ANNO TRICESIMO QUARTO

Georgii III. Regis.

CAP. LXXXVIII.

An Act for taking down and rebuilding the Pariſh Church of *Saint Alkmond*, in the Town of *Shrewſbury*, in the County of *Salop*.

[17th *April* 1794.]

WHEREAS the Pariſh Church of *Saint Alkmond*, in the Town of *Shrewſbury*, and County of *Salop*, is a very ancient Structure, and is in a very decayed and ruinous State and Condition, (except the Steeple and Spire), and the ſame having been ſurveyed by ſeveral ſkilful and experienced Architects employed for that Purpoſe, they have reported that it is very dangerous for the Inhabitants of the ſaid Pariſh to aſſemble therein to hear Divine Service, and that it is neceſſary the ſaid Church ſhould be taken down and rebuilt: And whereas *Rowland Wingfield*, *John Corbett*, *John Hill*, and *Thomas Wingfield*, Eſquires, and *Suſannah Lloyd* Spinſter, the Lay Impropriators or Owners of certain Tythes of Corn and Grain, and other Great Tythes ariſing within the ſaid Pariſh, together with the Reverend *Richard De Courcy* Vicar of the ſaid Pariſh, are liable to the Repairs and Rebuilding of the Chancel of the ſaid Church; and the ſaid Lay Impropriators or Owners of Tythes, and the ſaid *Richard De Courcy* having, at a Veſtry Meeting of the Inhabitants of Preamble.

the said Parish, proposed and agreed to pay the Sum of Four hundred Pounds towards the Rebuilding of the said Church and Chancel, to be accepted in full of all Claims and Demands on them on Account thereof, and the said Proposal was accepted and acceded to by the said Inhabitants present at the said Meeting: And whereas a considerable Sum of Money (exclusive of the Value of the old Materials of the said Church, and the said Sum of Four hundred Pounds agreed to be paid by the said Lay Impropriators or Owners of Tythes, and the said *Richard De Courcy* as aforesaid) will be wanted for effecting the Purposes of this Act; but as the same cannot be raised without the Authority of Parliament; may it please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Reverend *Edward Blakeway* Mayor of the Town of *Shrewsbury*, and the Mayor of the said Town for the Time being, the Reverend *Richard De Courcy* Vicar or Minister of the Parish of *Saint Alkmond*, and the Vicar or Minister of the said Parish for the Time being, *Richard Lloyd* and *Samuel Tudor* Churchwardens of the said Parish of *Saint Alkmond*, and the Churchwardens of the said Parish for the Time being, *Charles Bage*, *Edward Brayne*, *Samuel Bromley*, *John Corbet*, *John Denston*, *Richard France*, *Andrew Franks*, *Edward Hayward*, *Philip Heath*, *Samuel Heath*, *John Hill*, *John Hodges*, *Richard Inge*, *Edward Jeffreys*, *Thomas Jones*, *Richard Juckes*, *George Lloyd*, *Benjamin Minton*, *James Parry*, *Robert Pemberton* junior, *Richard Phillips*, *Edward Prichard*, *William Prissick*, *John Probert*, *John Rawlins*, *Edward Stanier*, *Edward Studley*, *George Taylor*, *Edward Tipton*, *John Vaughan*, *John Walton*, *John Williams*, *Rowland Wingfield*, *Thomas Wingfield*, *Isaac Wood*, and *John Yale*, being Owners of Lands, or Parishioners or Inhabitants of the said Parish of *Saint Alkmond*, shall be, and they are hereby appointed Trustees for putting this Act in Execution.

Trustees.

Trustees dying, *etc* others to be appointed.

II. And be it further enacted, That when any Trustee appointed by or in pursuance of this Act (except such Persons as are declared to be Trustees by virtue of their Situation or Office) shall die, refuse, decline, or become incapable to act, it shall be lawful for the remaining Trustees, by Writing under their Hands, to nominate and appoint any other Person, being an Owner of Lands, or a Parishioner in the said Parish, to be a Trustee in the Room or Stead of the Trustee so dying, refusing, declining, or incapable to act, and every Person so to be nominated and appointed, shall be, and is hereby invested with the several Powers by this Act vested in the Trustees hereby nominated.

Trustees holding any Office or Place, or being interested in any Contract, or disposing of his Property, or quitting the Parish, disabled.

III. Provided always, and be it further enacted, That if any Trustee shall enter into any Contract, or have any Share or Interest in any Contract to be made for the Purposes of this Act, or shall hold or enjoy any Office or Place, or enjoy or derive any Emolument whatsoever, directly or indirectly, under or by virtue of this Act, or being a Land Owner in the said Parish, shall sell and dispose of his Property therein, or being a Parishioner or Inhabitant shall leave the said Parish and reside wholly elsewhere, every such Person, during the Time of his being so interested in any such Contract, or holding or exercising any such Office

fice or Place, or enjoying or deriving any such Emolument, or selling and disposing of his said Property, or being resident wholly out of the said Parish as aforesaid, shall be utterly disabled from acting as a Trustee under this Act; and in case of his being interested in any such Contract, or holding or exercising any such Office or Place, or enjoying or deriving any such Emolument, he shall forfeit and pay the Sum of One hundred Pounds, whereof One Moiety shall belong to the Informer, and the other Moiety shall be applied to the Use of the Infirmary in the said Town of *Shrewsbury*; any Thing herein contained to the contrary thereof in anywise notwithstanding.

First Meeting of the Trustees.

IV. And be it further enacted, That the said Trustees shall and may meet together at the Guildhall in *Shrewsbury* aforesaid, within One Calendar Month next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Nine of the Clock in the Forenoon, and Four of the Clock in the Afternoon, and proceed to put this Act in Execution, and then, and from Time to Time afterwards, may adjourn themselves to meet, (or may meet according to such Notice as is herein-after directed to be given), within the same Hours, and at such Place or Places within the said Parish, as such Trustees shall think proper and convenient; but no Act of the said Trustees shall be valid unless made or done at some publick Meeting to be held by virtue of this Act.

Notice to be given of all Meetings, unless by Adjournment.

V. Provided always, and it is hereby enacted and declared, That it shall be lawful for the said Trustees, or any Three or more of them, to order a Meeting of the said Trustees as often as they shall find it necessary, and Two Days previous Notice of all Meetings to be held in pursuance of this Act (unless such as shall be held by Adjournment) shall be given in *The Shrewsbury Chronicle*, or some other Newspaper printed or usually circulating in the said Town, signed by the Clerk to be appointed by the said Trustees as hereby directed, until the said Church shall be rebuilt and completed, and used for the Celebration of Divine Service, and then, and from Time to Time afterwards, such Notice shall be given in such Church on the *Sunday* next before such Meeting respectively, by the Minister, Vicar, or Curate, of the said Parish for the Time being, or some other Person appointed by him to give the same, and also by Writing to be affixed on the Door or Doors of the said Church, thereby setting forth the Day, Hour, and Place, of such Meeting; and the Trustees at all their Meetings shall pay their own Expences.

Trustees to pay their own Expences.

Proceedings, &c. to be entered in a Book, &c.

VI. And be it further enacted, That all the Acts, Orders, Resolutions, Receipts, Payments, Debts, Credits, and Minutes of Contracts, made by or with the Artificers or Workmen to be employed in or about the taking down or rebuilding the said Church, or any Matter or Thing relating thereto, and all other the Proceedings of the said Trustees, shall be fairly written and entered by the said Clerk in One or more Book or Books to be kept for that Purpose, and signed by him, which Book or Books may be produced and read in Evidence in all Courts and Places whatsoever; and that all Books of Accounts concerning Receipts, Payments, Credits, and Contracts, shall from Time to Time, and at all convenient Times, be open to the Inspection and Perusal of any Person or

Persons who shall be liable to pay any Rates or Assessments by virtue of this Act, without Fee or Reward.

Majority of publick Meetings to act, if Three Trustees be present.

VII. And be it further enacted, That all the Powers and Authorities by this Act granted to or vested in the said Trustees, shall and may be exercised and executed by the major Part of them, who shall attend at any publick Meeting to be held under or in pursuance of this Act, (the Number of Trustees present at any such Meeting not being less than Three); and all the Acts, Orders, Resolutions, and Proceedings, of such major Part then and there present, shall have the same Force and Effect as if done or made by all the Trustees; and that, where the Number of Voices shall be equal, the Chairman to be appointed at each such Meetings shall be considered as having Two Votes.

Actions to be brought in the Name of the Clerk.

VIII. And be it further enacted, That the said Trustees shall sue and be sued in the Name of the Clerk for the Time being, to be appointed by this Act, and that no Action that may be brought or commenced by or against the said Trustees, or any of them, in relation to this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of such Clerk, or by the Act of him or them without the Consent of the said Trustees, but the Clerk for the Time being shall always be deemed Plaintiff or Defendant in every such Action, as the Case may be: Provided always, that every such Clerk shall be reimburſed, out of the Monies to be raised by this Act, all such Costs and Damages as by the Event of any such Action or Proceedings he shall be put unto, or become charged or chargeable with by Reason of his being Plaintiff or Defendant therein.

Trustees to appoint a Treasurer and other Officers;

taking Security;

and may remove them.

IX. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, by any Writing under their Hands, to appoint a Treasurer and Clerk, and One or more fit and able Person or Persons (if they shall judge it necessary) as Surveyor or Surveyors, to superintend and inspect the Buildings and Works intended to be carried on under or by virtue and in pursuance of this Act, and also to appoint such other Person or Persons as may be necessary and proper for any of the Purposes of this Act, or to execute any Rules, Orders, and Regulations, to be made in pursuance of the same; and shall and may take such Security as they the said Trustees shall think proper, from such Treasurer and Clerk, or any other Person or Persons so to be employed and appointed as aforesaid, or any of them; and shall and may from Time to Time remove such Treasurer and Clerk, or other Person or Persons, and appoint others in the Room and Stead of such of them as shall be so removed, or shall die, discontinue, or resign, any such Office or Offices, when, and as they the said Trustees shall think proper;

Trustees may allow Salaries to Clerks, &c.

and such Trustees shall and may, out of the Monies arising by virtue of this Act, pay or cause to be paid to all such Treasurers, Clerks, and other Persons, such Salaries or other Allowances as they the said Trustees shall judge reasonable.

The present Church to be taken down and a new Church to be built on the same Scite.

X. And be it further enacted, That it shall be lawful for the said Trustees to cause the present Church to be taken down, (except the Steeple and Spire), and the Materials to be sold or otherwise disposed of for the general Purposes of this Act, and to cause a new Church to be erected

erected and built on, or as near as conveniently may be to the preſent Scite, after ſuch Model, and of ſuch Dimenſions and Materials, and in ſuch Manner, as they ſhall think fit; and alſo to cauſe Pews, Seats, and Galleries, and ſuch Ornaments and Conveniencies to be made, erected, and ſet up, in the ſaid intended new Church, as they the ſaid Truſtees ſhall or may deem proper or neceſſary, in order that the ſaid intended Church may be completely finiſhed and furniſhed for the Celebration of Divine Service, according to the Rites and Ceremonies of the Church of *England*, and for all the Purpoſes to which the preſent Church is applied.

Truſtees may make Contracts for Buildings, &c. which ſhall be in Writing.

XI. And be it further enacted and declared, That it ſhall and may be lawful for the ſaid Truſtees to make ſuch Contracts, and in ſuch Manner as they ſhall think proper, with any Perſon or Perſons whatever, for and towards the taking down and rebuilding of the ſaid Church, and all other Work and Buſineſs to be done in executing the Purpoſes of this Act, which Contract or Contracts ſhall be in Writing, and ſigned by the Clerk to the ſaid Truſtees, by their Order, and alſo by the Perſon or Perſons ſo reſpectively contracting, and that, previous to the making of any ſuch Contract, Fourteen Days Notice at leaſt ſhall be given, in *The Shrewſbury Chronicle*, or ſome other Newſpaper printed or uſually circulating in the ſaid Town, expreſſing the Nature of ſuch Contract, in order that any Perſon or Perſons may have an Opportunity of ſending Propoſals, with an Eſtimate, for the taking down and rebuilding the ſaid Church, to the Clerk to the ſaid Truſtees, or of making ſuch Propoſals at a certain Time and Place in ſuch Notice to be mentioned, and the ſaid Truſtees ſhall take ſuch Security for the Performance of any Contract or Contracts for the Purpoſes aforeſaid, as to them ſhall ſeem neceſſary; and any Perſon or Perſons may, in any Capacity whatſoever, be employed in the taking down and rebuilding of the ſaid Church, and all other Work and Buſineſs to be done in executing the Purpoſes of this Act, notwithſtanding ſuch Perſon or Perſons ſhall not, at the Time or Times of his or their being ſo employed, be free, or Member or Members of, or belonging to any Company or Corporate Body in *Shrewſbury* aforeſaid; and that the ſaid Church ſhall be taken down, rebuilt, and completely finiſhed, fit for Divine Service, within Three Years next after the Day on which this Act ſhall have received His Majeſty's Royal Aſſent, and when the ſame ſhall be completed, finiſhed, conſecrated, and rendered fit for the Celebration of Divine Service, it ſhall thenceforth for ever be called or known by the Name of *The Pariſh Church of Saint Alkmond*, and that Divine Service, the Solemnization of Matrimony, Baptiſms, and all other Matters and Things which were, or of Right ought to have been uſed, celebrated, ſolemnized, adminiſtered, had, done, and performed, by the Vicar, Miniſter, or Curate, for the Time being, in the preſent Church, ſhall and may be uſed, celebrated, ſolemnized, adminiſtered, had, done, and performed, in like Manner in the ſaid new Church.

Any Perſon may be employed, although not free of any Company in *Shrewſbury*.

The Church to be completed within Three Years.

Rights of the Vicar and Rights of Preſentation preſerved.

XII. And be it further enacted, That the ſaid *Richard De Courcy*, the preſent Vicar or Miniſter of the ſaid Pariſh of *Saint Alkmond*, ſhall be, and he and his Succeſſors for the Time being are hereby reſpectively declared to be the Vicar or Miniſter of the ſaid intended new Church; and that the Perſon or Perſons who, for the Time being, would have had the

Right

Right of preſenting, nominating, or appointing the Vicar or Miniſter to the preſent Church, in caſe the ſame ſhould not have been taken down, ſhall, after the ſaid new Church ſhall be completed and finiſhed, and rendered fit for the Celebration of Divine Service as aforeſaid, have the Right of Preſentation, Nomination, or Appointment, to the ſaid new Church, upon every future Vacancy or Avoidance, and that every ſuch Perſon ſo to be preſented, nominated, or appointed as aforeſaid, ſhall (after having been inſtituted and inducted to the ſame) be the Vicar or Miniſter of ſuch new Church, and ſhall have and enjoy ſuch and the ſame Profits, Privileges, and other Eccleſiaſtical Dues and Duties ariſing within the ſaid Pariſh, as the preſent or any former Vicar or Miniſter of the ſaid Pariſh hath or ought to have had and enjoyed; provided that this Act ſhall not prejudice the Rights of the Vicar or Miniſter of the ſaid Pariſh for the Time being, or the Right of Preſentation, Nomination, or Appointment, of a Vicar or Miniſter of the ſaid Pariſh, although the ſaid new intended Church be not rebuilt or finiſhed.

Church veſted in Truſtees till Purpoſes of the Act compleated.

XIII. And be it further enacted, That after the ſaid intended Church ſhall be rebuilt and completed, the ſame, together with the Property in the Pews, Seats, and other Appurtenances and Furniture thereof, ſhall be veſted in the ſaid Truſtees appointed or to be appointed by this Act for the Truſts and Purpoſes thereof, and after all the ſaid Truſts and Purpoſes ſhall be performed or ſatisfied, the ſaid Eſtate and Intereſt of the ſaid Truſtees of and in the ſame Premiſes, ſhall ceaſe and determine, and thenceforth the ſame ſhall veſt in the Vicar and Churchwardens for the Time being of the ſaid Pariſh, in ſuch and the ſame Manner, and for the ſame Intents and Purpoſes, as the preſent Church, and the Furniture thereof, was heretofore veſted in the Vicar and Churchwardens of the ſaid Pariſh.

Allotment of Pews to the Mayor and Corporation of *Shrewſbury*, the Vicar, Churchwardens, and Overſeers.

XIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, and they are hereby required to make, ſet out, and allot, unto and for the Mayor, Aldermen, and Aſſiſtants, of the ſaid Town of *Shrewſbury* for the Time being, a proper and convenient Pew in the ſaid intended Church, and alſo to ſet out and allot unto or for the Vicar or Miniſter of the ſaid Pariſh for the Time being, One of the Pews to be made in the ſaid intended Church, One other Pew for the Churchwardens of the ſaid Pariſh, and One other Pew for the Overſeers for the Time being thereof, and alſo a ſufficient Space within the ſaid Church for the Accommodation of the Poor; the ſame to be approved by the Biſhop of the Dioceſe for the Time being, without any Compenſation for the ſame; and alſo to make, ſet out, and allot, unto the ſaid *Rowland Wingfield*, *John Corbet*, *John Hill*, *Thomas Wingfield*, and *Suſannah Lloyd*, the Lay Impropriators or Owners of Tythes, and alſo to *Thomas Jones* Eſquire, the Owner or Proprietor of Two Freehold Pews in the ſaid Church, proper and convenient Pews or Seats in the ſaid intended Church, as near to the Chancel End thereof as may be, for the Uſe of them, their reſpective Heirs and Aſſigns, they the ſaid *Rowland Wingfield*, *John Corbet*, *John Hill*, *Thomas Wingfield*, *Suſannah Lloyd*, and *Thomas Jones* paying unto the ſaid Truſtees ſuch Sum or Sums of Money as they ſhall lay out and expend in the building of ſuch Pews or Seats; and that all other of the ſaid Pews and Seats in the ſaid intended Church ſhall be let by Auction to the Pariſhioners or Inhabitants of the ſaid Pa-

Allotment of Freehold Pews.

All other Pews to be let by Auction.

riſh, for any Term or Number of Years not exceeding Twenty-one Years, provided the Perſon or Perſons who ſhall take or rent the ſame continue to reſide in the ſaid Pariſh, ſubject to ſuch Annual Rents as ſhall be agreed on for the ſame at the Time of ſuch Auction, ſuch Rents to be paid in Advance; all of which Pews, ſo to be built or ſet up in the ſaid intended Church, ſhall be numbered, and the ſeveral Numbers, together with the Annual Rents at which the ſame are let, ſhall be entered, by the Clerk to the ſaid Truſtees, during the Continuance of their Intereſt therein as before mentioned, and after the Determination of ſuch Intereſt, then by ſuch Perſon as the Vicar and Churchwardens of the ſaid Pariſh, for the Time being, ſhall appoint, in a Book to be provided for that Purpoſe, which ſhall be kept in the Veſtry Room, and be open to the Inſpection of the Pariſhioners; the firſt Letting of the ſaid Pews, as aforeſaid, to take place within One Month after the ſaid Church and Pews ſhall be completed and fit for Divine Service, and of which One Week's Notice ſhall be given in *The Shrewſbury Chronicle*, or ſome other Newſpaper printed or uſually circulating in the ſaid Town; and a proportional Part of the Rent ſhall be then paid for the ſame, for ſo much of the current Year as ſhall have to come or expire, from the Time of ſuch Letting until the *Eaſter* following; and that all ſuch Annual Rents ſhall afterwards be paid in Advance to the Churchwardens for the Time being, at the Veſtry Room of the ſaid Church, for the Uſe of the ſaid Truſtees, between the Hours of Nine and Two on *Eaſter Monday* in each Year; and that in caſe any ſuch Rents ſhall then remain unpaid, Notice, in Writing, ſhall, on the ſame Day, be given to the Parties renting, that if ſuch Rents are not paid within the Space of One Month, Notice will be publickly given by the Pariſh Clerk, on the *Sunday* next after the Expiration of that Time, in the Forenoon, immediately after Divine Service, that ſuch Pews will be again put up, and let by Auction on the *Tueſday* next after ſuch laſt-mentioned Notice; and that, from and after the ſaid firſt Letting as aforeſaid, ſuch Pews as ſhall become vacant, or the Rents of ſuch as ſhall not be paid as aforeſaid, ſhall be annually let by Auction on the *Tueſday* Month after *Eaſter* in each Year, due Notice of which ſhall be given by the Pariſh Clerk, the preceding *Sunday*, immediately after Divine Service.

Owners of Freehold Seats to pay for building them, or forfeit their Seats.

XV. Provided always, and be it further enacted, That in caſe any of the ſaid Lay Impropriators or Owners of Tythes, or the ſaid *Thomas Jones*, ſhall, after One Month's Notice in Writing ſhall have been given to them, of the Amount of the Money laid out and expended in the building of the Pews or Seats, to be ſet out or allotted to them reſpectively as aforeſaid, refuſe or neglect to pay or reimburſe to the ſaid Truſtees, or their Treaſurer, the Money ſo by them expended, that then the ſaid laſt-mentioned Seats, or ſuch of them as ſhall not be paid for by the ſaid Lay Impropriators or Owners of Tythes, or the ſaid *Thomas Jones*, as aforeſaid, ſhall be conſidered as belonging to the ſaid Truſtees, during the Continuance of their Intereſt therein as aforeſaid, and for ever thereafter to the Vicar and Churchwardens, for the Uſe of the ſaid Pariſh, and ſhall be by them let by Auction as other the Pews or Seats are herein-before directed to be let.

Monuments, &c. to be taken down.

XVI. Provided always, and be it further enacted, That in the taking down the ſaid Old Church and Chancel, and removing the Materials thereof,

thereof, as little Damage ſhall be done to the Graves, Grave Stones, Monuments, and Monumental Inſcriptions, in and about the ſame, as reaſonably may be, and that ſuch and ſo many of the ſaid Grave Stones, Monuments, and Monumental Inſcriptions, as ſhall be neceſſarily removed on Account thereof, ſhall be fixed at the Requeſt and Expence of the Proprietors, in ſuch Part or Parts of the ſaid intended new Church, for anſwering as far as may be the Purpoſes for which the ſame were originally laid, fixed, placed, or put up, as the ſaid Truſtees ſhall in their Diſcretion think fit; provided that nothing in this Act contained ſhall extend, or be conſtrued or deemed or taken to enable or authorize the ſaid Truſtees to place, or conſent to be placed, in the ſaid new Church, any Grave Stone or Monument which may occupy or take up any Room or Space therein, but that the Authority before contained ſhall only extend to the placing of Mural Monuments in ſuch new Church.

Mural Monuments only to be placed in the new Church.

No Burials in the new Church.

XVII. Provided always, That no Graves or new Vaults ſhall at any Time be made or allowed, for the Interment or Burial of any Perſon or Perſons whomſoever, in or under the Scite of the ſaid new intended Church or Chancel, and that no Corpſe ſhall be depoſited in any of the preſent Vaults, in or under the ſame Scite, unleſs the ſaid Vault or Vaults are properly ſecured at the Time of rebuilding of the ſaid Church, and that no Corpſe ſhall be interred in the Church Yard, within Six Feet of the exterior Walls of the ſaid intended new Church; and that in caſe the Sexton of the ſaid Pariſh for the Time being, or any other Perſon or Perſons, ſhall make any Grave or Graves within the ſaid Church or Chancel, or within Six Feet thereof as aforeſaid, the Perſon or Perſons ſo offending ſhall forfeit and pay the Sum of Twenty Pounds for every ſuch Offence, One Moiety of which Penalty ſhall belong to the Informer, and the other Moiety ſhall be applied to the Uſe of the Infirmary of the ſaid Town of *Shrewſbury*.

Rents, &c. of the Property belonging to the Church, and Rates and Duties for Burials, &c. and ariſing from Pews, &c. how to be applied.

XVIII. And be it further enacted, That all the Rents and Intereſts of Eſtates and Monies at any Time heretofore appropriated to the Uſe of or for the Benefit of the preſent Church, or belonging thereto, and all the accuſtomed Rates and Duties for the Ground at Burials of the Dead, received by or belonging to the Churchwardens of the ſaid Pariſh, for the Uſe thereof, or ſuch other Rates and Duties as the ſaid Truſtees ſhall or may from Time to Time direct, not exceeding the former uſual Rates, (except in the Caſe of Ground appropriated to the ſeparate Uſe of particular Families), and all yearly or other Sums of Money to be received for the Uſe and Occupation of, or ariſing by the Sale or Letting of any Seats or Pews in the ſaid intended Church, are hereby veſted in the ſaid Truſtees, and ſhall be applied and diſpoſed of in Manner following; that is to ſay, in the Firſt Place in the Payment of ſuch Salaries and Sums of Money as they the ſaid Truſtees, and after the Expiration of their Truſt the Pariſhioners, aſſembled in Veſtry Meetings duly ſummoned, ſhall think proper for the Servants, and for the Uſe of the ſaid Church; and the Surplus of ſuch Rents, Intereſt, Rates, and Duties, and other Monies, ſhall be applied for the general Purpoſes of this Act.

XIX. And

XIX. And be it further enacted, That the ſaid *Rowland Wingfield*, *John Corbet*, *John Hill*, *Thomas Wingfield*, and *Suſannah Lloyd*, the Lay Impropriators or Owners of Tythes, within the ſaid Pariſh, and the Reverend *Richard De Courcy* Vicar of the ſaid Pariſh, or the Vicar of the ſaid Pariſh for the Time being, the Perſons who are liable to rebuild the ſaid Chancel, ſhall pay unto the ſaid Truſtees, on or before the Twenty-ninth Day of *September* One thouſand ſeven hundred and ninety-four, the Sum of Four hundred Pounds, for and towards the general Purpoſes of this Act; and that they the ſame Lay Impropriators and Vicar, or their Tenants, ſhall not, nor ſhall any of them, after Payment of the ſaid Sum of Four hundred Pounds, be liable in reſpect of their ſaid Tythes to any further or other Rate or Aſſeſſment to be made by virtue of this Act, and that the ſaid Sum of Four hundred Pounds ſhall be raiſed and paid by the ſaid Lay Impropriators and Vicar, in Proportion to the Yearly Rent or Annual Value of their Tythes reſpectively, and that ſuch Proportion ſhall be aſcertained by *Charles Bage* of *Shrewſbury* aforeſaid Gentleman; and in caſe of Nonpayment on or before the ſaid Twenty-ninth Day of *September*, One thouſand ſeven hundred and ninety-four, by the ſaid *Rowland Wingfield*, *John Corbet*, *John Hill*, *Thomas Wingfield*, and *Suſannah Lloyd* reſpectively, their reſpective Heirs or Aſſigns, and the ſaid *Richard De Courcy*, or the Vicar of the ſaid Pariſh for the Time being, or any of them, of their reſpective Proportions of the ſaid Sum of Four hundred Pounds, aſcertained as aforeſaid, it ſhall and may be lawful to and for the ſaid Truſtees to recover the ſame by Action, in any of His Majeſty's Courts of Record at *Weſtminſter*, againſt the Party or Parties neglecting or declining to pay the ſame.

Lay Impropriators and Vicar to pay 400 *l.* in lieu of their Tithes being raiſed.

XX. And be it further enacted, That as the Sums herein-before directed to be applied for the general Purpoſes of this Act, will be inſufficient to diſcharge the Sums of Money neceſſary to be borrowed, as herein-after mentioned, and the Intereſt thereof, to anſwer the ſeveral Purpoſes of this Act, it ſhall and may be lawful to and for the ſaid Truſtees, by Writing under their Hands, to make an Aſſeſſment or Aſſeſſments, Rate or Rates, on the Occupiers or Enjoyers of all Lands, Houſes, Shops, Warehouſes, Gardens, Tenements, and Hereditaments, within the ſaid Pariſh which for the Time being ſhall be actually rated to the Relief of the Poor, (other than and except the before mentioned Tythes from and after Payment of the ſaid Sum of Four hundred Pounds), in any Sum of Money not exceeding One Shilling and Sixpence in the Pound, of the Yearly Rent or Value of ſuch Lands, Houſes, Shops, Warehouſes, Gardens, Tenements, and Hereditaments, ſuch Yearly Rent or Value to be aſcertained and fixed by and according to the Rate and Aſſeſſment which for the Time being ſhall be made for the Relief of the Poor, and to order and direct the Churchwardens and Overſeers of the Poor for the Time being of the ſaid Pariſh, or any of them, (not being of the People called *Quakers*), without Fee or Reward, to collect and receive from ſuch Occupiers or Enjoyers of ſuch Lands, Houſes, Shops, Warehouſes, Gardens, Tenements, and Hereditaments, as aforeſaid, ſuch Rates and Sums of Money as ſhall be ſo aſſeſſed or rated as aforeſaid, all which Rates and Aſſeſſments to be rated, aſſeſſed, and collected, are hereby veſted in the ſaid Truſtees in Truſt, to be applied by them as well in Satisfaction and Diſcharge of the Money to be borrowed, as herein-after mentioned, and the Intereſt thereof, as of the other general Purpoſes of this Act, and ſhall continue

Rate for making good the Deficiency of the Fund above directed to be applied for the Purpoſes of this Act.

continue for and during ſuch Time only, and until all and every the Sum and Sums of Money borrowed upon the Credit of this Act, as herein-after mentioned, and the Intereſt thereof, ſhall be fully paid and ſatisfied, and no longer; and that ſuch Rate or Aſſeſſment to be made as aforeſaid, in or for any Year, ſhall continue in Force, and ſhall be collected and recovered in or for every ſubſequent Year, until the ſaid Truſtees ſhall make a new Rate or Aſſeſſment, by virtue of this Act, in like Manner as if the ſaid Truſtees had made ſuch Rate or Aſſeſſment in and for every ſuch ſubſequent Year; and that the ſaid Truſtees ſhall and may cauſe the ſaid Rates or Aſſeſſments to be recovered in like Manner as the Poors Rates are by Law recoverable, and all Magiſtrates and other Perſons are hereby required, authorized, and empowered, to proceed and act therein, in like Manner as they may by Law proceed and act for Recovery of the Poors Rates; and the ſaid Rates and Aſſeſſments ſhall be paid Half-yearly, at *Chriſtmas* and *Midſummer*, the Firſt Payment thereof to be made at *Midſummer* One thouſand ſeven hundred and ninety-four.

When any Rate made, ſame to continue until a new One made.

Method of recovering Rates.

Rates payable.

XXI. And be it further enacted, That the Tenants or Occupiers of ſuch reſpective Lands, Shops, Warehouſes, Gardens, Tenements, and Hereditaments as aforeſaid, ſhall be liable to pay the Whole of ſuch Rate or Aſſeſſment; and every Tenant of any Houſe, Lands, Tythes, Gardens, Tenements, or Hereditaments, not having a Leaſe for above Twenty-one Years from the Time of granting the ſame, or for One or more Life or Lives, who ſhall pay any Rate or Aſſeſſment to be made in purſuance of this Act, or upon whom any ſuch Rate or Aſſeſſment ſhall be levied, ſhall and may deduct One Moiety or Half Part thereof out of his or her Rent, and ſhall be acquitted and diſcharged for ſo much Money as ſuch Moiety or Half Part of ſuch Rates or Aſſeſſments ſhall, from Time to Time, amount unto, as fully and effectually as if ſuch Money had been actually paid to the Perſon or Perſons to whom ſuch Rent is or ſhall be payable; and ſuch Perſon and Perſons is and are hereby required to allow, from Time to Time, ſuch Deductions, upon the Receipt of the Reſidue of the Rent, notwithſtanding any Agreement or Covenant between any Landlord and Tenant to the contrary.

Tenants to pay Rates.

Tenants not having a Leaſe for above Twenty-one Years, or for One or more Life or Lives, to deduct One Moiety out of their Rents.

XXII. Provided always, That if at any Time or Times the Rate or Aſſeſſment to be made in purſuance of this Act ſhall be leſs than One Shilling in the Pound on the uſual Aſſeſſment of Two-thirds of the Rent or Annual Value of any Lands, Houſes, Shops, Warehouſes, Gardens, Tenements, and Hereditaments, that then, and in every ſuch Caſe, the Tenants or Occupiers of the ſame reſpectively ſhall be abſolutely ſubject and liable to, and charged and chargeable with Sixpence in the Pound, Part of ſuch Rate or Aſſeſſment; and that it ſhall and may be lawful to and for ſuch Tenants or Occupiers only, to deduct the Reſidue or Surplus thereof which ſhall remain over and above the ſaid Sixpence in the Pound, from and out of their Rents as aforeſaid.

XXIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, if they ſhall think proper, at any Time or Times, during the Continuance of the ſaid Truſts, by Writing under their Hands, to make any Aſſeſſment or Aſſeſſments, Rate or Rates, on the Occupiers or Enjoyers of all or any Lands, Houſes, Shops, Warehouſes,

Truſtees authorized to make an Aſſeſſment on Houſes, &c. not rated to the Relief of the Poor.

Gardens, Tenements, and Hereditaments, within the ſaid Pariſh, which for the Time being ſhall not be actually rated to the Relief of the Poor, and aſſeſſed as herein-before mentioned, in any Sum of Money not exceeding One Shilling and Sixpence in the Pound of the Yearly Rent or Value of ſuch laſt-mentioned Lands, Houſes, Shops, Warehouſes, Gardens, Tenements, and Hereditaments, the ſame to be recovered as herein-before mentioned.

Payment of Rates not to entitle any Perſon to a Settlement who is not otherwiſe entitled.

XXIV. Provided always, and be it further enacted, That the Payment of the Rates, Duties, and Aſſeſſments, directed to be raiſed and levied by this Act, ſhall not entitle any Perſon or Perſons whatſoever to a Settlement in the ſaid Pariſh of *Saint Alkmond*, who was not before ſuch Payment legally entitled to ſuch Settlement in the ſaid Pariſh.

Arrears of Rates to be paid to the ſucceeding Officers.

XXV. And be it further enacted, That if any Perſon or Perſons ſhall be in Arrears for any of the Rates or Aſſeſſments, to the Churchwardens or Overſeers appointed for the Year in which Rates or Aſſeſſments were made, the ſame ſhall be paid to the Churchwardens or Overſeers for the next ſucceeding Year or Years, or in Default thereof ſuch Churchwardens and Overſeers of the Poor for the ſucceeding Year or Years, may levy the ſame in ſuch Manner as the Churchwardens and Overſeers for the Year or Years wherein the ſame were made might have done; and that in caſe any of the Monies collected or received by virtue of this Act ſhall be loſt by Inſolvency or otherwiſe, the ſaid Truſtees ſhall and may make an additional Rate or Aſſeſſment, Rates or Aſſeſſments, for ſupplying and making good ſuch Deficiencies, which ſhall be collected and levied in Manner aforeſaid; and that if any Churchwarden or Overſeer of the Poor ſhall neglect or refuſe, or decline to levy ſuch Rates and Sums of Money as ſhall be aſſeſſed and rated as herein-before mentioned, then, and in that Caſe, it ſhall and may be lawful to and for the ſaid Truſtees, from Time to Time, to impoſe any Fine or Penalty on every ſuch Churchwarden and Overſeer of the Poor of the ſaid Pariſh, who ſhall ſo neglect or refuſe, or decline to levy ſuch Rates and Sums of Money as aforeſaid, not exceeding the Sum of Fifty Pounds, nor leſs than Ten Pounds, upon any One Perſon for any One Offence.

Money loſt by Inſolvency, or otherwiſe, new Rates to be made.

Penalty on Churchwardens or Overſeers refuſing or neglecting to collect the Rates.

Churchwardens and Overſeers of the Poor to account,

XXVI. And be it further enacted, That the preſent and all future Churchwardens and Overſeers of the Poor for the Time being, for the ſaid Pariſh of *Saint Alkmond*, and the Treaſurer and other Officers to be appointed as herein-before mentioned, ſhall, when required, give in a particular, true, and perfect Account, in Writing, under their reſpective Hands, to the ſaid Truſtees, (on Oath, if required, which Oath the ſaid Truſtees may and are hereby empowered to adminiſter), of all Monies which they ſhall have reſpectively received, collected, or levied, by virtue of this Act, or by Reaſon or Means of the ſaid Offices; and ſhall alſo, from Time to Time, when thereto requeſted by the ſaid Truſtees, Once in every Week, or oftener, pay all ſuch Monies as ſhall be in their or any of their Hands, to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall, by any Writing or Writings under their Hands, authorize and empower to receive the ſame; and in caſe any ſuch Churchwardens or Overſeers of the Poor, Treaſurer, or other Officers, ſhall neglect or refuſe to make ſuch Accounts and Payments as are required to be made by them reſpectively by this Act, then the ſaid Truſtees may, and are

and pay the Money in their Hands to the Truſtees.

Churchwardens and Overſeers of the Poor neglecting to ac-

Account, how to be proceeded againſt.

hereby authorized, to bring, or cauſe to be brought, any Action or Actions in any of His Majeſty's Courts of Record at *Weſtminſter*, in the Name of their Clerk, againſt the Perſon or Perſons ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid Truſtees, or their Clerk, or by ſuch other Perſon as they ſhall for that Purpoſe appoint, of any ſuch Refuſal or Neglect, to any Two Juſtices of the Peace for the ſaid County of *Salop* or Town of *Shrewſbury*, ſuch Juſtices may, and are hereby authorized and required, to ſummon ſuch Perſon or Perſons ſo refuſing or neglecting to appear before them, and to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, (which Oath the ſaid Juſtices are hereby empowered and required to adminiſter), it ſhall appear to ſuch Juſtices that ſuch Monies ſhall be in the Hands of ſuch Perſon or Perſons, ſuch Juſtices may, and are hereby authorized and required, upon Non-payment thereof, by Warrant or Warrants under their Hands and Seals, to cauſe ſuch Monies to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons reſpectively, together with Intereſt at the Rate of Five Pounds *per Centum per Annum* for the ſame, from the Expiration of One Week after ſuch Money ſhall have come to the Hands of ſuch Party; and if no Goods or Chattels of ſuch Perſons can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of levying the ſame, then ſuch Juſtices ſhall commit ſuch Offender or Offenders to the County Gaol, there to remain, without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment as aforeſaid, or until he or they ſhall compound with or give Satisfaction to the ſaid Truſtees, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, which Compoſition the ſaid Truſtees are hereby empowered to make; and that if any Churchwarden or Overſeer of the Poor, Treaſurer, or other Perſon to be appointed by virtue of this Act, ſhall happen to die or become Bankrupt before he or they ſhall have fully paid and ſatisfied all the Money by him or them received under this Act, then, and in caſe of ſuch Death, the legal Repreſentative or Repreſentatives of ſuch Churchwarden, Overſeer of the Poor, Treaſurer, or other Perſon or Perſons, ſhall, in the Firſt Place, out of the Eſtate and Effects of the Deceaſed, pay unto the ſaid Truſtees, or unto ſuch Perſon or Perſons as they ſhall appoint, all ſuch Sums of Money as were in the Hands of ſuch Churchwarden, Overſeer of the Poor, Treaſurer, or Perſon, at the Time of his Death, or ſo much *thereof* as the Eſtate and Effects of the Deceaſed will extend to pay and ſatisfy; and in caſe of Bankruptcy, the Aſſignee or Aſſignees of the Eſtate and Effects of ſuch Bankrupt ſhall, after paying to the petitioning Creditor or Creditors, his, her, or their Coſts of ſuing out and proſecuting the Commiſſion againſt ſuch Bankrupt, in the next Place pay unto the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, all ſuch Sum or Sums of Money as were in the Hands of ſuch Bankrupt at the Time of ſuing out any ſuch Commiſſion of Bankruptcy, or ſo much thereof as the ſaid Eſtate and Effects will extend to pay, and the Receipt of ſuch Truſtees, or of ſuch Perſon or Perſons, ſhall be a good Diſcharge for the ſaid Money; and every ſuch Repreſentative or Aſſignee may, to any Suit or Action brought againſt him, plead or give in Evidence the Payment of the ſame, and ſhall be allowed ſuch Payment, prior to any

Treaſurer, Churchwardens, &c. dying or becoming Bankrupts, Executors or Aſſignees to pay the Money.

Debt or Demand whatſoever; and in caſe of Non-payment of the ſame by the Space of Twenty-one Days after the ſame ſhall have been demanded in Writing, left at the Place of Abode of ſuch Repreſentative or Aſſignee, it ſhall and may be lawful for the ſaid Truſtees to recover the ſame by Action, in any of His Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Repreſentative or Aſſignee, in Preference to any ſuch other Debt or Demand as aforeſaid.

Power to borrow Money, and to mortgage the Pews and the Rates.

XXVII. And be it further enacted, That for effecting the general Purpoſes of this Act, it ſhall and may be lawful to and for the ſaid Truſtees, from Time to Time, to borrow and take up at Intereſt, any Sum or Sums of Money, upon the Credit of the Rents or Profits of the ſaid Pews or Seats, in the ſaid intended new Church, and of the Rates or Aſſeſſments granted and made payable as aforeſaid, not exceeding in the Whole the Sum of Three thouſand Pounds, and by Writing under their Hands and Seals, to aſſign or mortgage all or any Part of the ſaid Rents or Annual Profits, Rates, or Aſſeſſments, to ſuch Perſon or Perſons as ſhall lend or advance any Money thereon, as a Security for the Repayment of the Money to be advanced, with Intereſt for the ſame; and that Copies of all ſuch Mortgages or Securities ſhall be entered in a Book or Books by the ſaid Clerk; and all ſuch Mortgages ſhall be in the Words or to the Effect following; (*videlicet*);

Copies of Securities to be entered in a Book.

Form of Mortgages or Securities.

'BY virtue of an Act, paſſed in the Thirty-fourth Year of the Reign of His Majeſty King *George* the Third, intituled, [*Here inſert the Title*], We, of the Truſtees, in Conſideration of the Sum of to our Treaſurer in Hand paid, do aſſign unto *A. B.* of in the County of his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Rents and Annual Profits of the Pews or Seats in the ſaid Church, and of the Rates to be made and aſſeſſed by virtue of the ſaid Act, as the Sum of doth or ſhall bear to the Whole Sum for the Time being due and owing on the Credit thereof, to be had and holden from this Day of until the ſaid Sum of with Intereſt, at the Rate of *per Centum per Annum*, ſhall be fully paid and ſatisfied. In Witneſs whereof we have hereunto ſet our Hands and Seals, the Day of One thouſand ſeven hundred and

Securities may be transferred.

XXVIII. And be it further enacted, That all and every Perſon and Perſons to whom any ſuch Mortgage or Security ſhall be made, or who ſhall be entitled to the Money thereby ſecured, is and are hereby empowered from Time to Time, by Writing under his, her, or their Hand and Seal, or Hands and Seals, in the Preſence of Two or more credible Witneſſes, to transfer ſuch Securities, and his, her, or their Right to the Principal and Intereſt Money thereby ſecured, unto any Perſon or Perſons whomſoever, and every ſuch Aſſignee may in like Manner transfer again, and ſo *toties quoties*; and all ſuch Transfers ſhall, within One Calendar Month from the Date thereof, be produced and notified to the ſaid Clerk, who ſhall cauſe an Entry to be made thereof, containing the Date, Names of the Parties and Witneſſes, and the Sums of Money therein mentioned to be transferred, in the ſaid Book or Books directed to be kept for entering

Transfers to be regiſtered.

entering the said original Mortgages or Securities, for each of which Entries the said Clerk shall be paid the Sum of One Shilling and no more, and which Book or Books shall and may, at all seasonable Times, be perused and inspected by any Person or Persons without Fee or Reward; and after such Entry made, every such Transfer shall entitle every such Assignee, his or her Executors and Administrators, to the Benefit thereof, and Payment thereon, and it shall not be in the Power of any Person who shall have made such Transfer, to make void, release, or discharge the same, or any Monies due thereon; and all such Transfers shall be in the Words and to the Effect following; (*videlicet*),

Form of Transfer.

'TO all to whom these Presents shall come, I of in the County of send Greeting: Whereas 'a certain Mortgage or Security, bearing Date the Day 'of and made and duly executed by the Trustees therein 'named, in pursuance of an Act, passed in the Thirty-fourth Year of 'the Reign of His Majesty King *George* the Third, intituled [*Here insert 'the Title*], the said Trustees, in Consideration of the Sum of 'by me in Hand paid to their Treasurer, did assign unto me, 'my Executors, Administrators, and Assigns, such Proportion of the 'Rents and Annual Profits of the Pews or Seats in the said Church, 'and of the Rates to be made and assessed by virtue of the said Act, as 'the said Sum of did or should bear to the Whole Sum, 'for the Time being, due and owing on the Credit thereof, to be had 'and holden from the said Day of until 'the said Sum of with Interest, at the Rate of 'per Centum per Annum, shall be fully paid and satisfied: 'Now I do hereby, in Consideration of the Sum of to me 'paid by of in the County 'of transfer unto the said 'the said Mortgage or Security, with all my Right and Title to the 'Principal and Interest thereby secured, and now due and owing unto me. 'Witness my Hand and Seal, this 'Day of

No Preference to be given to Creditors.

XXIX. And be it further enacted, That all and every Person and Persons to whom such Mortgages or Securities, and Transfers, shall be made, shall be, in Proportion to the Sum or Sums of Money therein mentioned, Creditors on the Rents and Annual Profits of the Pews or Seats in the said Church, and of the Rates to be made and assessed as herein-before mentioned, equally One with another, and shall have no Preference in respect to the Priority of advancing such Money.

Manner of paying off Securities.

XXX. And be it further enacted, That each Mortgage or Security on which any Money shall or may be lent or advanced by any Person or Persons in pursuance of this Act, shall be numbered or marked by the said Clerk to the said Trustees for the Time being, with separate and distinct Numbers, and in order to avoid Partiality in paying off or discharging any of such Securities, the said Trustees shall from Time to Time cause the like Numbers to be written on separate Slips of Paper or Parchment, as the Numbers with which the Whole of the unsatisfied Securities shall be numbered or marked, and the Whole of such Slips shall be mixed together, and put into a Box, and as many of the said

ſaid Slips ſhall be ſeparately drawn or taken out of ſuch Box by the ſaid Clerk, as ſhall be equal to the Number of Securities then intended to be paid off and diſcharged, and the Security or Securities bearing or anſwering the Number or Numbers ſo drawn, and no other, ſhall from Time to Time be the Security or Securities to be paid off or diſcharged, and that Six Calendar Months Notice in Writing, ſigned by the Clerk to the ſaid Truſtees for the Time being, ſhall be given to the Perſon or Perſons who ſhall be entitled to ſuch Security or Securities, the Number or Numbers of which ſhall be ſo drawn out, or ſhall be left at his, her, or their moſt uſual Place of Abode, if known, and if not, then Notice ſhall be given thereof Three different Times in *The London Gazette*, that the Principal and Intereſt due on his, her, or their reſpective Security or Securities (ſpecifying the Numbers) will be paid off, and at the Expiration of the ſaid Six Calendar Months, to be computed from the Date of the Notice ſo given or left, or advertiſed as aforeſaid, all Intereſt on ſuch Security or Securities ſhall ceaſe and determine.

Mortgagees giving Notice to have their Money and not receiving the ſame, ſhall have Five Pounds *per Cent.*

XXXI. Provided always, and be it further enacted, That all and every Perſon and Perſons to whom ſuch Mortgages or Securities and Transfers ſhall be made, who ſhall be minded or deſirous to have his, her, or their Money which he, ſhe, or they may have lent or advanced in purſuance of this Act paid off and diſcharged, it ſhall and may be lawful to and for ſuch Perſon and Perſons to give Six Calendar Months Notice in Writing to the Clerk to the ſaid Truſtees for the Time being, of ſuch his, her, or their Intention, and in caſe the Money ſo due ſhall not be paid according to ſuch Notice, that then and in ſuch Caſe all and every Perſon or Perſons giving ſuch Notice ſhall, from and after the Expiration thereof, be entitled to have and receive Intereſt on their reſpective Mortgages or Securities, and Transfers, after the Rate of Five Pounds *per Centum per Annum*, until the Sums thereby ſecured ſhall be diſcharged; any Thing herein contained to the contrary notwithſtanding.

Penalties and Forfeitures how to be recovered and applied.

XXXII. And be it further enacted, That all Penalties and Forfeitures impoſed by this Act, the Manner of recovering whereof is not hereby otherwiſe particularly directed, and the Coſts and Charges of Recovery thereof, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Salop*, or for the ſaid Town of *Shrewſbury*, (which Warrant or Warrants ſuch Juſtice or Juſtices is and are hereby empowered and required to grant, on Confeſſion of the Party or Parties, or upon the Information of One or more credible Witneſs or Witneſſes on Oath), and the Informer is hereby rendered a competent Witneſs; and ſuch Penalties and Forfeitures, when ſo recovered, ſhall be paid to the Treaſurer to the ſaid Truſtees for the Time being, and if no ſuch Goods or Chattels of ſuch Offender or Offenders can be found, ſufficient to anſwer and ſatisfy ſuch Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale, then it ſhall and may be lawful to and for ſuch Juſtice or Juſtices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit any ſuch Offender or Offenders to the Common Gaol of the ſaid County, there to remain, without Bail or Mainprize, for any

Time not exceeding Six nor less than Two Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied: Provided always, that it shall and may be lawful for the said Trustees to compound and agree with any Person or Persons against whom they shall bring or cause to be brought any Action or Actions, Suit or Suits, for the Recovery of any Penalty or Penalties contained in any Contract or Contracts which shall or may be made or entered into in pursuance of this Act, for or on Account of any Breach or Non-performance of any Contract or Contracts, or any Part or Parts thereof, or in anywise relating thereto, for such Sum or Sums of Money as they shall think proper, so as the Sum so compounded for and agreed upon be not less than Five Pounds over and above the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and the Costs, Charges, and Expences which shall have been occasioned thereby, and all and every the Sum and Sums which shall be received in consequence of such Composition, shall be applied to the Purposes of this Act, in the same Manner as the Whole of such Penalty, if paid or recovered, would have been applicable.

Trustees may compound for Penalties contained in any Contract.

Costs of this Act to be paid.

XXXIII. And be it further enacted, That all Costs, Charges, and Expences of passing this Act, and all other Charges which shall appear to the said Trustees to have been necessary, incident to the obtaining thereof, or incurred in Relation thereto, shall be borne, paid, and defrayed, out of the Monies in the Hands of the Churchwardens at the Time of passing this Act, or out of the Monies arising from voluntary Subscriptions, or obtained by Means of a Brief granted in Aid of the Expences to be incurred by the Parishioners in the Rebuilding the said Church, or out of the First Monies which shall arise by virtue of this Act; provided always, that if any Person or Persons shall advance and pay any Money towards defraying the Expences of obtaining and passing this Act, the same, together with the Interest thereof, after the Rate of Five Pounds *per Centum per Annum*, shall be repaid to every such Person so advancing and paying the same, out of the Monies which shall be first raised by virtue of this Act.

Money advanced for the passing of this Act to be repaid with Interest.

Divine Service to be performed in the Churches of *St. Chadd*, *St. Mary*, *St. Julian*, and *Holy Cross*, *Shrewsbury*, until the new Church is completed.

XXXIV. Provided always, and be it further enacted, That for and during the Time of taking down, rebuilding, and completing, the said Church as aforesaid, Banns of Marriage shall and may be published, Solemnization of Marriage, Baptisms, and Divine Service, and all other Matters and Things which were, or of Right ought to have been, used, celebrated, solemnized, administered, had, done, and performed, by the Vicar, Minister, or Curate, for the Time being, in the said old Church, shall and may be used, celebrated, solemnized, administered, had, done, and performed, in such and the like Manner by the present Vicar, Minister, or Curate, and his and their Successors, Vicars, Ministers, and Curates, of the said Parish, for the Time being, in the Parish Churches of *Saint Chadd*, *Saint Mary*, *Saint Julian*, and the *Holy Cross*, in the said Town of *Shrewsbury*, or in either of them, at such Time or Times as the respective Minister or Vicar, for the Time being, of the said Four last-mentioned Parishes, shall think proper and appoint.

After Church completed, Tithes to be

XXXV. Provided always, and be it further enacted, That after the said Church shall be rebuilt, and in all Respects be completed and

finished,

finiſhed, neither the before mentioned Tithes, nor the ſaid Lay Impropriators, or Owners or Tenants of the ſame in reſpect thereof, ſhall, at any future Time or Times, be liable or contributory to the Repairs of ſuch new Church, or any Part thereof reſpectively, but ſhall be totally exempted and diſcharged from all ſuch Repairs; but nothing in this Act contained ſhall exempt or diſcharge, or be conſtrued, deemed, or taken, to exempt or diſcharge, the ſaid laſt-mentioned Tithes, or the ſaid Lay Impropriators, or Owners or Tenants of the ſame, in reſpect thereof, from any Repairs of the Chancel of the ſaid new Church, after the ſaid Chancel ſhall have been completed and finiſhed, but that the ſaid Lay Impropriators, or Owners or Tenants of the ſame Tithes, ſhall be liable to all ſuch laſt mentioned Repairs, in the ſame Manner as they were to the Repairs of the Chancel of the ſaid old Church, before the paſſing of this Act. diſcharged from Repair.

XXXVI. Provided always, and be it further enacted, That neither this Act, nor any Thing herein contained, ſhall extend, or be conſtrued to extend, to invalidate any Eccleſiaſtical Law of the Church of *England*, or in anywiſe to deſtroy, affect, prejudice, or impeach, any of the Rights, Privileges, Powers, or Authorities, of the Archbiſhop of *Canterbury*, or his Succeſſors, or of the Biſhop of *Litchfield* and *Coventry*, or his Succeſſors, or his or their or any of their Chancellors or Vicars General, or of any other Ordinary having Juriſdiction within the ſaid Pariſh of *Saint Alkmond*, but that they and every of them ſhall have Power to exerciſe all Eccleſiaſtical Juriſdictions in and over the intended new Church of the ſaid Pariſh, as they heretofore by Law had a Right to exerciſe in and over the old Church of the ſaid Pariſh. Saving Eccleſiaſtical Rights, &c.

XXXVII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or any other Matter or Thing done or tranſacted in or relating to the Execution of this Act, ſhall be vacated or quaſhed for Want of Form, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*. Proceedings not to be vacated for Want of Form.

XXXVIII. And be it further enacted, That if any Perſon or Perſons ſhall find himſelf or themſelves aggrieved by any Order, Direction, or Appointment, of the ſaid Truſtees, or by Means of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, or any Order of Conviction of One or more Juſtice or Juſtices of the Peace, it ſhall be lawful for ſuch Perſon or Perſons, to appeal to the next General Quarter Seſſions of the Peace to be holden in and for the ſaid County of *Salop*, before the Juſtices then and there aſſembled, and they are hereby authorized to ſummon and examine Witneſſes upon Oath, and to hear and determine the Matter of the ſaid Appeal, and make ſuch Order therein as to them ſhall ſeem meet, which Order ſhall be final and concluſive to and upon all Parties; but ſo as ſuch Appeal ſhall be made within Three Calendar Months next after the Cauſe of Complaint ſhall have ariſen, and ſo as the Perſon or Perſons appealing ſhall firſt give or cauſe to be given Ten Days Notice at leaſt, in Writing, of his, her, or their Intention to appeal as aforeſaid, and of the Cauſe or Matter thereof, to the Clerk for the Time being to the ſaid Truſtees, and alſo within Three Days next after ſuch Notice, enter General Appeal.

enter into a Recognizance before any One Juſtice of the Peace for the ſaid County, or for the Town of *Shrewſbury*, with Two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide by the Order of, ſuch Seſſions, and to pay ſuch Coſts as ſhall be made and awarded thereon; and ſuch Juſtices, upon hearing and finally determining the Matter of ſuch Appeal, are hereby authorized to award ſuch Coſts to the Party or Parties appealing or appealed againſt as they ſhall think proper.

Limitation of Actions.

XXXIX. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance or under colour of this Act, until Twenty-one Days Notice ſhall be given thereof in Writing to the Clerk to the ſaid Truſtees, nor after ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact committed, for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried, in the ſaid County of *Salop*, and not in any other County or Place; and the Defendant or Defendants in ſuch Actions and Suits may plead the General Iſſue, and give this Act, and the Special Matter in Evidence, at any Trial or Trials which ſhall be had thereupon; and if the Matter or Thing ſhall appear to have been done under or by virtue of this Act, or if it ſhall appear that ſuch Action or Suit was brought before Twenty-one Days Notice thereof ſhall have been given as aforeſaid, or after ſufficient Satisfaction made or tendered as aforeſaid, or that ſuch Action or Suit ſhall not be commenced within the Time before limited, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become Nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions, or if upon any Demurrer or Demurrers in ſuch Action or Actions, Judgement ſhall be given for the Defendant or Deſendants therein, then and in any the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have, for his, her, or their Coſts, in any other Caſes by Law.

General Iſſue.

Treble Coſts.

Publick Act.

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

FINIS.