ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 111.

An Act for building a New Church within the Town and Pariſh of *Liverpool*, in the County Palatine of *Lancaſter*.

[17th *June* 1814.]

WHEREAS by an Act made in the Tenth and Eleventh Years of the Reign of His late Majeſty King *William* the Third, intituled, *An Act to enable the Town of* Liverpool, *in the County Palatine of* Lancaſter, *to build a Church and incloſe the ſame, and for making the ſaid Town and Liberties thereof a Pariſh of itſelf diſtinct from* Walton, the Town of *Liverpool*, in the County of *Lancaſter*, was made and erected into a Pariſh ſeparate and diſtinct from the Pariſh of *Walton*, whereof it was then Part, and wherein it was formerly compriſed, and a New Church was, in purſuance and under the Authority of the ſaid Act, erected and built in *Liverpool* aforeſaid, at the Charge of the Inhabitants of the ſaid Town, which is called or known by the Name of *Saint Peter's Church*: And whereas the Buildings and Inhabitants of the ſaid Town have for ſome Time paſt greatly increaſed, and great Numbers of Workmen, Labourers, and other Perſons living in the ſaid Town, are not of Ability to hire or provide Pews, Seats, or Places in ſome of the Churches erected and built within the Limits of the ſaid Town and Pariſh of *Liverpool*; and as all the ſaid Churches are not ſufficient to contain all the Inhabitants who may be inclined to attend Religious Worſhip, the principal Inhabitants of the ſaid Town, as well for promoting and encouraging Piety and true Religion, as for the Eaſe, Benefit, and Convenience of the People reſiding in and reſorting to the Town and Port of *Liverpool*, have thought it requiſite and neceſſary, and are willing and deſirous that another Church, for the celebrating Divine Service and the Worſhip of God according to the Uſage of the Church of *England*, ſhould be erected, built,

10&11 Gul. 3.

built, and provided on a Piece of Land lying and being between *Kent-ſtreet*, *Cornwallis-ſtreet*, *Upper Pitt-ſtreet*, and *Grenville-ſtreet*, near the South End of the ſaid Town, containing in the whole One Acre and a Half, and within the ſaid Pariſh of *Liverpool*; but, inaſmuch as the ſaid uſeful and neceſſary Purpoſes cannot be completely carried into Execution without the Aid and 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 Mayor, Bailiffs, and Common Council of *Liverpool* for the Time being, and the Rectors and Churchwardens for the Time being, *Charles Clements* Junior, *John Swainſon*, *William Deane*, *George Drinkwater*, *Edward Griffin*, *Thomas Knowles*, *William Molyneux*, *Robert Carr*, *John Dixon*, *Matthew Gregſon*, *William Gibſon*, *George Crooke*, *Thomas Moſs*, *Jonathan Blundell Hollinſhead*, *John Carter*, *George Rowe*, *Nicholas Robinſon*, *George Nelſon*, *William Waln*, *James Ackers*, *James Penny*, *Charles Heſketh*, *George Syers*, *Joſiah Williamſon*, and *Edward Gibbon*, and their Succeſſors, to be elected in Manner hereinafter mentioned, ſhall be and they are hereby nominated and appointed Commiſſioners and Truſtees for the building of the ſaid intended Church, and for other the Purpoſes hereinafter mentioned and expreſſed.

Commiſſioners.

II. And it is hereby further enacted, That in caſe of the Death, or Refuſal to act, of the Commiſſioners by this Act appointed, it ſhall be lawful for, and Power is hereby given to, the Pariſhioners of the Pariſh of *Liverpool* aforeſaid, in Veſtry aſſembled, on *Eaſter Tueſday*, annually for ever, or the major Part of them, to nominate and elect other Commiſſioners in the Places of them ſo dying or refuſing to act, and that the Names of ſuch new-elected Commiſſioners ſhall be entered by the Clerk of ſuch Veſtry in the Veſtry Book of the ſaid Pariſh, and that ſuch new elected Commiſſioners ſhall, from and after ſuch Election, have, and they and every of them is and are hereby veſted with the like Powers and Authorities as are hereby veſted in the Commiſſioners by this Act appointed.

On the Death of any of the ſaid Commiſſioners, others to be elected by the Pariſhioners.

III. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may, and they are hereby authorized and required to meet on the Twentieth Day of *Auguſt* next after the paſſing of this Act, in the Court Room in the Town Hall, in *Liverpool* aforeſaid, having firſt obtained the Conſent of the Mayor for the Time being, or in ſome other convenient Place in the ſaid Town, upon public Notice being given in the Time of Divine Service, in the ſaid Pariſh Church of *Saint Peter*, and in the Parochial Chapel of *Our Lady* and *Saint Nicholas*, on the *Sunday* next preceding the ſaid Twentieth Day of *Auguſt*, and in Two of the *Liverpool* Newſpapers, of the Day, Hour, and Place of Meeting, to carry this Act into Execution, and ſhall afterwards meet in the ſaid Court Room, having firſt obtained ſuch Conſent as aforeſaid, or in ſome other convenient Place in the ſaid Town, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, on the *Thurſday* in each and every Month, for the Purpoſe of carrying this Act into Execution, Notice being given to the ſaid Commiſſioners

First and other Meetings of Commiſſioners.

sioners of such Monthly Meeting by the Vestry Clerk, as hereinafter mentioned.

Commissioners may adjourn for a longer or shorter Space than the next Meeting.

IV. Provided always, and be it enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to adjourn for a longer or shorter Space of Time than the Monthly Meetings immediately subsequent to the last Meeting, or to any other Place or Places in the said Town than the said Court Room; but then and in every such Case, Notice of such Adjournment in Writing or printed (to which Notice the Name of the Vestry Clerk of the said Parish of *Liverpool* shall be affixed) shall be given to or left for each Commissioner at his last or usual Place of Abode, Three Days at least before such Meeting; and all Proceedings at such adjourned Meetings shall be as good and valid as they would have been in case such Commissioners had met in pursuance of Notice of any Monthly Meeting.

Meetings on Emergencies.

V. And be it further enacted, That if after any Adjournment of any Meeting as aforesaid it shall at any Time or Times be thought necessary that a Meeting of the said Commissioners should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Vestry Clerk of the said Parish of *Liverpool* (an Order in Writing, signed by Seven or more of the said Commissioners, mentioning the Time and Place, and Purposes of such earlier Meeting, being given to him, or left at his last or usual Place of Abode,) shall forthwith give Notice of the Meeting to be holden on such earlier Day, in Manner last before mentioned, and of the Time and Place which shall be directed in the Order of the said Commissioners, such Time not being less than Three Days after such Notice; and all Proceedings of such Commissioners at such earlier Meeting shall be as good and valid as they would have been in case such Commissioners had met in pursuance of any Adjournment.

No Act valid unless at a Meeting.

VI. And be it further enacted, That no Act of such Commissioners shall be or be deemed to be good or valid, unless the same be done at some Meeting of the said Commissioners to be holden in pursuance of this Act; and that all the Powers and Authorities of this Act granted to or vested in such Commissioners, shall and may from Time to Time be exercised by the major Part of them who shall attend at any Meeting to be holden as herein is directed, the Number of such Commissioners present at such Meetings not being less than Seven, and all the Orders and Directions of the major Part of such Commissioners present at such Meetings shall have the same Force and Effect as if the same were made or done by all such Commissioners for the Time being; and at every such Meeting of the said Commissioners a Chairman shall and may be appointed; and when and so often as it shall so happen that there shall be an equal Number of Votes upon any one Occasion, including the Vote of the said Chairman, then and in such Case it shall and may be lawful to and for the said Chairman to give the casting or decisive Vote.

Commissioners not to hold Places of Profit.

VII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during the Time he shall hold any Office or Place of Profit under this Act (other

(other than and except the Rectors of the ſaid Pariſh for the Time being) or have any Share or Intereſt in any Contract or Work to be made or done in purſuance of this Act; but it ſhall and may be lawful for ſuch of the ſaid Commiſſioners as ſhall be Juſtices of the Peace in and for the ſaid Borough of *Liverpool*, or in the Commiſſion of the Peace in and for the ſaid County of *Lancaſter*, to act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Commiſſioners.

Entries of Proceedings good Evidence.

VIII. And be it further enacted, That fair and regular Entries ſhall be made in a Book or Books to be provided for that Purpoſe, of all the Acts, Orders, Rules, Regulations, Directions, and Proceedings of the ſaid Commiſſioners, relative to the Execution of this Act; and of the Names of the Commiſſioners who ſhall be preſent at the reſpective Meetings; and the ſame ſhall, when approved and confirmed, be ſubſcribed, with the Name of the Chairman of the next Meeting; and all ſuch Entries, being ſo ſigned, ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Courts whatſoever, in all Cauſes, Suits, and Actions, touching any Thing done in purſuance of this Act.

Actions to be in the Names of the Veſtry Clerk or Treaſurer.

IX. And be it further enacted, That the ſaid Commiſſioners ſhall and may ſue and be ſued in the Name of the ſaid Veſtry Clerk or of the Treaſurer, and that no Action that may be brought or commenced by or againſt the ſaid Commiſſioners, or any of them, by virtue of or on account of this Act, in the Name of the ſaid Veſtry Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death or Removal of ſuch Veſtry Clerk or Treaſurer, or by the Act of ſuch Veſtry Clerk or Treaſurer, without the Conſent of the ſaid Commiſſioners; but the Veſtry Clerk or Treaſurer to the ſaid Commiſſioners for the Time being ſhall always be deemed Plaintiff or Defendant in ſuch Action (as the Caſe may be); provided always, that every ſuch Veſtry Clerk or Treaſurer, in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall always be reimburſed and paid, out of the Monies to ariſe by virtue of this Act, all ſuch Coſts and Charges as by the Event of any ſuch Proceedings he ſhall be put to or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant therein.

New Church to be built.

X. And it is hereby enacted and declared, That there ſhall be built of Stone and other proper Materials within the ſaid Town of *Liverpool*, a Church with a Tower or Steeple, at the Time and in Manner, and by the Ways and Means hereinafter mentioned, on the Piece of Land or Ground and Hereditaments directed to be purchaſed by virtue of this Act.

Commiſſioners to purchaſe Ground to build a Church upon, and for a Burial Place.

XI. And be it further enacted and declared, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Seven or more of them aſſembled at any Meeting, to be convened in Manner herein mentioned, and they are hereby authorized and required to purchaſe the ſaid Piece of Land hereinbefore mentioned, and with the Conſent of the Owner or Owners thereof, as and for the Site of the ſaid intended Church, and for a Church Yard or Cemetery for the Burial of the

the Dead, and for other the Purpoſes of this Act as they ſhall think proper; and to pay for the ſame out of the Monies to be raiſed by virtue and in purſuance of this Act.

Enabling incapacitated Perſons to treat with the Commiſſioners, and to ſell Lands, &c.

XII. And be it further enacted, That it ſhall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, or Adminiſtrators, Huſbands, Guardians, Committees for Lunatics and Idiots, or other Truſtees whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of the *Ceſtuique* Truſts, whether Infants, or Iſſue unborn, Lunatics, Idiots, or Femes Covert, and to and for all Femes Covert who are and ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever who are or ſhall be ſeiſed in their own Right, or poſſeſſed of or intereſted in ſuch Lands or Hereditaments, or any Part thereof which ſhall be thought neceſſary to be purchaſed for the Purpoſes aforeſaid, to treat, contract, or agree with the ſaid Commiſſioners for the Sale thereof, or any Part thereof, and to ſell and convey all or any Part thereof, and all his, her, or their Eſtate, Right, Title, and Intereſt whatſoever, of, in, or to the ſame unto the ſaid Commiſſioners, or to ſuch Perſons and their Heirs for ever, as the ſaid Commiſſioners ſhall direct, in Truſt for them the ſaid Commiſſioners, for any of the Purpoſes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be ſo made by virtue and in purſuance of this Act, ſhall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances and Aſſurances in the Law whatſoever, be good, valid, and effectual to all Intents, not only to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever of their ſaid ſeveral reſpective *Ceſtuique* Truſts, and all claiming or to claim by, from, or under them, any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate and Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Application of Purchaſe Monies paid to incapacitated Perſons if above 200l.

XIII. And be it further enacted, That if any Money ſhall be agreed or aſſeſſed to be paid for any Lands, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *Ex parte* the Commiſſioners for executing this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order to be made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands or Hereditaments, in the

Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands or Hereditaments, or affecting other Lands or Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Intents, and Purpoſes, and in the ſame Manner as the Lands or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined, and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the High Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application of Purchaſe Monies, paid to incapacitated Perſons if under 200l. and not leſs than 20l.

XIV. Provided always, and be it further enacted, That if any Money ſo agreed or aſſeſſed to be paid for any Lands, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, to be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore directed; or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Three or more of the ſaid Commiſſioners, (ſuch Nomination and Appointment to be ſignified in Writing under the Hands of the nominating and approving Parties,) in order that ſuch Principal Money and the Dividends ariſing therefrom may be applied in any Manner hereinbefore directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

XV. Pro-

Application of Purchaſe Money paid to incapacitated Perſons, if under 20l.

XV. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or aſſeſſed to be paid as next before mentioned ſhall be leſs than the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſes of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Commiſſioners ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſes and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Perſons in Poſſeſſion of Premiſes purchaſed, to be deemed the Owners thereof.

XVI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery in purſuance of this Act, for the Purchaſe of any Lands or Hereditaments to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch a Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands or Hereditaments, or to ſome Eſtate or Intereſt therein.

Commiſſioners to cauſe the Church to be built and Church Yard to be encloſed.

XVII. And be it further enacted, That all ſuch Lands or Hereditaments, ſo to be purchaſed in purſuance of this Act, ſhall be conveyed unto the ſaid Commiſſioners, or any Seven or more of them, and their Succeſſors for ever, for the Purpoſes aforeſaid; and the ſaid Commiſſioners, or any Seven or more of them, are hereby authorized, empowered, and required to cauſe ſuch Church to be built upon ſuch Site, ſo to be by them purchaſed as aforeſaid, and within the Time hereinafter mentioned, and to cauſe a Church Yard, Cemetery, and Burial Ground, to be encloſed with proper Walls, Gates, and Doors, and to make Paths, Walks, and Avenues up to the ſaid Church, and alſo to cauſe a proper Building to be erected for the Reception of Fire Engines.

The Church to be built after ſuch Plan as the Commiſſioners ſhall direct.

XVIII. And be it further enacted, That the ſaid Church, ſo intended and appointed to be made and erected in purſuance of this Act, ſhall be built externally of Stone, and of ſuch Materials as the ſaid Commiſſioners aſſembled as aforeſaid ſhall direct and appoint; and alſo ſhall be built according to the Dimenſions, and after the Plan, Form, and Model which have been approved of by the ſaid Pariſhioners and Common Council of the Borough of *Liverpool*.

Commiſſioners to cauſe an Eſtimate of the Expence of building the Church, &c. to be made.

XIX. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby authorized and required to cauſe or procure to be made an Eſtimate in Writing, under the Hands of ſome able and ſufficient Perſon or Perſons, duly qualified for ſuch Purpoſe, of the Charges and Expences of the erecting ſuch New intended Church, and the making and providing Pews, Seats, and other Works, requiſite and neceſſary in and about the building, finiſhing, and decorating the ſaid intended Church, fit and proper for the Celebration of Divine Service therein, and alſo in and about the building and finiſhing ſuch Engine Houſe; and alſo to raiſe and levy by the Ways and Means hereinafter mentioned, ſo much Money as will be ſufficient for the Purpoſes of this Act, not exceeding in the whole the Sum of Thirty-four thouſand five hundred Pounds.

Commiſſioners may contract with Workmen for building the ſaid Church.

XX. And be it enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to receive Propoſals from, and enter into, make, and execute Contracts with any Builder or Builders, and all other Workmen and Perſons, for the building of the ſaid intended Church, and the Steeple or Tower thereof; and for getting, finding, and providing Stone, Timber, and all other Materials, Utenſils, and Things, that ſhall or may be neceſſary and requiſite for the building, finiſhing, and decorating the ſaid intended Church, and Tower or Steeple reſpectively, and for making and incloſing the Church Yard, Cemetery, or Burial Ground for the ſame, and all other Matters, Articles, and Things concerning the ſame, and for the building and finiſhing the ſaid Engine Houſe, ſo as Twenty Days' Notice in Writing be fixed upon the Town Hall in *Liverpool* for public View, of the Time and Place appointed to receive Propoſals, and make Contracts for any Parts of ſuch Buildings, or Materials, or Work to be done in, about, or relating to the ſame from Time to Time, and at all or any Time or Times hereafter as Occaſion may require; and that all ſuch Contracts ſo to be made, ſhall be entered into a Book to be kept for that Purpoſe, and ſigned and executed by the Commiſſioners, or any Seven or more of them, hereby empowered to make ſuch Contracts; and alſo, that the ſaid Commiſſioners, and their Succeſſors, ſhall and may appoint a fit and experienced Perſon or Perſons to inſpect, ſurvey, and ſuperintend the ſaid Buildings and Works, and to allow to him or them ſuch reaſonable Salary or Recompence as to the ſaid Commiſſioners, or any Seven or more of them, ſhall ſeem meet, and ſhall and may alſo appoint a Treaſurer of the ſaid Works from Time to Time, with a proper Salary, (ſuch Treaſurer giving good Security to the Satisfaction of the ſaid Commiſſioners for his Fidelity,) to receive and pay all Monies that ſhall be collected, iſſued, and paid on Account of the ſaid intended Church.

Commiſſioners may appoint ſuch Officers as they ſhall think neceſſary.

The Church to be built in Ten Years from the Date of the Conveyance of the Land.

XXI. And be it further enacted, That the ſaid intended Church, and Church-Yard, Cemetery, or Burial Ground, ſhall be completed and finiſhed, fit for Conſecration and Celebration of Divine Service, within the Term of Ten Years from the paſſing of this Act, and ſhall upon the Conſecration thereof be called the Church of *Saint Michael*.

And to uſe the Money for thoſe Purpoſes.

XXII. And be it further enacted, That ſuch Sum and Sums as ſhall be raiſed and levied by virtue and in purſuance of this Act, ſhall be

paid, employed, applied, and disposed of, to and for the several Uses, Intents, and Purposes, in and by this Act mentioned, expressed, provided, and declared.

Materials of Church vested in Commissioners.

XXIII. And be it further enacted, That all the Bricks, Stones, Timber, Iron, Lead, and all other Materials bought and procured by Order of the said Commissioners, for building and erecting the said Church and other Conveniences thereto, or for enclosing the said Church-Yard, Cemetry, or Burial Ground, and for building and erecting the said Engine House, or other the Purposes of this Act, shall belong to, and be the Property of, and the same is and are hereby vested in the said Commissioners; and it shall be lawful for the said Commissioners to bring or cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, (as the Case may require,) against any Person or Persons who shall steal, carry away, spoil, injure, or destroy the said Church or other Conveniences, or the Wall or Walls, Fence or Fences of such Church-yard, Cemetery or Burial Ground, or of any Buildings or other Works, erected, made, or built, by virtue of this Act, or any Part or Parts thereof; and in all such Actions and Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally that the said Wall, Fence, Building, Article or Articles, Thing or Things for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for building a New Church within the Town and Parish of *Liverpool* in the County Palatine of *Lancaster*," without particularly stating or specifying the Name or Names of all or any of the said Commissioners.

Commissioners to appoint inhabitants of Liverpool to be Assessors,

XXIV. And it is hereby further enacted, That for the raising, collecting, and levying Money, for the Purposes aforesaid, the said Commissioners, or their Successors, or any Seven or more of them, at any of their Meetings to be held in pursuance and for the Purposes of this Act, shall and may, and they are hereby required, under their Hands and Seals, to nominate Five Inhabitants of the Town of *Liverpool* aforesaid, (not being of the People called Quakers, who are hereby excused and exempted from serving the said Office,) to be Assessors, in order to raise Money for the Purposes of this Act mentioned; and such Persons so to be nominated and appointed Assessors, are hereby empowered and required forthwith to make and settle a yearly, half-yearly, or other Rate or Rates, Assessment or Assessments, upon all Owners and Occupiers of any Houses, Edifices, Warehouses, Buildings, graving or repairing Docks, Yards, Lands, Grounds, Tenements, Rents, Hereditaments, and all other Property of what Kind or Nature soever, liable to the Poors' Rate, within the said Parish of *Liverpool*, to be settled, regulated, proportioned, and ascertained by the Assessment made for the Relief and Support of the Poor of the said Parish of *Liverpool*, in the Year preceding every Assessment to be made by virtue of this Act, and which Rates and Assessments hereby directed to be made, shall be allowed and signed by Two or more of the Justices of the Peace for the said Borough and Town; and after such Rates and Assessments are so made and confirmed, the said Commissioners, or any Seven or more of them for the Time being, assembled as aforesaid, shall have full Power, and they are

Who are to make and settle a Rate or Assessment upon all Owners and Occupiers of Houses, &c.

hereby authorized and required to cauſe the ſame to be collected quarterly or half-yearly, and to appoint Five or more Perſons, being ſubſtantial Pariſhioners of the ſaid Pariſh of *Liverpool* (not being of the People called Quakers, who are hereby excuſed and exempted from ſerving the ſaid Office,) to collect the ſame; and if any Perſon or Perſons ſhall wilfully refuſe or neglect to appear, aſſeſs, or collect ſuch Rates or Aſſeſſments as aforeſaid, being thereunto ſummoned and appointed as aforeſaid, or refuſe to be ſworn, well and faithfully to execute either of the ſaid Offices of Collector or Aſſeſſor, which Oath the ſaid Mayor or any One Juſtice of the Peace for the ſaid Borough for the Time being is authorized and empowered to adminiſter, every ſuch Perſon or Perſons ſhall for every Offence forfeit and pay any Sum not exceeding the Sum of Twenty Pounds, to be recovered, levied, and diſpoſed of as hereafter is directed.

Perſons not to ſerve after a certain Age nor more than once in Five Years.

XXV. Provided always, and be it enacted, That no Perſon ſhall be obliged to ſerve the Office of Collector or Aſſeſſor who is above the Age of Fifty Years, or ſhall have been fined for the ſame, nor to ſerve the Office of Collector or Aſſeſſor oftener than once in Five Years.

Rates to be paid by the Occupiers of Houſes, &c.

XXVI. And be it further enacted, That the ſaid Rate and Aſſeſſments ſhall be paid by the ſeveral Tenants or Occupiers of the ſeveral Houſes, Edifices, Warehouſes, Buildings, repairing Docks, Yards, Lands, Grounds, Tenements, Hereditaments, and real Eſtates above mentioned, and by the Owners and Proprietors of all other Property ſo rated and aſſeſſed reſpectively as aforeſaid, to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they or any Seven or more of them aſſembled as aforeſaid ſhall direct, order, and appoint from Time to Time to collect and receive the ſame, ſo as the ſame do not exceed Sixpence in the Pound in the firſt Year, nor exceed Three-pence in the Pound for any of the ſubſequent Years, nor ſhall continue for any longer Space of Time than Ten Years, and ſo as the whole Sum to be raiſed do not exceed the Sum of Thirty-four thouſand five hundred Pounds.

Poor Cottagers exempted.

XXVII. Provided nevertheleſs, and be it enacted, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend to charge or make chargeable any Perſon or Perſons to, with, or for any of the ſaid Rates hereby directed to be made and levied, who ſhall not at the Time of making the ſaid Rates reſpectively be in the Poſſeſſion of a Meſſuage or Dwelling-Houſe in the ſaid Pariſh of *Liverpool* of greater yearly Rent than Ten Pounds, but that the Owner and Owners of all Meſſuages or Dwelling-Houſes of the yearly Rent of Ten Pounds and under, ſhall in reſpect thereof be rated and be liable to the Payment of the Taxes by this Act to be impoſed; and that the ſame Ways and Means ſhall be taken and purſued for the Recovery thereof as are before provided for the Recovery of the Rates before mentioned; any Thing in this Act to the contrary notwithſtanding.

Recovery of Rates.

XXVIII. And be it further enacted, That in caſe any Perſon or Perſons ſo aſſeſſed or taxed as aforeſaid ſhall refuſe and neglect to pay ſuch Rate or Aſſeſſment by the Space of Twenty-one Days next after Demand made thereof, it ſhall and may be lawful to and for the ſaid Collectors reſpectively,

reſpectively, by Warrant under the Hands and Seals of any Two or more of the ſaid Juſtices, and which Warrant they are hereby authorized and required to grant to the Collector applying for the ſame, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Perſon and Perſons ſo refuſing or neglecting, rendering the Overplus (if any be) to the Perſon and Perſons ſo refuſing or neglecting, the neceſſary Charges of making ſuch Diſtreſs and Sale being firſt made and deducted.

If Diſputes ariſe about the Rates, the Mayor and Juſtices to determine them.

XXIX. And be it further enacted, That in all Caſes where the Owner ſhall alſo be the Occupier of the Whole or of a Part only of any Houſes, Edifices, Warehouſes, Buildings, Lands, Grounds, Tenements, or Hereditaments hereby directed to be charged or aſſeſſed as aforeſaid, ſuch Owner ſhall be rated and liable to pay the Sum and Sums of Money to be charged thereon in purſuance of this Act; and that if any Difference or Diſpute ſhall afterwards ariſe or happen between any Owner and Occupier, touching and concerning the Shares and Proportions which each ought to bear, of the Rates or Taxes to be paid by ſuch Owner, then and in every ſuch Caſe, the Mayor and Juſtices of the Peace for the ſaid Borough for the Time being, or any Two of them, whereof ſuch Mayor or his Deputy to be one, ſhall and may, in a ſummary Way, hear, adjuſt, and determine all and every ſuch Difference and Diſpute; and alſo, that if any Perſon or Perſons hereby made liable to pay the ſaid Rates and Taxes, or any of them, or any Part thereof, ſhall afterwards remove from or quit the Houſe, Tenement, or Premiſes, in reſpect of which ſuch Rates or Taxes were made before ſuch Time as the Rates or Taxes due from ſuch Perſon or Perſons ſhall be paid, it ſhall and may be lawful to and for the ſaid Collectors to levy the ſame by Diſtreſs and Sale, being warranted as aforeſaid, on the Goods and Chattels of ſuch Perſon and Perſons ſo removing as aforeſaid, provided he or ſhe ſhall reſide in the ſaid Town, and a ſufficient Diſtreſs can be found, or otherwiſe the Churchwardens of the ſaid Pariſh of *Liverpool* for the Time being, in their own Name ſhall and may ſue for and recover the ſame by Action of Debt, Bill, Plaint, or Information in any of the Courts of Record at *Weſtminſter*, or in the County Palatine of *Lancaſter*.

Diſtreſs for Church Leys, &c. if not to be found within the Diſtrict, &c. may be made out of the Diſtrict.

XXX. And be it further enacted, That the Goods and Chattels of any Perſon or Perſons neglecting or refuſing to pay any Sum or Sums of Money legally aſſeſſed on and due from him, her, or them, in reſpect of any Rates or Taxes to be levied in purſuance of this Act, for the Space of Twenty-four Hours after the ſame ſhall have been legally demanded of him, her, or them, ſhall and may be diſtrained, not only within the ſaid Pariſh, but alſo within any other Diſtrict, Pariſh, Townſhip, or Hamlet, within the ſaid County, Riding, Diviſion, or Juriſdiction; and if ſufficient Diſtreſs cannot be found within the ſaid Pariſh, or within the ſame County, Riding, Diviſion, or Juriſdiction, then, upon Oath thereof made before any one or more Juſtice or Juſtices of the Peace of any other County, Riding, Diviſion, or Juriſdiction, in which any of the Goods or Chattels of ſuch Perſons ſhall be found; which Oath ſuch Juſtice or Juſtices are hereby required to adminiſter and certify, by indorſing in his or their reſpective Hand Writing,

Writing, his or their Name or Names on the Warrant granted to make ſuch Diſtreſs, the Goods and Chattels of the ſaid Perſon or Perſons ſo neglecting or refuſing to pay as aforeſaid, ſhall be ſubject and liable to ſuch Diſtreſs and Sale, in ſuch other County, Riding, Diviſion, or Juriſdiction, where the ſame ſhall be found; and may, by virtue of ſuch Warrant and Certificate, be diſtrained and ſold in the ſame Manner as if the ſame had been found within the Diſtrict, Pariſh, Townſhip, or Hamlet, in or for which ſuch Rates or Taxes had been made, or was due.

In what Manner all Perſons who ſhall receive any Money by virtue of this Act, ſhall account for the ſame.

XXXI. And be it further enacted, That all and every Perſon and Perſons who ſhall receive any Money by virtue of this Act, for the Purpoſes aforeſaid, ſhall from Time to Time, and as often as the ſaid Commiſſioners ſhall require the ſame, make and render to the ſaid Commiſſioners, or unto ſuch other Perſon or Perſons as they ſhall appoint, a true and perfect Account upon Oath (which Oath may be taken before the ſaid Mayor, or any other Juſtice of the Peace for the ſaid Borough, who are hereby reſpectively empowered and required to adminiſter the ſame,) of all ſuch Sum and Sums of Money, by ſuch Perſon or Perſons collected and received, or which ſhall have been rated and aſſeſſed as aforeſaid, and not received or accounted for, and of all other Matters and Things committed to his or their Charge, under the Authority of this Act; and to pay and deliver over unto ſuch Perſon or Perſons, as the ſaid Commiſſioners ſhall direct and appoint, all and every ſuch Sum and Sums of Money as ſhall remain in his or their Hands at the Time of ſuch Account, together with the ſaid Books of the ſaid Rates and Aſſeſſments, and all other Books and Papers in any wiſe relating to the ſame, whole, undefaced, without being deſignedly or fraudulently altered or obliterated; and in caſe any ſuch Collector or Collectors ſhall refuſe ſo to do, and to account for, and pay ſuch Sum or Sums of Money accordingly, any Two or more of the ſaid Juſtices ſhall and may by Warrant under their Hands and Seals, cauſe the ſame Books and Papers to be ſeized, and taken out of his or their Cuſtody; and all Monies ſo in arrear, and due from him or them to the ſaid Commiſſioners, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector or Collectors, rendering the Overplus to the ſaid Collector or Collectors, the Charges of ſuch Warrant, Diſtreſs, and Sale, being firſt deducted thereout; but in caſe a ſufficient Diſtreſs cannot be found, then the ſaid Juſtices, or any Two of them, ſhall and may by virtue of this Act, commit ſuch Perſon or Perſons to the Common Gaol, in and for the ſaid Borough of *Liverpool*, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account, and a Satisfaction or Compoſition to ſuch Commiſſioners; and the ſaid Commiſſioners, or any Seven or more of them, are hereby authorized to compound the ſame for ſo much as upon the ſaid Account ſhall appear in ſuch Collector or Collector's Hands, and that upon his or their delivering up, as aforeſaid, all Books, Papers, and Accounts, and Vouchers relating to the ſame, unto ſuch Commiſſioners ſome or One of them; then, and in every Caſe of Satisfaction or Compoſition made them, ſuch Perſon and Perſons ſhall be forthwith diſcharged out of Cuſtody; provided always, that no ſuch Collector or Collectors ſo committed,

ſhall be detained and impriſoned by virtue of this Act, for want of ſufficient Diſtreſs longer than Three Calendar Months; and that in caſe any Money received by any ſuch Collector or Collectors as aforeſaid, ſhall be either totally, or in Part loſt, the ſaid Aſſeſſor or Aſſeſſors for the Time being is and are hereby authorized and required, upon the Order, and by the Directions of the ſaid Commiſſioners, or any Seven or more of them aſſembled as aforeſaid, to make a new or additional Rate or Aſſeſſment for the ſupplying and making good ſuch Deficiency; and the Charges and Expences thereof to be in like Manner aſſeſſed, laid, paid, or levied on the ſaid Pariſhioners of *Liverpool*, their reſpective Eſtates and Tenancies, Goods and Chattels, as aforeſaid is directed.

Commiſſioners may borrow Money on Rates.

XXXII. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby empowered from Time to Time by a Writing or Writings under their Hands and Seals, to aſſign over the ſaid Rates and Aſſeſſments, to ariſe by virtue of this Act, or any Part thereof, (the Coſts and Charges of aſſigning or mortgaging the ſame to be borne and paid out of ſuch Rates and Duties,) for any Time or Term for which the ſame are hereby made payable, or any Part of ſuch Time or Term, for any Sum or Sums of Money by them to be borrowed for that Purpoſe, to ſuch Perſon or Perſons, or their Truſtees, as ſhall advance and lend the ſame to ſecure the Payment thereof, with ſuch Intereſt as ſhall be agreed upon, not exceeding legal Intereſt, which ſaid Money, ſo borrowed, ſhall be applied and diſpoſed of as the ſaid Rates or Aſſeſſments by this Act are directed to be applied and diſpoſed of, and to no other Uſe or Purpoſe whatſoever.

Aſſignment to be entered in a Book to be kept for that Purpoſe.

XXXIII. And be it further enacted, That Copies of all and every Aſſignment and Aſſignments ſo to be made by the ſaid Commiſſioners, or any Seven or more of them aſſembled as aforeſaid, ſhall be entered at length in a Book or Books to be kept for that Purpoſe by the Treaſurer for the Time being, which ſaid Book or Books ſhall and may be ſeen and peruſed at ſeaſonable Times, by any Perſon or Perſons whomſoever without Fee or Reward.

Pews to be made—one for the Miniſters, and another for the Churchwardens.

XXXIV. And be it further enacted, That the ſaid Commiſſioners and their Succeſſors ſhall cauſe to be made, erected, or built in the Nave or Body of the ſaid Church, two convenient Pews in the ſaid Church, ſo appointed to be built as aforeſaid, *videlicet*, one for the Uſe of the Miniſters, and the other for the Churchwardens thereof reſpectively, and that no other Pews or Seats encloſed ſhall be made, erected, or ſet up in the Nave or Body of the ſaid Church, but inſtead thereof, open Seats or Pews ſhall be fixed to the Floor of the ſaid Church, for the Eaſe, Convenience, and Benefit of the Poor, who ſhall attend Divine Service therein; and that no Rent or other Conſideration ſhall be paid or demanded of any Perſon or Perſons whatſoever, for the Uſe and Occupation of any of the ſaid Pews or Seats reſpectively, in the centre Part of the Nave of the ſaid Church; provided nevertheleſs, that nothing herein contained ſhall extend ſo as to prevent the making, erecting, or ſetting up of any encloſed Pews or Seats, on ſuch Part of the North or South Sides of the ſaid Church, on

the Ground Floor, as ſhall be marked on the Plan to be agreed to by the ſaid Commiſſioners.

Galleries to be made.

XXXV. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required to make, build, and erect, or cauſe to be made, built, and erected, ſuch Galleries in and about the ſaid intended Church as to them ſhall ſeem requiſite and convenient, and to make and ſet up convenient encloſed Pews and Seats in and upon the ſaid Galleries, and on the North and South Sides of the Ground Floor of the ſaid Church, leaving convenient Avenues, Paſſages, or Room for Acceſs to the ſaid Pews and Seats reſpectively, and which ſaid Pews ſhall be painted, or marked with different Numbers and Figures to diſtinguiſh the ſame.

Commiſſioners to fix the Rents to be paid for Pews.

XXXVI. And it is hereby further enacted and declared, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized and required to aſſemble and meet together in the ſaid intended Church, after the ſame ſhall be built and completed, on any Day or Days after the Conſecration thereof, and then and there to aſcertain and fix the Rent to be paid for each and every Seat in the ſaid Galleries, and on the North and South Sides of the Ground Floor of the ſaid Church, for the Uſes and Purpoſes hereinafter mentioned, according to their Skill and Judgment; and the ſaid Commiſſioners ſhall cauſe the ſeveral Rents ſo aſcertained and fixed for and upon every Pew, to be entered in a Book to be kept for that Purpoſe, by the Churchwardens of the ſaid Church, referring to the Number of each Pew; and after the Rents of the ſaid Seats or Pews ſhall be ſo fixed and aſcertained, it ſhall and may be lawful to and for the ſaid Commiſſioners to let, demiſe, or leaſe the ſame at and for ſuch Annual Rents reſpectively, unto ſuch of the Pariſhioners of the Pariſh of *Liverpool* as ſhall be willing to rent the ſame for ſuch Term of Years, or otherwiſe, and ſubject to ſuch Conditions and Agreements as the ſaid Commiſſioners ſhall think proper, requiſite, and expedient; and that ſuch Seats or Pews, after ſuch letting, demiſing, or leaſing by the ſaid Commiſſioners, ſhall be, and they are hereby veſted from thenceforth in the Perſon and Perſons to whom the ſame ſhall be reſpectively aſſigned or allotted, and in their reſpective Executors and Adminiſtrators, and ſhall and may be bargained, ſold, aſſigned, leaſed, demiſed, alienated, made over, or diſpoſed of by ſuch Perſon and Perſons reſpectively, but ſubject to the Payments of the Rents hereby directed to be reſerved upon the ſame, and all Arrears thereof, and to ſupporting, maintaining, and keeping the ſame in Repair, in ſuch Manner as the ſaid Commiſſioners ſhall think proper and requiſite.

Times of Payment for Seats and Pews.

XXXVII. And be it enacted, That all and every Perſon and Perſons whomſoever, poſſeſſing or enjoying one or more Seats or Pews in the ſaid intended Church, ſhall be obliged to pay the Rent or Rents reſerved or affixed thereon at Two Payments in every Year, the firſt Payment to begin and be made at the End of Six Months next, after the Conſecration of the ſaid Church; and in caſe the Rents ſhall be behind and unpaid by the Space of Thirty Days, after

after the ſame ſhall become due, the Churchwardens of the ſaid Church ſhall and may enter upon, take, and keep Poſſeſſion of ſuch Seat or Seats, Pew or Pews; and the ſaid Commiſſioners ſhall and may, under the Authority of this Act, ſet, demiſe, aſſign, or diſpoſe of the ſame to any other Perſon or Perſons whomſoever, on ſuch Terms as ſuch Commiſſioners, or any Seven or more of them aſſembled as aforeſaid, ſhall think reaſonable, ſubject to the Payment of an Annual Rent as aforeſaid, or the Churchwardens for the Time being may, in their own Names, ſue for and recover the ſame Rents ſo in arrear, with full Coſts of Suit by Action of Debt, in any of the Courts of Record at *Weſtminſter*, or in any Courts of Record in the County Palatine of *Lancaſter* reſpectively.

Appointment of Churchwardens who are to collect the Rents of the Pews and pay Salaries, &c.

XXXVIII. And be it further enacted, That the Churchwardens of the ſaid intended Church ſhall be annually choſen by the Pariſhioners of *Liverpool*, paying Scot and Lot in the ſaid Pariſh at their Annual Veſtry, held on *Eaſter Tueſday* in every Year, ſuch Churchwardens being ſelected from the Occupiers of Seats in the ſaid Church; and the ſaid Churchwardens ſhall collect and receive the Rents of the ſaid Seats and Pews, and pay the Stipends, Salaries, or Wages to the reſpective Miniſters, Clerk, Sexton, and Organiſt of and belonging to the ſaid intended Church for the Time being; and alſo ſhall do, perform, and execute all lawful Acts, Matters, and Things neceſſary and requiſite for the Ornament of and good Order and Decency of Behaviour, to be kept and obſerved in the ſaid Church by the Congregations thereof and otherwiſe; and the ſaid Perſons ſo to be appointed or choſen Churchwardens ſhall continue in their ſaid Office till *Eaſter Tueſday* in the next enſuing Year; and the ſaid Perſon and Perſons ſo to be choſen Churchwardens for the ſaid Church are hereby authorized and empowered to collect and receive the Rents of the Pews or Seats in the ſaid Church; and in caſe of Nonpayment thereof, to ſue or bring Actions for the ſame as aforeſaid by the Name of the Churchwardens of the Church of *Saint Michael* in the Town of *Liverpool*, in the County of *Lancaſter*, as the Caſe ſhall or may require.

Preſentation to the Church veſted in the Mayor, Bailiffs, and Burgeſſes of Liverpool.

XXXIX. And be it further enacted, That the Right of Preſentation and the perpetual Advowſon and Patronage of, in, and to the ſaid Church, ſhall be, and the ſame is hereby veſted in the Mayor, Bailiffs, and Burgeſſes of the ſaid Town of *Liverpool* for ever; and that the Mayor, Aldermen, Bailiffs, and Common Council of the ſaid Borough and Corporation of *Liverpool*, and their Succeſſors, or the major Part of them in Common Council aſſembled, ſhall and may, and they are hereby authorized, empowered, and required, before or upon the Conſecration of the ſaid Church, to nominate and preſent, under the Common Seal of the ſaid Borough and Corporation, two proper Perſons duly qualified to be the Miniſters of the ſaid Church; and alſo in like Manner to nominate and appoint a Miniſter to and for the ſaid Church on every Vacancy and Avoidance thereof; and the ſaid Common Council ſhall and may from Time to Time nominate and appoint the Organiſt, Clerk, and Sexton to ſerve and officiate in the ſaid Church, and diſplace and remove ſuch Organiſt, Clerk, and

Sexton

Sexton respectively, from Time to Time, upon just and reasonable Cause and Causes.

For appointment of Ministers in case of Lapse.

XL. And be it further enacted, That in case the Office or Place of Minister of the said intended Church shall be suffered to remain for the Space of Six Months without any Nomination or Presentation thereunto by virtue of this Act, then and in every such Case the Nomination or Presentation to the said Church shall lapse in the usual Manner, according to the Laws of this Realm, in the case of Presentative Livings or Benefices.

Nothing in this Act to prejudice the Rights of the Rectors of the Parish Church of Liverpool.

XLI. And it is hereby also further enacted, That nothing in this Act contained shall prejudice, impeach or defeat, lessen or abridge, or be construed to prejudice, impeach or defeat, lessen or abridge the Right, Title, Interest, Claim, and Demand of the Rectors of the said Parish of *Liverpool*, or of their Successors, of, in, or to any Dues, Duties, Offerings, Oblations, or Obventions, or any other Ecclesiastical Rights, Benefits, Perquisites, or Advantages, or any other Right, Title, or Interest within the Parish of *Liverpool* aforesaid, which were and are now vested in them, or which they can or may respectively claim, demand, or be entitled to, by force and virtue of any Act of Parliament or otherwise, (other than and except the Right of Nomination and Presentation to the said Church, which they are now legally entitled to.)

Collectors of Pew-Rates to keep Accounts.

XLII. And be it further enacted, That all and every Person and Persons, who shall from Time to Time be appointed to collect and receive the Rent and Rents of the Pews and Seats to be made, erected, and built in the said new intended Church shall and may, and they are hereby enjoined and required to keep just, true, and perfect Accounts of all Sum and Sums of Money to be by them respectively received in, about, or concerning the Premises, and of all Sum and Sums of Money paid, issued, or applied in or about the same, and shall enter all Debts, Vouchers, Payments, and Receipts, in a Book or Books to be by them respectively kept for that Purpose; all which said Books of Accounts and Papers in anywise relating to the said Premises so to be kept, shall be inspected and examined into from Time to Time, and at all Times by the said Commissioners, or by such Person or Persons as they shall in that Behalf appoint, and shall upon Demand be delivered to the said Commissioners, they giving to the Treasurer, or Person or Persons keeping or intrusted with the said Books of Account, proper Receipt or Receipts for the same.

Treasurer, Collector, or Receiver to account to Commissioners for Money received.

XLIII. And be it further enacted, That every such Treasurer, Receiver, or Collector for the Time being, shall from Time to Time, when required by the said Commissioners, make, render, and deliver to them as aforesaid, or to any other Person or Persons as they shall in that Behalf nominate and appoint, a fair, true, and full Account, upon Oath, before the Mayor or any Justice of the Peace of and for the said Borough of *Liverpool*, of all such Sums of Money by such Collector, Treasurer, or Receiver, respectively collected, paid to or received, and of all other Matters and Things committed to his and their Charge, under the Authority of this Act, and pay over and deliver

deliver unto ſuch Perſon and Perſons as the ſaid Commiſſioners ſhall direct and appoint, all and every Sum and Sums of Money, Articles, Matters, and Things, as ſhall remain in his or their Cuſtody or Power at the Time of rendering ſuch Account; and if any ſuch Treaſurer, Receiver, or Collector ſhall neglect or refuſe to account, pay, and deliver up ſuch Money or other Things 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 Borough of *Liverpool*, there to remain without Bail or Mainprize until he or they ſhall have made a true Account and Delivery, and paid and delivered up what ſhall, upon ſuch Account, appear to be remaining in his or their Hands, or that ſuch Commiſſioners ſhall and may make ſuch Compoſition and Agreement in and about the ſame as they the ſaid Commiſſioners, or any Seven or more of them, aſſembled at any Public Meeting to be appointed for ſuch Purpoſe, ſhall think juſt and reaſonable, and which ſaid Compoſition ſuch Commiſſioners are hereby from Time to Time authorized to make, allow, and confirm.

After the Church is conſecrated, it is to be repaired at the Expence of the Pariſhioners.

XLIV. And be it further enacted, That from and after ſuch Time as the ſaid intended Church ſhall be built and conſecrated, the ſame ſhall be ſupported and kept in good Repair by the Pariſhioners of *Liverpool* aforeſaid, out of the Church Leys, to be raiſed, taxed, or aſſeſſed upon the Inhabitants of the ſaid Pariſh.

No Repairs above 50l. to be made but by Order of the Commiſſioners.

XLV. Provided always, That after the building, finiſhing, and conſecrating of the ſaid intended Church, no Repairs or additional Buildings ſhall be made, done, or added to the ſaid Church, which ſhall coſt above the Sum of Fifty Pounds, unleſs and until an Application ſhall be made to the ſaid Commiſſioners on that behalf, by Perſons acting as Churchwardens of the ſaid Church for the Time being, and until a Report be made in Writing to ſuch Commiſſioners aſſembled as aforeſaid, by ſome able Workmen, to be by them appointed for that Purpoſe, ſignifying that ſuch Repairs or Buildings are neceſſary to be made and done, and unleſs and until ſuch Repairs ſhall be firſt allowed by the ſaid Commiſſioners, by Writing under their Hands.

Bread and Wine for the Sacrament to be provided by the Pariſh.

XLVI. And be it further enacted, That the Bread and Wine uſed in the Communion in the ſaid intended Church ſhall be provided and paid for in like Manner as the Bread and Wine uſed in the Pariſh Church of *Liverpool* is provided and paid for; and the Churchwardens of the Pariſh of *Liverpool* for the Time being are hereby authorized and directed to pay the Expences thereof out of the Church Leys annually made in the ſaid Town accordingly.

No Corpſe to be buried in the Church;

XLVII. Provided always, and be it enacted, That no Body or Corpſe whatever ſhall be buried within the ſaid intended Church, or in any Vault underneath the ſame; and the Miniſter and Miniſters thereof is and are hereby ſtrictly enjoined and prohibited, not to ſuffer the ſame to be done, on Penalty of forfeiting to the ſaid Pariſhioners by the Perſon ſo offending the Sum of Twenty Pounds for every ſuch Corpſe ſo ſuffered to be buried in the ſaid Church, to be recovered in any Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, and paid and applied to the Uſe of the ſaid Pariſh.

or within a certain Distance.

XLVIII. Provided always, and be it enacted, That no Body or Corpse whatsoever shall be buried under the Avenues or Footways leading to the Entrance into the said Church; and that all other Burials shall be subject to the Rules, Orders, and Regulations of the said Commissioners.

The Church under the Jurisdiction of the Bishop of Chester.

XLIX. And be it further enacted, That the said intended Church, and the Ministers thereof for the Time being, shall and may be licensed by, and they shall be under and subject to the ordinary Jurisdiction of the Bishop of *Chester* and his Successors, and shall be by him or them visited in such Manner as other Churches or Chapelries in the Diocese of *Chester* are now visited.

Annual Payments to the Clerk, Organist, and Sexton.

L. And be it further enacted, That the said Churchwardens of the said intended Church shall, out of the Rents and Profits of the said Seats or Pews in the Galleries of the said Church, pay unto the Clerk of the said Church such yearly Sum not exceeding Fifty Pounds, to the Organist such yearly Sum not exceeding Fifty Pounds, and to the Sexton of the said Church such yearly Sum not exceeding Twenty-five Pounds for their Wages, respectively, as the said Commissioners shall from Time to Time order and direct, having respect to their and each of their decent and diligent Behaviour in their respective Offices.

Surplus of Monies arising from Seats in the Galleries to be applied in further Conveniences in the Church.

LI. And be it further enacted, That in case any Money arising, and to be collected for or on account of the Rents of the Pews and Seats in the Galleries, and of the Pews and Seats on the North and South Sides of the Ground Floor of the said intended Church, shall remain after Payment of the several Salaries, Stipends, and Wages, to the Ministers, Clerk, Organist, and Sexton, and other Monies directed to be issued and paid thereout by this Act, then and in such Case the said Surplus Money shall be laid out in and for such Ornaments, Repairs, Decorations, and Conveniences of, in, and for the said Church, as the said Commissioners shall order, direct, or appoint; and that in case the annual Revenue arising from the said Church, by virtue of this Act, shall not be sufficient to answer and pay such yearly Salaries, Stipends, and Wages, and other Payments, charged upon the same by virtue of this Act, such Deficiency shall from Time to Time be made good, and supplied by, with, and out of the annual Church Leys of the Parish of *Liverpool* aforesaid.

Appointing the Synodals and Procurations to be paid.

LII. And be it further enacted, That there shall be paid by the Ministers or Chaplains of the said Church for the Time being, to the Lord Bishop of *Chester* for the Time being, the Sum of Three Shillings at the Feast of *Saint Michael* in every Year, for Synodals, and the Sum of Five Shillings at every triennial or ordinary Episcopal Visitation or Procuration, according to the Custom of the Diocese of *Chester*, the same to be recovered in like Manner as Synodals and Procurations are by Law recoverable.

Fees for Marriages, &c. to be paid at the New Church.

LIII. And be it further enacted, That there shall be paid to and into the Hands of the Ministers of the said Church, for the Time being, for the Performance of the several and respective Offices of Minister,

Miniſter, Clerk, and Sexton there, double the Fees, Dues, and Perquiſites, which are uſually and of Right ought to be paid for every Marriage, Churching, Burial, and Opening the Ground for Graves, in the Church Yard or Cemetery at the Pariſh Church of *Saint Peter*, and Parochial Chapel of *Our Lady* and *Saint Nicholas*; and that the Miniſters or Chaplains of the ſaid intended New Church, ſhall from Time to Time collect and receive ſuch double Fees, Dues, and Perquiſites, and account for, and pay by equal Half-yearly Payments in every Year, that is to ſay, on the Twenty-fourth Day of *June*, and the Twenty-fifth Day of *December*; One Moiety or Half Part thereof, to and into the Hands of the Rectors of the ſaid Pariſh Church of *Saint Peter* and Parochial Chapel of *Our Lady* and *Saint Nicholas* for the Time being, or one of them, to be divided amongſt them and the Clerks and Sextons of the ſaid Pariſh Church and Parochial Chapel, within Ten Days after ſuch Rectors ſhall have received the ſame, in ſuch Shares and Proportions as the Fees payable at the ſame Church are divided; and that the remaining Moiety or Half-part thereof ſhall, on the ſame Days, be divided between the Miniſters, Clerk, and Sexton of the ſaid intended New Church, in ſuch Shares and Proportions as Fees of the like Nature and for the like Services are uſually, or of Right ought to be, divided among the Rectors, Clerks, and Sextons of the ſame Pariſh Church, or of the ſaid Parochial Chapel of *Our Lady* and *Saint Nicholas*; the firſt of ſuch Payments to the ſaid Rectors, Clerks, and Sextons of the ſaid Pariſh Church, and the ſame Parochial Chapel, ſhall begin and be made at and upon ſuch of the ſaid Days as ſhall firſt happen after the Conſecration of the ſaid Church; and in caſe of the Non-payment thereof, at any Time or Times within Twenty-one Days after either of the ſaid Half-yearly Payments of ſuch Fees, Dues, and Perquiſites, ſhall and may be ſued for, and recovered from the Miniſter or Miniſters of the ſaid New Church, for the Time being, from Time to Time, by and in the Names of the Rectors of the Pariſh of *Liverpool*, by Action for Monies had and received for their Uſe, in any of the Courts hereinbefore mentioned.

Appointing the Miniſter's Salary.

LIV. And be it further enacted, That for the Maintenance of the Two Miniſters for the Time being of the ſaid Church, the Perſons who ſhall be appointed Churchwardens thereof for the Time being in purſuance of this Act, and their Succeſſors, ſhall, by and out of the Rents of the Pews or Seats erected therein, yearly and every Year, well and truly pay or cauſe to be paid to each of the ſaid two Miniſters for the Time being, the Sum of Two hundred and fifty Pounds on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in each Year, by even and equal Portions, and on ſuch of the ſaid Feaſts as ſhall happen next after the Conſecration of the ſaid Church; and the Perſons who ſhall be appointed Churchwardens as aforeſaid, ſhall pay or cauſe to be paid to ſuch Miniſter ſuch Proportion of their Salaries as ſhall have accrued from the Time of the Conſecration of the ſaid Church to ſuch laſt-mentioned Feaſt Day, and the Money ſo to be paid ſhall be allowed to ſuch Churchwardens in their Account; and the like Apportionment of the ſaid Salaries ſhall from Time to Time be made between the Executors or Adminiſtrators of any Miniſter of the ſaid Church dying in the Interval between ſuch Half-yearly Days of Payment,

Payment, and the Succeſſor of ſuch Miniſter ſo dying, for and in reſpect of the accruing Half-year in which ſuch Death ſhall happen.

How Duties are to be performed.

LV. Provided always, and be it enacted, That the Duties of the ſaid Church ſhall be performed equally by the Miniſters thereof, and the Fees to be received and retained by ſuch Miniſters for their own Uſe as aforeſaid, ſhall be divided equally between them.

The Treaſurer or Receivers of Monies to be granted by this Act, obliged once in every Year to print an Account of their Receipts and Payments, &c.

LVI. And be it further enacted, That the Treaſurer or Receiver of the ſaid Rates or Taxes for the Time being, ſhall, on or before the Twenty-ſeventh Day of *March* in each Year during the ſaid Term of Ten Years hereinbefore limited and allowed for the building, decorating, and finiſhing the ſaid intended Church and the Church Yard belonging thereto, draw out an Account of the Receipts and Diſburſements of the Money ariſing by the ſaid Rates or Taxes as aforeſaid, and when the ſame ſhall be ſo drawn out and ſtated, ſuch Treaſurer or Receiver ſhall, and he is hereby directed and required to lay the ſame before the Inhabitants of the ſaid Town of *Liverpool*, at their annual Veſtry on *Eaſter Tueſday* in each of the ſaid Ten Years, for the Inſpection of ſuch Perſon and Perſons paying the ſaid Rates or Taxes as ſhall deſire the ſame; and in caſe ſuch Treaſurer or Receiver ſhall neglect or refuſe to ſtate and draw out and cauſe the ſaid Accounts to be laid before the ſaid Inhabitants at the Time hereinbefore in that behalf appointed in any one Year, contrary to the Tenor and true Meaning of this Act, ſuch Treaſurer or Receiver for the Time being ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds, to be recovered by Action of Debt in any of His Majeſty's Courts of Record at *Weſtminſter*, or in any Court of Record in the County Palatine of *Lancaſter*.

Banns may be publiſhed and Marriages celebrated in the New Church.

LVII. And be it further enacted, That from and after the Conſecration of the ſaid Church, all Marriages duly ſolemnized therein according to and in purſuance of the Proviſions and Directions of an Act made in the Twenty-ſixth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for the better preventing of Clandeſtine Marriages*, ſhall be good and effectual in the Law; and a Regiſter of every ſuch Marriage, or a Copy thereof, ſhall be received in all Courts of Law and Equity as Evidence of Marriage, in ſuch and the like Manner as the Regiſter of any Marriage ſolemnized in any other Pariſh Church is received in Evidence.

Churchwardens going out to account with their Succeſſors.

LVIII. And be it further enacted, That in caſe any Surplus Money ariſing by or from the ſeveral Rents before mentioned ſhall remain after Payment and Diſcharge of the ſeveral Salaries or Sums herein directed to be iſſued and paid thereout unto or for the Miniſters, Clerk, Organiſt, and Sexton, the ſame ſhall be paid over by the Churchwardens for the Time being of the ſaid Church to their Succeſſors, to be from Time to Time applied for the Purpoſes aforeſaid as Occaſion ſhall require.

For Recovery of the Miniſter's Salary if not duly paid.

LIX. And be it further enacted, That if Default ſhall be made in Payment of the ſaid yearly Sums of Two hundred and fifty Pounds and Two hundred and fifty Pounds, or either of them or any Part thereof, or any Apportionment thereof, to the ſaid two Miniſters for the Time being, or either of them, or to the Executors or Adminiſtrators of a deceaſed Miniſter,

Miniſter, for the Space of Thirty Days next after any of the Days of Payment whereon the ſame ought to be paid, then the Biſhop of the Dioceſe of *Cheſter*, or his Chancellor, Vicar General, or Official Principal, on Complaint to him, them, or either of them made, ſhall and may ſummarily hear and determine the ſame, and ſhall and may ſequeſter the Rents and Profits of all or any of ſuch ſeveral Seats or Pews for or until Payment thereof; or it ſhall be lawful for ſuch Miniſters and their Executors and Adminiſtrators to ſue for and recover the ſame with full Coſts of Suit againſt the Churchwardens or Churchwarden for the Time being, by Action of Debt, or upon the Caſe, for ſo much Money had and received to the Uſe of ſuch Miniſters reſpectively, their Executors or Adminiſtrators, to be brought in the Court of Common Pleas to be held for the ſaid County Palatine of *Lancaſter*, or in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Borough Court of *Liverpool*, wherein reſpectively no Eſſoign, Protection, Privilege, Wager of Law, or more than One Imparlance ſhall be allowed; provided always, that no Arrears of the ſaid yearly Sums of Two hundred and fifty Pounds, and Two hundred and fifty Pounds, to be had and recovered againſt any ſucceeding Churchwardens which ſhall have accrued due in the Time of their Predeceſſors ſhall exceed in the whole One Half-yearly Payment of the ſaid yearly Sum, nor exceed the Amount of the Money which ſhall have been paid to ſuch ſucceeding Churchwardens by their Predeceſſors, and that every Action for the Recovery thereof ſhall be made and commenced againſt every ſuch ſucceeding Churchwardens within the Space of Three Months next after their firſt entering upon and being ſworn into the Office of Churchwarden.

Coffins not to be placed in the Church Yard within Three Feet of the Surface.

LX. Provided nevertheleſs, and be it enacted, That it ſhall not be lawful to place any Coffin at a leſs Diſtance than Three Feet from the Surface of the Yard of the ſaid intended Church, which Surface ſhall be aſcertained to be the Bottom of the Plinth Courſe ſurrounding the Church, and the Bottom of the Stone Plinth, ſupporting the Paliſades ſurrounding the Church Yard, and in caſe any Coffin ſhall be placed at any leſs Diſtance than Three Feet from ſuch Surface, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Commiſſioners may diſpoſe of Vaults, &c.

LXI. And be it further enacted, That the Burial Places in the Church Yard ſhall be, and the ſame are hereby veſted in the ſaid Commiſſioners, and they are hereby authorized and empowered to ſell, diſpoſe of, and convey all or any of the ſaid Burial Places in the Church Yard as and for Places of Burial, together with the Inheritance of the ſame, to any Perſon or Perſons willing to become Purchaſers thereof, and for each of which there ſhall be paid ſuch Sum, and to ſuch Perſons, as the ſaid Commiſſioners ſhall appoint, and ſhall be applied by the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Liverpool* for the Uſe of ſuch Poor before or at the Time when each and every ſuch Vault or Burial Place ſhall be firſt ſold.

Recovery of Penalties.

LXII. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act, or by virtue of the Powers thereof impoſed, in reſpect of which no ſpecial Proviſion is made, ſhall be levied and recovered

covered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace in and for the ſaid Borough of *Liverpool*, (which Warrant ſuch Juſtice is hereby empowered to grant, upon the Confeſſion of the Party, or upon the Evidence of any credible Witneſs upon Oath,) and the Overplus (if any) out of the Money ariſing by ſuch Diſtreſs and Sale, ſhall be returned upon Demand to the Owners of ſuch Goods and Chattels, after deducting the Coſts and Charges of making, keeping, and ſelling the Diſtreſs; and ſuch Penalties and Forfeitures, when recovered, ſhall be paid to the ſaid Commiſſioners, to be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe the Offender or Offenders to be committed to the Common Gaol of the ſaid Borough of *Liverpool*, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner fully paid and ſatisfied.

LXIII. And be it further enacted, That in all Caſes where any Conviction ſhall be had for any of the Offences committed againſt this Act, or againſt any Order of Seſſions, or any Matter or Thing done in the Execution of this Act, the Form and Convictions ſhall be in the Words or to the Effect following:

Form of Conviction.

'BE it remembered, That on this Day of in the Year of our Lord is convicted before of His Majeſty's Juſtices of the Peace in and for the Borough of *Liverpool*, of having [as the Offence ſhall be]; and I the ſaid do adjudge him [her or them] to forfeit and pay for the ſame the Sum of . Given under my Hand and Seal the Day and Year aforeſaid.'

Appeal.

LXIV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Rates, Aſſeſſment or Aſſeſſments, any Judgment or Determination, or by any Matter or Thing made, given, or done in purſuance of this Act, ſuch Perſon or Perſons may appeal to the ſaid Commiſſioners at any of their Meetings to be holden within Three Calendar Months next after the Cauſe of Complaint ſhall have ariſen; and ſuch Commiſſioners are hereby authorized and empowered, if they ſhall think ſuch Perſon or Perſons aggrieved, to give ſuch Relief in the Premiſes as to them ſhall ſeem neceſſary; and if every ſuch Perſon or Perſons ſhall not be ſatisfied with the Determination of the ſaid Commiſſioners, then and in ſuch Caſe he, ſhe, or they may appeal to the Juſtices of the Peace of the firſt General or Quarter Seſſions of the Peace to be holden in and for the ſaid Borough of *Liverpool* againſt ſuch Determination of the ſaid Commiſſioners, the Perſon or Perſons appealing having firſt given Twenty Days' Notice at leaſt of his, her, or their Intention to bring ſuch Appeal, and of the Matter thereof, to the Treaſurer to the ſaid Commiſſioners, and within Twenty Days after ſuch Notice to enter into a Recognizance before ſome Juſtice of the Peace in and for the ſaid

Borough of *Liverpool*, with ſufficient Sureties conditioned to try ſuch Appeal, and abide the Order or Award of the ſaid Court thereon; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of ſuch Appeal in a ſummary Way, and to make ſuch Orders therein, and to award ſuch Coſts to either of the Parties or otherwiſe as they the ſaid Juſtices ſhall think proper; and the ſaid Juſtices may alſo order ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable; and all ſuch Orders and Determinations of the ſaid Juſtices ſhall be final, binding, and concluſive to all Parties, to all Intents and Purpoſes whatſoever.

Diſtreſs not unlawful for want of Form.

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

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

LXVI. And be it further enacted, That no Order, Verdict, Judgment, or other Proceedings made, touching, or concerning the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or by other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere, any Law or Statute in anywiſe notwithſtanding.

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

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

Limitation of Actions.

LXVIII. And be it further enacted, That if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing

Thing done in pursuance of this Act, every such Action or Suit shall be brought within Six Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid in the County Palatine of *Lancaster*, and not elsewhere; and the Defendant or Defendants in such Action or Suit 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 the 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 or Suit after the Defendant or Defendants shall have appeared, or if Judgment shall be given against the Plaintiff or Plaintiffs upon Demurrer, then and in any of the said Cases the Defendant or Defendants shall and may recover double Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have by Law for Costs in any other Case.

LXIX. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act shall be paid by the said Commissioners out of the first Monies that shall come to their Hands by the Authority of this Act.

Saving the King's Rights.

LXX. Saving always to the King's most Excellent Majesty, his Heirs or Successors, and to all and every other Persons, Bodies Politic and Corporate, and his, her, and their Heirs, Successors, Executors, and Administrators, all such Right, Title, and Interest of, in, to and out of the same Piece of Ground so walled round and set apart as aforesaid, and the said New Church intended to be erected thereon, as they, every or any of them had before the passing of this Act, or would have been entitled to in case this Act had not been made.

The Rights of the Corporation saved.

LXXI. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to alter, prejudice, lessen, impeach, or defeat the Rights, Powers, and Privileges of the said Corporation of *Liverpool*.

Act not to make a new Parish.

LXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to erect or make any new Parish, or to affect or alter any Payments or Assessments either parliamentary or parochial, except in the Cases herein specially provided for.

Public Act.

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

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