ſhall be brought after the Time before limited for the bringing the ſame, or ſhall be laid in any other County or Place, that then, and in ſuch Caſe or Caſes, the Jury ſhall find a Verdict for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions,

Limitation of Actions.

General Iſſue.

tions; or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſes by Law.

Treble Coſts.

Publick Act.

And be it further enacted by the Authority aforeſaid, That this preſent Act ſhall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

FINIS.