ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 11.

An Act for building a Church or Chapel of Eaſe in *Liverſedge*, in the Pariſh of *Birſtall*, in the Weſt Riding of the County of *York*.

[20th *March* 1812.]

WHEREAS the Inhabitants of that Part of the Pariſh of *Birſtall*, otherwiſe *Burſtall*, in the Townſhip of *Liverſedge*, and its Environs, in the Weſt Riding of the County of *York*, are more than Two Miles diſtant from the Pariſh Church of *Birſtall*, otherwiſe *Burſtall*, and have increaſed in Number, ſo that they cannot be accommodated in the ſaid Pariſh Church, and it would be of great Benefit and Utility to the ſaid Inhabitants if a Church or Chapel of Eaſe was erected and built in the ſaid Townſhip for the Celebration of Divine Service, the Adminiſtration of Sacraments, and other Rites and Ceremonies, according to the Uſage of the Church of *England*: And whereas the moſt Reverend *Edward* Archbiſhop of *York* is the Patron of the Vicarage of the Pariſh Church of *Birſtall*, otherwiſe *Burſtall* aforeſaid, which lies in the Dioceſe of *York*, and the Reverend *William Margetſon Heald* is the preſent Vicar thereof: And whereas the Reverend *Hammond Roberſon*, Clerk, of *Heald's Hall*, in the Townſhip of *Liverſedge* aforeſaid, with the Privity and Conſent of the ſaid Archbiſhop of *York*, and of *William Margetſon Heald*, propoſes to grant a certain Piece of Land, ſituate in *Liverſedge* aforeſaid, containing One Acre and a Quarter, and intends, at his own Expence, to build and complete a Church or Chapel thereon, with a Chancel and a Steeple, containing together Forty Yards in Length, or thereabouts, and Nineteen Yards in Breadth, or thereabouts, on the

Scite thereof, and to apply the remaining Part thereof for the Uſe and Purpoſe of a Cemetery or Burial Ground; but inaſmuch as the Purpoſes aforeſaid cannot be effectually carried into Execution without the Aid and Authority of Parliament: Therefore Your Majeſty's moſt dutiful and loyal Subject, the ſaid *Hammond Roberſon*, doth moſt humbly beſeech 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 it ſhall be lawful for the ſaid *Hammond Roberſon*, his Heirs or Aſſigns, and he or they are hereby authorized, empowered, and required to erect and build on the ſaid Piece of Land at *Liverſedge* aforeſaid, a Church or Chapel, and to complete the ſame with a Chancel and a Steeple, and therein to make, erect, and ſet up, or cauſe to be made, erected, and ſet up, proper Pews, Seats, a Veſtry, and a Gallery or Galleries, (if the ſame ſhall be found needful,) a Bell or Bells, provide proper Communion Plate, and other Requiſites and Ornaments and Conveniences, and in all Things to finiſh and complete the ſaid Church or Chapel in a proper, decent, and commodious Manner, fit for the performing of Divine Service therein, according to the Rites and Ceremonies of the Church of *England*; and alſo, if he or they ſhall think proper, to cauſe Vaults to be made under the Floor of the ſaid Church or Chapel for the Interment of the Dead.

Mr. Roberſon may build a Chapel.

Church, when conſecrated, to be a perpetual Cure.

II. And be it further enacted, That the ſaid Church or Chapel, when ſo built and completed, ſhall be ſet apart and dedicated to the Service of Almighty God, as a Place of Divine Worſhip, for ever, and ſhall be conſecrated according to the Uſage of the Church of *England*; and ſuch Church or Chapel, from and immediately after the Conſecration and Dedication thereof, ſhall and is hereby declared to be a perpetual Cure and Benefice, and ſhall be called by the Name of *Chriſt's Church in Liverſedge*, for ever: Provided always, that nothing in this Act contained ſhall extend or be conſtrued to extend to the making of any new Pariſh, or the altering of any Tithes, or any other Eccleſiaſtical Dues or Payments, or any Rates, Taxes, Aſſeſſments, or other Payments whatſoever.

This Act not to extend to making a new Pariſh.

Freehold of the Church, when conſecrated, veſted in the Miniſter and his Succeſſors, &c.

III. And be it further enacted, That the ſaid intended Church or Chapel, when erected and conſecrated, and the Freehold and Inheritance thereof reſpectively, and of the Church or Chapel Yard and Glebe Land, with all and every the Appurtenances thereunto reſpectively belonging, ſhall be and the ſame is and are hereby veſted in the ſaid *Hammond Roberſon* and his Succeſſors, Miniſters of the ſaid intended Church or Chapel, ſubject nevertheleſs to ſuch Power of Diſpoſition of Part of the ſaid Church or Chapel Yard by the ſaid *Hammond Roberſon*, his Heirs and Aſſigns, as herein-after mentioned.

Pews veſted in Mr. Roberſon, in Fee.

IV. And be it further enacted, That all the Pews, Seats, and Benches in the ſaid intended Church or Chapel, (ſave and except ſuch Seats or Benches as are to be allotted and ſet apart for the Poor of the Townſhip of *Liverſedge* aforeſaid, and which are hereby declared to be veſted in the Miniſter and Churchwardens for the Time being of the ſaid Church or Chapel,) and all the Vaults (if any) under the ſaid Church or Chapel, with their Appurtenances, ſhall be and the ſame are hereby veſted in the ſaid *Hammond Roberſon*, his Heirs and Aſſigns, for ever, ſubject to ſuch

Right of leasing, by the Minister for the Time being of the said Church or Chapel, as herein-after mentioned and reserved.

Seats to be appropriated for the Poor of Liversedge.

V. And be it further enacted, That the said *Hammond Robertson*, his Heirs or Assigns, shall set and appropriate in the said intended Church or Chapel such a Number of Seats and Benches, for the gratuitous Accommodation of the Poor of the Township of *Liversedge* aforesaid for the Time being, as shall be able to accommodate not less than One Hundred of such Poor.

Pews to be numbered.

VI. And be it further enacted, That all the Pews or Seats to be erected and set up in the said intended Church or Chapel, and in the Lofts or Galleries thereof, (except such Seats or Benches as shall be so set apart for the Poor aforesaid,) shall be marked with and distinguished by different Numbers and Figures, to be carved or painted on the Door of each Pew or Seat respectively, and all the Seats or Pews in the said Church or Chapel (except as aforesaid) shall be fairly valued.

Minister empowered to lease Two-thirds of the Pews,

VII. And be it further enacted, That for the Support and Maintenance of the Minister for the Time being of the said intended Church or Chapel, it shall and may be lawful for such Minister for the Time being, and he is hereby fully authorized and empowered to grant, lease, or demise, from Year to Year, but without Fine, any Number of the said Pews or Seats to be erected or set up in the said Church or Chapel, not exceeding in the whole Two-third Parts in Number and Value of such Pews or Seats, and which Two-third Parts so to be demised shall be selected and appointed by or to the Satisfaction of the Archbishop of *York* for the Time being, unto any Person or Persons whomsoever; and by and out of the Rents to be reserved on such Pews or Seats, to pay and retain to himself the clear yearly Sum of Seventy-five Pounds until the Provision herein-after mentioned shall be secured to him, to the Satisfaction of the Archbishop of *York* for the Time being; and from and after such Payment, all the Costs and Expences attending the collecting or receiving such Rents, to pay and make over the Residue and Surplus of such Rents, if any, from Time to Time, unto the said *Hammond Robertson*, his Heirs and Assigns, to and for his and their own absolute Use and Benefit; and the Rent of every such Pew or Seat shall be reserved and made payable by equal Half-yearly Payments; and in case the Rent of any such Pew or Seat shall be behind and unpaid for the Space of Twenty-one Days next after the same shall have become due and payable, and demanded, then and in such Case the Minister for the Time being of the said Church or Chapel, or any Person appointed by him, may enter upon and take Possession of such Pew or Seat, and let the same in Manner aforesaid, to any other Person or Persons whomsoever; and such Rent shall and may be recovered by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the West Riding of the said County of *York*, rendering the Overplus (if any) upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Costs and Charges of such Distress and Sale.

No Burying Places within

VIII. Provided always, and be it further enacted, That no Graves or Burying Places shall be made within the Walls of the said intended Church and

the Walls of the Church.

and Chapel, but only in the ſaid intended Burial Ground, and in the Vaults under the ſaid Church or Chapel, (if any ſhall be made,) in which Vaults, or any of them, no Corpſe or dead Body ſhall be depoſited or buried without a Coffin made of Lead, or otherwiſe incloſed in Pitch of Half an Inch in Thickneſs, between an interior and exterior Coffin of Wood; and in no Caſe ſhall the Pews or Seats be taken up or removed for the Purpoſe of burying the Dead, nor ſhall any Grave be made in the ſaid Burial Ground within Four Feet of the Walls of the ſaid Church or Chapel.

Power for Mr. Roberſon, his Heirs and Aſſigns, to diſpoſe of One-fifth Part of the Burial Ground.

IX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid *Hammond Roberſon*, his Heirs and Aſſigns, and he and they is and are hereby authorized and empowered to ſell and diſpoſe of certain Parts of the ſaid Burial Ground or Church or Chapel Yard, ſo as the ſame be made uſe of and appropriated as Vaults or Places of Interment for the Dead, the Price or Prices to be paid for ſuch Parcels of Burial Ground to be regulated by the Archbiſhop of *York* for the Time being: Provided always, that no more than One-fifth Part of the ſaid Burial Ground or Church or Chapel Yard ſhall be ſold or appropriated for the Purpoſes aforeſaid.

Right of Patronage of new Church veſted in Mr. Roberſon, in Fee.

X. And be it further enacted, That when and ſo ſoon as the ſaid intended Church or Chapel ſhall be built and conſecrated, the perpetual Advowſon, Right of Patronage, free Diſpoſition, Nomination, and Preſentation of, in, and to the ſaid intended Church or Chapel, ſhall for ever thereafter appertain to, and the ſame is and are hereby veſted in and ſettled upon the ſaid *Hammond Roberſon*, his Heirs and Aſſigns for ever, freed and abſolutely diſcharged of all Eſtates, Rights, and Intereſts of the ſaid *William Margetſon Heald*, and his Succeſſors for the Time being, Vicars of the ſaid Pariſh Church of *Birſtall*, otherwiſe *Burſtall*, and all Perſon and Perſons whomſoever claiming under him, them, or any of them.

The new Church to be a ſeparate Cure.

XI. And, for the keeping of the ſaid intended Church or Chapel at all Times hereafter an entire and diſtinct Cure and Benefice from the Pariſh Church of *Birſtall*, otherwiſe *Burſtall* aforeſaid, be it further enacted, That it ſhall not be lawful for the Vicar of the ſaid Pariſh Church, or any other Perſon holding any other Curacy or Lectureſhip within the ſaid Pariſh, or under the Vicar thereof, to be Miniſter of the ſaid intended Church or Chapel.

Marriages may be ſolemnized.

XII. And be it further enacted, That after the Conſecration of the ſaid intended Church or Chapel, Banns of Matrimony may be publiſhed, and Marriages celebrated, within the ſaid intended Church or Chapel, provided the ſame be publiſhed and celebrated according to the Laws and Canons now in force within this Realm in that Behalf; and all ſuch Banns, and alſo all and every ſuch Marriage or Marriages as ſhall be publiſhed and celebrated in the ſaid intended Church or Chapel, ſhall, from and after the Time aforeſaid, be as good, valid, and effectual, to all Intents and Purpoſes, as if the ſame were publiſhed and celebrated in the Church of *Birſtall*, otherwiſe *Burſtall* aforeſaid, provided the ſame be made and publiſhed in Manner aforeſaid.

XIII. And

All Christenings, Burials, and Marriages, to be registered.

XIII. And be it further enacted, That all Christenings, Burials, and Marriages, had and solemnized within the said intended Church or Chapel, shall be registered in publick Registers, to be provided and kept for that Purpose, and that such Registers shall be received in all Courts of Law and Equity as Evidence of such Christenings, Burials, and Marriages, in the same Manner as Registers of Marriages solemnized in Churches and publick Chapels, in which Banns were usually published before the passing of an Act, made in the Twenty-sixth Year of His late Majesty King *George* the Second, intituled *An Act for the better preventing of clandestine Marriages*, or Copies thereof, are received in Evidence.

Lecturer may be appointed.

XIV. And be it further enacted, That if, at any Time hereafter, the Proprietors and Renters of Pews in the said intended Church or Chapel, or the major Part of them, shall be willing and desirous to have a Lecturer appointed to read Prayers and preach a Sermon in the said intended Church or Chapel every *Sunday*, in addition to the Duty herein-after provided to be done by the stated Minister, it shall be lawful for the said Proprietors and Renters of Pews, or the major Part of them, from Time to Time, to employ and engage the Minister of the said intended Church or Chapel, or any other Minister duly qualified by Law to be such Lecturer for the Purposes aforesaid, and that every such Lecturer so employed or engaged (such Lecturer other than the Minister of the said intended Church or Chapel, being duly licensed thereto by the Archbishop of *York*,) shall have the Use of the said intended Church or Chapel, and the Pulpit therein, for that Purpose; and that upon any Vacancy of the said Place of Lecturer, the said Proprietors and Renters of Pews, or the major Part of them, shall and may nominate and engage some other fit and proper Person to the Place of Lecturer, who shall be in like Manner licensed thereto; and every such Lecturer shall be paid for his Care and Pains therein, either by a fixed Salary, to be raised by an Assessment upon the Pews, or by the voluntary Subscriptions of the said Proprietors and Renters of Pews, as they, or the major Part of them, assembled at a publick Meeting, shall at such Meeting direct or appoint.

Minister's Duty.

XV. And be it further enacted, That the Minister of the said intended Church or Chapel shall, every *Sunday* Morning and Evening, read therein the Prayers prescribed in the Book of Common Prayer, or Publick Liturgy of the Church of *England*, and on every other Holiday which is set apart for Publick Worship by the Church of *England*, in like Manner read in the said intended Church or Chapel, the Morning Prayers prescribed in the Book of Common Prayer for such Days respectively, and shall, on every *Sunday* throughout the Year, as well in the Morning as in the Evening, and on every *Christmas Day* and *Good Friday*, and on all occasional Publick Fasts and Festivals, in the Morning, after Divine Service is performed, read or cause to be read one of the Homilies set forth by our Church, or preach or cause to be preached a Sermon, in the said intended Church or Chapel, and shall administer the Holy Sacrament of the Lord's Supper therein not fewer than Eight Times in the Year, namely, on *Good Friday*, *Easter Sunday*, *Whit Sunday*, and *Christmas Day*, and on such other Four *Sundays* as the Minister for the Time being shall appoint, so that the Spaces of Time between such Administration of the Holy Sacrament of the Lord's Supper shall be as nearly equal as may conveniently be; and moreover, shall instruct young Persons in the

Rights of the Vicar of the Parish of Birstall saved.

Church Catechism as frequently as may be: Provided always, that nothing in this Act contained shall prejudice, impeach, or defeat the Right, Title, Interest, Claim, or Demand of the Vicar of the said Parish of *Birstall* otherwise *Burstall*, of, in, or to any Tithes, Offerings, Oblations, Obventions, or other Ecclesiastical Rights, Dues, Benefits, or Advantages, arising within the same Parish, and belonging to the Vicar thereof, or his Successors, (save the Right of Nomination to the said intended Church or Chapel as herein-before provided,) but the same shall be paid and payable in the same Manner as they would or ought to have been in case this Act had not been made.

Double Fees for Burials, &c. and One-half to be paid to the Vicar.

XVI. And in order that the erecting of the said intended Church or Chapel may not prejudice the Vicar of the said Parish, or lessen his Revenues, be it further enacted, That there shall be paid to the Minister of the said intended Church or Chapel, for every Marriage, Christening, and Burial, and for every Churching of Women in the said Church or Chapel by the Minister thereof, double the Fees which are actually and of Right ought to be paid, for the Performance of such Services respectively, at the Parish Church of *Birstall*, otherwise *Burstall* aforesaid; and that the Minister of the said intended Church or Chapel shall, from Time to Time, collect and receive all such Double Fees, and account for and pay, by Two equal Half-yearly Payments in every Year, on every *Christmas Day* and *Midsummer Day*, One Moiety or Half-part thereof to the Vicar of the said Parish or his Agent, appointed by him in that Behalf, the first of the said Payments to be made on such of the said Days as shall happen next after the Consecration of the said Church or Chapel; and in case of Non-payment, within Fourteen Days next after any of the said Half-yearly Days, One Moiety or Half-part of all such Fees shall and may be sued for and recovered from the said Minister, with full Costs of Suit, by the Vicar of the said Parish, in the same Manner, and by the same Ways and Means, as any Surplice Fees, due and payable at the Parish Church of *Birstall*, otherwise *Burstall* aforesaid, can or may be recovered, or by Action of Debt, or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

Churchwardens to be nominated.

XVII. And be it further enacted, That as soon after the Consecration of the said intended Church or Chapel as conveniently may be, Two Persons shall be nominated and appointed out of the Proprietors and Renters of Pews or Seats therein, to be and act as and in the Nature of Churchwardens of the said intended Church or Chapel, until the *Wednesday* in the *Easter* Week next after such Appointment; and in case of the Death of either of such Persons before such Time, then for the Survivor to be and act as aforesaid, until the *Wednesday* in the *Easter* Week next after such Appointment, and from thenceforth, upon every *Wednesday* in *Easter* Week yearly, for ever, Two fit Persons shall be nominated and appointed out of the Proprietors and Renters as aforesaid, to be and act as or in the Nature of Churchwardens of the same Church or Chapel for the Time being, One of such Churchwardens to be nominated by the Minister for the Time being, and the other by the Proprietors and Renters of the Pews and Seats of the said intended Church or Chapel, or the major Part of them, to be therein assembled for that Purpose; and in case of the Death of any Churchwarden, during the Year for which such Churchwarden shall have been elected, then and in every such

Case

Caſe a new Churchwarden ſhall be elected by and out of the Perſons aforeſaid, in ſuch Manner as the deceaſed Churchwarden ſhall have been elected; and every ſuch Churchwarden to be ſo nominated or elected as laſt aforeſaid, ſhall reſpectively be and act as or in the Nature of Churchwarden of the ſaid intended Church or Chapel for the Time being, and ſhall continue in the ſaid Office until the *Eaſter Wedneſday* next after his Appointment; and the Miniſter for the Time being of the ſaid intended Church or Chapel, is hereby authorized and empowered to nominate and appoint proper Perſons to the Offices of Clerk and Sexton, and of Organiſt, (if any Organ ſhall be ſet up in ſuch Church or Chapel,) and of Ringers, (if a Set of Bells ſhall be hung in the Steeple thereof,) and to ſuch other Offices or Places as he ſhall think proper, and from Time to Time remove or diſplace any ſuch Officer or Officers, and appoint others in his or their Stead, or in the Stead of ſuch of them as ſhall die or decline, or become incapable to perform their Offices reſpectively; and the ſaid intended Church or Chapel, and Miniſter, and alſo the Churchwardens thereof, ſhall be under and ſubject to the ordinary Juriſdiction of the Archbiſhop of *York*, and ſhall be viſited in ſuch Manner as other Churches within the Dioceſe of *York* are viſited.

The Church, Miniſter, &c. to be under the ordinary Juriſdiction of the Archbiſhop of York.

XVIII. And be it further enacted, That the Perſons ſo appointed to the ſaid Office of Churchwardens of the ſaid intended Church or Chapel as aforeſaid, ſhall and may, and are hereby authorized, empowered, and required to make or cauſe to be made a Rate ſufficient to anſwer and pay the Expences herein-after mentioned, upon the Proprietors of ſuch Pews or Seats in the ſaid Church or Chapel as ſhall not be let or demiſed, and upon the Renters of ſuch Pews or Seats as ſhall be let or demiſed in equal Degrees, in Propottion to the annual Value of each Pew or Seat reſpectively, and to collect and receive every ſuch Rate from ſuch Proprietors and Renters; and in caſe any ſuch Proprietor or Proprietors, Renter or Renters, his, her, or their Executors or Adminiſtrators, ſhall at any Time or Times neglect or refuſe to pay the Sum or Sums ſo charged or aſſeſſed on him, her, or them reſpectively, by any ſuch Rate, it ſhall be lawful for the ſaid Churchwardens, or One of them for the Time being, to uſe ſuch Means for the Recovery of every ſuch Rate as by the Laws and Statutes of the Realm are provided for compelling the Payment of Aſſeſſments for the Repairs of Churches; and by and out of the Monies ariſing by ſuch Rates to find and provide Bread and Wine for the Holy Communion, and Books and Surplices for the Miniſter, and all other incidental Charges and Expences thereof, and to pay all Bills requiſite to preſerve the Windows of ſuch Church or Chapel whole and in good Repair, and to keep the Inſide thereof at all Times in a clean, neat, decent State, ſuitable for the ſolemn Celebration of Divine Worſhip therein.

Churchwardens to make a Rate upon the Proprietors and Renters of Pews or Seats, &c.

XIX. And be it further enacted, That within the Space of Two Years after the Conſecration of the ſaid Church or Chapel ſhall have taken place, the ſaid *Hammond Robertſon*, or his Heirs or Aſſigns, and he or they is and are hereby required to place at Intereſt, upon good and ſufficient Security, in the Name of the Miniſter and Churchwardens of the ſaid intended Church or Chapel for the Time being, the Sum of One Hundred Pounds, and the Intereſt or Dividends thereof ſhall from Time to Time accumulate, and be added to the Principal till the Whole ſhall

Providing a Fund for Repairs.

amount to Four hundred Pounds, for providing a Fund for and to be laid out and applied by the ſaid Miniſter and Churchwardens for the Time being in the neceſſary Expences of ſupporting and keeping in Repair the Roof, Main Walls, and Timbers of the ſaid intended Church or Chapel, and the Churchyard and Fences, ſo that the ſame may at all Times be preſerved in good Repair and Condition: Provided always, that in the Application of the ſaid Sum of Money, the ſame ſhall never be reduced below the Sum of Two hundred Pounds, which Sum of Two hundred Pounds ſhall, as ſoon as may be done conveniently, be laid out in the Purchaſe of Land, for the Purpoſe of applying the Rents and Profits thereof as a continual Proviſion for ſuch Repairs of the ſaid intended Church or Chapel, Churchyard, and Fences, as are not herein otherwiſe provided for, and for the enlarging, beautifying, or improving the ſaid Church, as ſhall appear proper to the ſaid Miniſter and Churchwardens thereof for the Time being.

Grant of Land for Support of the Miniſter.

XX. And be it further enacted, That for the better Support and Maintenance of the Miniſter for the Time being of the ſaid intended Church or Chapel, and for the Endowment thereof, the ſaid *Hammond Robertſon*, his Heirs and Aſſigns, ſhall, within Two Years after the Conſecration of the ſaid intended Church or Chapel, by good and ſufficient Conveyances in the Law, and to the Satisfaction of the Archbiſhop of *York* for the Time being, well and effectually convey and aſſure unto and to the Uſe of the Miniſter for the Time being of the ſaid intended Church or Chapel, and his Succeſſors for ever, the Fee-ſimple and Inheritance of and in ſo much Lands and Hereditaments, to be ſituate in the Weſt Riding of the ſaid County of *York*, as ſhall, at the Time of making any ſuch Conveyance or Conveyances as aforeſaid, be worth to be ſold the clear Sum of Seven hundred Pounds of lawful Money of *Great Britain*, ſuch Lands and Hereditaments to be held and enjoyed by ſuch Miniſter and his Succeſſors as the Glebe Land belonging to the ſaid intended Church or Chapel.

When a clear Proviſion of 150l. per Annum ſhall be provided for the Miniſter, his Power of Leaſing the Pews to determine.

XXI. Provided always, and be it further enacted, That when a Proviſion ſhall have been made for the Miniſter for the Time being of the ſaid intended Church or Chapel by ſuch Grant of Lands and Hereditaments as aforeſaid, or by any other Donation, Bequeſt, or Source whatſoever, (other than and except Surplice Fees, Mortuaries, and *Easter* Offerings, and the Rents of the Pews ſo to be leaſed by him as aforeſaid,) and ſo that ſuch Miniſter ſhall receive the yearly Sum of One hundred and fifty Pounds clear of all Taxes and Deductions whatſoever, and ſuch Proviſion ſhall appear to the Archbiſhop of *York* for the Time being to be well and effectually ſecured to ſuch Miniſter, then and from thenceforth the Power herein-before granted to the Miniſter for the Time being of the ſaid intended Church or Chapel, to grant, demiſe, or leaſe Two-third Parts of the Pews or Seats therein as aforeſaid, ſhall ceaſe and abſolutely determine, and the ſame ſhall from thenceforth become and be the ſole and abſolute Property of the ſaid *Hammond Robertſon*, his Heirs and Aſſigns.

When the Proviſion for the Miniſter ſhall, together with the

XXII. Provided alſo, and be it further enacted, That when the Miniſter for the Time being of the ſaid intended Church or Chapel ſhall, with the ſaid Sum of Seventy-five Pounds heretofore reſerved to him out of the Rents of the ſaid Two-third Parts of the ſaid Pews or Seats, and, together

ogether with any other Proviſion that ſhall be made for ſuch Miniſter by Grant, Donation, or otherwiſe, (other than and except Surplice Fees, Mortuaries, and *Easter* Offerings,) receive in the Whole more than the yearly Sum of One hundred and fifty Pounds as aforeſaid, then and from thenceforth the Power herein-before granted to the Miniſter for the Time being of the ſaid intended Church or Chapel, to grant, demiſe, or leaſe the ſaid Two-third Parts of the ſaid Pews or Seats, ſhall ceaſe and determine as to Part of ſuch Pews or Seats, and ſhall extend only to ſuch a Number of the ſaid Pews or Seats as ſhall appear to the Satisfaction of the Archbiſhop of *York* for the Time being to be ſufficient, together with any ſuch Proviſion as aforeſaid, to produce the ſaid clear yearly Sum of One hundred and fifty Pounds, and ſuch Pews or Seats as ſhall from Time to Time ceaſe to be leaſed by the ſaid Miniſter for the Time being as aforeſaid, ſhall be and become the abſolute Property of the ſaid *Hammond Roberſon*, his Heirs and Aſſigns.

Rents of the Pews, exceed 75 l. per Annum, then his Power of Leaſing as to Part of Pews to ceaſe.

XXIII. And for effecting the Purpoſes of this Act, and alſo for opening additional Roads or Avenues to the ſaid Church, be it further enacted, That it ſhall be lawful for the ſaid *Hammond Roberſon*, or the Miniſter of the ſaid intended Church or Chapel for the Time being, and he or ſuch Miniſter is hereby authorized and empowered, at any Time or Times, to purchaſe or take in Perpetuity any Lands, Tenements, or Hereditaments, not exceeding in the Whole the yearly Value of Two hundred Pounds, (excluſive of the Proviſion hereby or intended to be hereby made for the Miniſter of the ſaid Church or Chapel for the Time being,) for the Scite of a Houſe for the Reſidence of the Miniſter of the ſaid intended Church or Chapel, and for opening and making any additional Roads or Avenues thereto, or for ſupporting and maintaining, repairing or otherwiſe improving the ſame, or for the Benefit of the ſaid Miniſter, or other the Purpoſes of this Act; any Law or Statute to the contrary thereof notwithſtanding.

Miniſter empowered to purchaſe any Lands for the Purpoſes of this Act, not exceeding in the Whole the yearly Value of 200 l.

XXIV. And be it further enacted, That the Keys of the ſaid intended Church or Chapel ſhall from Time to Time be kept by and left in the Cuſtody of the Miniſter thereof for the Time being, or of any one whom he may appoint; and the Plate, Furniture, Records, and Books belonging thereto ſhall and may be depoſited and kept in the Veſtry Room of the ſaid intended Church or Chapel, or in ſuch other Place as the Proprietors and Renters of Pews or Seats therein, or the major Part of them, ſhall from Time to Time direct, in a ſtrong Cheſt to be for that Purpoſe provided, with Two ſecure Locks and different Keys, One of which Keys ſhall from Time to Time be kept by the ſaid Miniſter of the ſaid intended Church or Chapel for the Time being, and the other by the ſaid Churchwardens for the Time being.

Keys, &c. of the Church to be left in Cuſtody of the Miniſter, or of any one whom he may appoint.

XXV. 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, or by any Matter or Thing made or done in purſuance of this Act, ſuch Perſon or Perſons may appeal to the Juſtices of the Peace, at the firſt General or Quarter Seſſions of the Peace to be holden for the Weſt Riding of the ſaid County of *York* next after the Expiration of Three Calendar Months from the Time next wherein ſuch Matter of Appeal ſhall have ariſen, the Perſon or Perſons appealing

Perſons who think themſelves aggrieved may appeal to the Quarter Seſſions.

appealing having first given Twenty-one Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Churchwardens of the said intended Church or Chapel, and within Five Days after such Notice, entering into a Recognizance before some Justice of the Peace of such County, 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 Order therein, and to award such Costs to either of the Parties, or otherwise, as they the said Justices shall judge proper; and the said Justices may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable; and all such Orders and Determinations of the said Justices shall be final, binding, and conclusive to all Parties, to all Intents and Purposes whatsoever.

Limitation of Actions.

XXVI. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act after the Expiration of Six Calendar Months next after the Fact committed, or after Satisfaction made and tendered; and every such Action or Suit shall be brought and tried in the said County of *York*, and not elsewhere; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same, as any Defendant hath for Costs of Suit in other Cases of Law.

General Saving of Rights.

XXVII. Saving always to the King's most Excellent Majesty, and to His Heirs and Successors, and to all and every other Person or Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than those meant and intended to be barred and destroyed by this Act,) all such Estates, Rights, Titles, and Interests, as they, every, or any of them had and enjoyed before the passing of this Act, or could or might have had or enjoyed, in case this Act had not been made.

Publick Act.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1812.