ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxxx.

An Act for building a Chapel of Eaſe in the Town of *Rochdale*, in the County Palatine of *Lancaſter*.

[14th *June* 1815.]

WHEREAS the Pariſh of *Rochdale*, in the County Palatine of *Lancaſter*, is extenſive, and the Town of *Rochdale* populous, and the Pariſh Church is at an inconvenient Diſtance from a large Proportion of the Inhabitants of the ſaid Town and Pariſh, and it would be of great Benefit and Utility to the ſaid Inhabitants if a Church or Chapel of Eaſe were erected in a convenient Situation in the Town of *Rochdale*, 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 it is therefore expedient that ſuch Church or Chapel ſhould be built, and that Rates ſhould be raiſed for that Purpoſe: And whereas the Moſt Reverend the Archbiſhop of *Canterbury*, Primate and Metropolitan of all *England*, in Right of his See is ſeiſed of the Advowſon, Donation and Patronage, and Right of Nomination and Appointment to the Pariſh Church of *Rochdale* aforeſaid; and the Reverend *Thomas Drake* Clerk, Doctor in Divinity, is the preſent Vicar of the ſaid Pariſh and Pariſh Church of *Rochdale* aforeſaid: And whereas the ſeveral beneficial Purpoſes aforeſaid cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame. That the Patron for the Time being of the Pariſh Church of *Rochdale* aforeſaid, Truſtees.

aforesaid, the Vicar for the Time being of the said Parish Church, the Churchwardens of the said Parish, and the Chapelwardens of the several Chapels of Ease of *Littleborough*, *Whitworth*, *Milnrow*, and *Todmorden*, within the said Parish, all for the Time being, together with *Robert Beswicke*, *Benjamin Barlow*, *Edward Ball*, *Isaac Ball*, *Charles Ball*, *Edmund Bamford*, *John Buckley*, *James Bamford* of *Higher Shore*, *John Barker*, *James Barker*, *John Beswicke*, *Charles Chadwick*, *Samuel Clegg*, *Robert Chadwick*, *John Chadwick*, *John Crook*, *James Dearden*, *Edmund Else*, *John Entwistle*, *Robert Holt* of *Chamberhouse*, *Oliver Holt*, *John Haworth*, *Thomas Holt*, *John Haigh*, *Joseph Heap*, *John Holland*, *James Holt*, *Robert Holt* of *Crossfield*, *James Holland*, *Percival Jewison*, *John Kershaw* of *Clay Lane*, *John Law*, *Lawrence Lord*, *Samuel Lomax*, *Robert Leech*, *Isaac Leech*, *Joseph Mellor*, *William Newall*, *Samuel Newall*, *Lawrence Newall* the younger, *James Royds*, *John Gilbert Royds*, *Ralph Standring Shaw*, *John Stott* of *Yorkshire Street*, *John Stott* of *Nick Road*, *Robert Stott* of *Brownwardle*, *John Smith*, *Richard Greaves Townley*, *Richard Greaves Townley* the younger, *James Taylor*, *Samuel Taylor*, *George Taylor*, *John Walmsley*, *Robert Whitehead*, *Thomas Hippen Vavasour*, and their Successors, to be nominated and appointed by virtue of this Act, shall be and they are hereby declared to be Trustees for building and erecting a Church or Chapel of Ease in the Town of *Rochdale*, for the Use of the Inhabitants of the said Town and Parish, and raising Rates for the Purpose of building the said Chapel, and providing a House for the Residence of the Minister and Curate thereof, and the other Purposes of this Act, and carrying the same, and all and every the Powers and Provisions thereof into Execution.

Power to appoint new Trustees.

II. And be it further enacted, That if any one or more of the said Trustees hereby appointed (save and except such Persons as are hereby declared to be Trustees by virtue of their respective Estates and Offices) or their Successors, to be elected in Manner herein-after mentioned, shall die, or shall refuse or become incapable to act in the Execution of this Act, then and in every such Case it shall be lawful for the surviving or remaining Trustees from Time to Time to elect and appoint one other Person to be a Trustee in the Room of each Trustee so dying, or refusing or becoming incapable of acting; and Notice of the Time and Place of the Meeting for every such Election shall be signed by the Clerk to the said Trustees for the Time being, and shall be affixed on the Door of the Chancel of the said Parish Church of *Rochdale*, and upon the Door of each of the several Chapels of *Littleborough*, *Whitworth*, *Milnrow*, *Todmorden*, and *Saint Mary's*, all within the Parish of *Rochdale* aforesaid, (or such of them as shall be then standing), and also given in one or more of the Newspapers published in the Town of *Manchester* in the County Palatine of *Lancaster*, Fourteen Days at least before such Meeting; and every Person so elected and appointed a new Trustee, shall be and is hereby empowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample a Manner as the Trustee in whose room or stead he shall have been so elected.

Qualifications of Trustees.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except in the Power of giving Notice of the First Meeting under this Act, and of administering the following Oath, which Oath the said Trustees herein-before

named, or any one of them being a Juſtice of the Peace, are and is hereby empowered to adminiſter) until he ſhall have taken and ſubſcribed an Oath to the following Effect:

Oath of Office.

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill, Knowledge, and Judgment, execute the ſeveral Truſts and Powers repoſed in me as a Truſtee, by virtue of an Act paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, [*here ſet forth the Title of this Act.*]

'So help me GOD.'

Oath of Qualification.

IV. Provided alſo, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall, in his own Right or in the Right of his Wife, be in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, in the County of *Lancaſter*, of the clear Yearly Value of Eighty Pounds above all Reprizes, or ſhall be poſſeſſed of or entitled to a Perſonal Eſtate of Two thouſand Pounds, nor until he ſhall have taken and ſubſcribed, before any Two or more of the ſaid Truſtees, an Oath in the Words or to the Effect following; and which Oath the ſaid Truſtees, or any One of them being a Juſtice of the Peace, are and is hereby empowered to adminiſter; (that is to ſay),

'I *A. B.* do ſwear, That I am truly and *bonâ fide*, in my own Right [*or*, in the Right of my Wife] in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, in the County of *Lancaſter*, of the clear Yearly Value of Eighty Pounds above Reprizes [*or*, am poſſeſſed of or entitled to a Perſonal Eſtate of the Value of Two thouſand Pounds.] So help me GOD.'

Truſtees incapable of acting when intereſted in any Contract.

V. And be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, during the Time he ſhall be intereſted in any Contract, or enjoy or hold any Place or Employment of Profit under this Act; and if any Perſon not being qualified as by this Act directed, or being diſqualified as aforeſaid, ſhall preſume to act contrary to the true Intent and Meaning of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Thirty Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Plaint, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than one Imparlance, ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is ſo qualified, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecution than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act: Provided nevertheleſs, that ſuch Acts and Proceedings as ſhall have been done and performed by any ſuch Perſon, touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, ſhall, notwithſtanding ſuch Conviction, be as valid and effectual as if ſuch Perſon had been qualified according to the Directions of this Act.

First Meeting of Truſtees.

VI. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, ſhall meet in the Veſtry Room of the ſaid Pariſh, on the Sixth *Monday* after the paſſing of this Act, between the Hours of Ten of

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the Clock in the Forenoon and Twelve of the Clock at Noon, and proceed to put this Act in Execution; and in case none of the said Trustees shall attend such Meeting, then and in such Case such Meeting shall be deemed to be and is hereby declared to be adjourned to the next Day, (*Sunday*, *Good Friday*, *Christmas-day*, and all Days on which Divine Service is ordered by Authority to be celebrated, only excepted, and then to the following Day), and so *toties quoties*, until a sufficient Number of Trustees shall attend at such Meeting to act in the Execution of this Act, or until Two Trustees shall attend and adjourn such Meeting, (Two Trustees being hereby declared to be sufficient for the Purpose of Adjournment only, in case Seven Trustees shall not assemble before the said Hour of Twelve at such First Meeting); and the said Trustees shall and may at such First Meeting, and at their several Meetings to be holden for the Purpose of carrying this Act into Execution, from Time to Time adjourn and appoint the next Meeting to be holden there or at any other Place in the said Parish of *Rochdale*, as to the said Trustees shall seem convenient, and at such Time as to them shall seem proper; and if it shall so happen that there shall not appear before the said Hour of Twelve at any such subsequent Meeting, a sufficient Number of Trustees to act in the Execution of this Act, the Trustees or Trustee then present, or the Clerk to the said Trustees, shall from Time to Time, as often as the Case may happen, adjourn such Meeting to some other Day within Twenty-one Days then next following, to be holden at the same Place; and the said Clerk shall cause Notice thereof to be given in Manner aforesaid, at least Ten Days before the Day to which such Meeting shall be adjourned.

Meetings on Emergencies.

VII. Provided always, 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 Trustees 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 Clerk to the said Trustees (an Order in Writing, signed by Five or more of the said Trustees, although not assembled at a Meeting, mentioning the Time, 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 before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees, such Time not being less than Fourteen Days after such Notice; and all Proceedings of such Trustees at such earlier Meeting shall be as good and valid as they would have been in case such Trustees had met in pursuance of an Adjournment; and such earlier Meeting or Meetings shall and may be adjourned, and such Adjournment and Adjournments shall be considered as an Adjournment of the original Meeting under this Act: Provided always, that at all Meetings to be held in pursuance of this Act, whether by Adjournment or Emergency or otherwise, the said Trustees shall bear, pay, and defray their own Expences.

Acts of Trustees to be done at a Meeting of Seven Trustees or more.

VIII. And be it further enacted, That all Acts, Orders, and Proceedings of the said Trustees shall be done, made, or had at some Meeting or Meetings to be holden in pursuance of this Act, and not otherwise (except in such Cases as are in this Act particularly mentioned or authorized to be otherwise done, made, or had); and that all the Powers and Authorities by this Act granted to the said Trustees, shall and may be exercised from Time

Time to Time by the major Part of them who ſhall be preſent at any Meeting to be holden in purſuance of this Act, the Number of Truſtees preſent at every ſuch Meeting not being leſs than Seven; and all the Orders and Proceedings of the major Part of the Truſtees preſent at ſuch their ſeveral Meetings, ſhall have the ſame Force and Effect as if the ſame were made or done by all ſuch Truſtees for the Time being (ſave and except as herein-after excepted); and at every Meeting of the ſaid Truſtees a Chairman ſhall and may be appointed; and when and ſo often as it ſhall happen that there ſhall be an Equality of Votes at any ſuch Meeting upon any Queſtion (including the Vote of the Chairman), then and in every ſuch Caſe it ſhall and may be lawful for ſuch Chairman to give the deciſive or caſting Vote; and all Notices to be given under the Direction or for the Purpoſes of this Act, ſhall in all Caſes not otherwiſe directed or provided for by this Act, be ſigned by the Clerk for the Time being to the ſaid Truſtees, and ſhall be in Writing or printed, and affixed to the Door of the Chancel of the ſaid Pariſh Church of *Rochdale*, and upon the Door of each of the ſeveral Chapels of *Littleborough*, *Whitworth*, *Milnrow*, *Todmorden*, and *Saint Mary's*, all within the Pariſh of *Rochdale* aforeſaid, or on ſuch of them as ſhall be then ſtanding; and all ſuch Truſtees as are or may be Juſtices of the Peace may act as ſuch within their reſpective Juriſdictions, in the Execution of this Act, notwithſtanding their being Truſtees, except only where they are or may be perſonally intereſted; and that in all Caſes under this Act where any Juſtice or Juſtices of the Peace are or is authorized to examine any Perſon or Perſons on Oath, it ſhall be lawful for ſuch Juſtice or Juſtices, and they are hereby reſpectively empowered and required to adminiſter ſuch Oath.

Notices how to be given.

IX. And be it further enacted, That no Order, Appointment, or Proceeding, made at any Meeting of the Truſtees holden in purſuance of this Act, ſhall be revoked or altered at any ſubſequent Meeting, unleſs at a Meeting to be ſpecially called for that expreſs Purpoſe, by Notice, ſpecifying the Revocation or Alteration intended to be made, ſigned by the Clerk to the ſaid Truſtees, and given in Manner aforeſaid, at leaſt Twenty-one Days before ſuch ſubſequent or Special Meeting, or unleſs a Majority of the Truſtees preſent at ſuch ſubſequent or Special Meeting ſhall decide in favour of ſuch Revocation or Alteration, and an equal or greater Number of the Truſtees ſhall be preſent at ſuch ſubſequent Meeting than were preſent at the Meeting when ſuch Order, Appointment, or Proceeding was had or made.

No Order to be revoked unleſs at a Meeting for the Purpoſe, or unleſs a Majority of the Truſtees concur.

X. And be it further enacted, That the ſaid Truſtees ſhall cauſe to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all ſuch Truſtees as ſhall be preſent at their ſeveral Meetings; and all Entries in ſuch Book or Books, being ſigned by the Chairman of ſuch Meeting, ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Cauſes, Suits, and Actions, touching or concerning any thing done in purſuance of this Act; and ſuch Book or Books ſhall at all the Meetings of the ſaid Truſtees be open and liable to the Inſpection of all and every of the ſaid Truſtees, and of the Creditors on the Rates and Aſſeſſments hereby granted and made payable; and that any of the ſaid Truſtees and Creditors ſhall and may have and take Copies thereof or Extracts therefrom, paying for every

Proceedings to be entered in a Book.

Copy or Extract ſo had, not exceeding Seventy-two Words, the Sum of Four-pence, and ſo in Proportion for any greater Number of Words.

Truſtees to appoint Officers,&c.

XI. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, may and they are hereby empowered by Writing under their Hands, to appoint a Treaſurer or Treaſurers, Clerk or Clerks, and a Collector or Collectors of the Rates or Aſſeſſments, and alſo ſuch other Officers and Aſſiſtants for the Execution of this Act as the ſaid Truſtees ſhall think proper; and from Time to Time to remove ſuch Officers and Perſons reſpectively, as the ſaid Truſtees ſhall ſee Occaſion; and out of the Monies to be received by virtue of this Act, to allow and pay ſuch Salaries, Wages, and Allowances to the ſaid Officers and other Perſons as the ſaid Truſtees ſhall think reaſonable; and the ſaid Truſtees ſhall and they are hereby required to take ſufficient Security from every ſuch Treaſurer, and from the Collector or Collectors of the Rates and other Officers, for the due Execution of his and their Office and Offices; and all ſuch Officers ſo to be appointed ſhall, under their Hands, at ſuch Time or Times, and in ſuch Manner as the ſaid Truſtees ſhall direct, deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and alſo of the Monies which ſhall have been by ſuch Officers reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been expended and diſburſed, and for what Purpoſe, together with proper Vouchers for ſuch Payments, and ſhall pay all ſuch Money as ſhall remain due from them reſpectively to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame; and every ſuch Treaſurer ſhall, when thereunto required by the ſaid Truſtees, lay his Accounts before the ſaid Truſtees, in order that the ſame may be audited, paſſed, and allowed by them, if approved of; and if any ſuch Officer ſhall refuſe or neglect to make and render, or produce and deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall refuſe or wilfully neglect to deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, within Twenty-one Days after having been thereunto required by the ſaid Truſtees, or any Seven or more of them, by Notice in Writing given to or left at the laſt or uſual Place of Abode of ſuch Officer, all Books, Papers, and Writings in his Cuſtody or Power relating to the Execution of this Act, or give Satisfaction to the ſaid Truſtees reſpecting the ſame, then and in every ſuch Caſe, upon Complaint made by the ſaid Truſtees, or any Seven or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or wilful Neglect as aforeſaid, to any Juſtice of the Peace for the County, City, or Place wherein ſuch Officer ſo refuſing or wilfully neglecting ſhall be or reſide, ſuch Juſtice may and he is hereby authorized and required to iſſue his Warrant under his Hand and Seal, for the Officer ſo refuſing or neglecting to appear before him, and upon his appearing, or having been ſummoned and not appearing without ſome reaſonable or ſufficient Excuſe, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath ſuch Juſtice is hereby empowered to adminiſter), it ſhall appear to ſuch Juſtice that any of the Monies which ſhall have been collected and raiſed by

Truſtees to take Security from the Treaſurer and Collector.

virtue of this Act ſhall remain due from ſuch Officer, ſuch Juſtice may and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods of ſuch Officer; and if no Goods and Chattels of ſuch Officer can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſaid Goods and Chattels; or if it ſhall appear to ſuch Juſtice that ſuch Officer ſhall have refuſed or wilfully neglected to render and give ſuch Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act ſhall be in the Cuſtody or Power of ſuch Officer, and he ſhall have refuſed or wilfully neglected to deliver or give Satisfaction reſpecting the ſame as aforeſaid; then and in each and every ſuch Caſe, ſuch Juſtice ſhall commit ſuch Offender to the Common Gaol or Houſe of Correction for the County, City, or Place where ſuch Offender ſhall be or reſide, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees for ſuch Money, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Truſtees are hereby empowered to make and receive), and until he ſhall deliver up ſuch Books, Papers, and Writings, or give Satisfaction in reſpect thereof to the ſaid Truſtees; but no ſuch Officer ſhall be detained or kept in ſuch Common Gaol or Houſe of Correction, for Want of ſufficient Diſtreſs by virtue of this Act, for any longer Space of Time than Six Calendar Months.

Truſtees may ſue and be ſued.

XII. And be it further enacted, That the ſaid Truſtees ſhall and may ſue and be ſued in the Name or Names of their Treaſurer or Clerk for the Time being to be appointed under this Act; and that no Action or Suit which may be brought by or againſt the ſaid Truſtees, or any of them, in relation to this Act, in the Name or Names of their Treaſurer or Clerk, ſhall be abated or diſcontinued by the Death or Removal of any ſuch Treaſurer or Clerk, without the Conſent of the ſaid Truſtees; but the Treaſurer or Clerk for the Time being ſhall always be deemed Plaintiff or Plaintiffs or Defendant or Defendants in every ſuch Action or Suit, as the Caſe may be: Provided always, that every ſuch Treaſurer or Clerk ſhall be reimburſed out of the Monies to be raiſed by virtue of this Act, all ſuch Coſts, Damages, and reaſonable Expences as he or they ſhall be put unto, or become charged or chargeable with, by reaſon of his or their being ſo made Plaintiff or Plaintiffs, or Defendant or Defendants as aforeſaid.

Truſtees empowered to purchaſe Ground, &c.

XIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby empowered and required, as ſoon as conveniently may be after paſſing of this Act, to contract or agree for the abſolute Purchaſe in Fee Simple in Poſſeſſion of any Freehold Lands, Tenements, or Hereditaments, together with any Houſe, in any ſuch Part or Parts of the Town of *Rochdale* aforeſaid as ſhall be approved of by the Lord Biſhop of the Dioceſe for that Purpoſe (not exceeding One Acre in the Whole) with any Perſon or Perſons whomſoever who ſhall be willing to ſell the ſame, for the Purpoſe of building and erecting upon ſome Part or Parts thereof the ſaid Church or Chapel, and ſuch other Buildings

Buildings and Conveniences as to the ſaid Truſtees ſhall appear neceſſary and expedient; and alſo for the Purpoſe of affording proper Accommodation to the Satisfaction of the Biſhop of the Dioceſe for a Miniſter or Curate for the ſaid Church or Chapel; and that it ſhall be lawful for the ſaid Truſtees and their Succeſſors to hold ſuch Lands, Tenements and Hereditaments, without incurring or being ſubject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatſoever to the contrary notwithſtanding.

Upon Payment of Purchaſe Money, Lands, &c. veſted in Truſtees.

XIV. And be it further enacted, That upon the Payment of the Money contracted or agreed to be paid for the Purchaſe of ſuch Lands, Tenements, or Hereditaments, by the Truſtees, to the Party or Perſons reſpectively entitled unto ſuch Monies, to their Agents, and upon the Conveyance of ſuch Lands, Tenements, or Hereditaments to the ſaid Truſtees, and their Succeſſors for ever, by the Name and Style of "The Truſtees of *Saint James*'s Chapel," all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons reſpectively to whoſe Uſe the ſame ſhall be paid, in, to, or out of ſuch Lands, Tenements or Hereditaments, ſhall veſt in the ſaid Truſtees and their Succeſſors for ever, for the Uſes and Purpoſes of this Act.

Truſtees empowered to erect a Church or Chapel of Eaſe.

XV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to cauſe a Church or Chapel of Eaſe to be erected or built upon ſome Part of the ſaid Lands, Tenements, or Hereditaments ſo purchaſed by them by virtue of this Act, after ſuch Model and of ſuch Dimenſions, and with ſuch Materials, and in ſuch Manner as they the ſaid Truſtees, with the Approbation of the Lord Biſhop of the Dioceſe for the Time being, ſhall order or direct; and alſo to cauſe Pews, Seats, and Galleries, and a Veſtry, together with ſuch Ornaments and Conveniences, to be made, erected, and ſet up in the ſaid Church or Chapel, and to cauſe any Bell or Bells to be hung up in the ſaid Church or Chapel, as by the ſaid Truſtees, with the like Approbation, ſhall be deemed neceſſary or proper, in order that the ſaid Church or Chapel may be completely fitted up and finiſhed for the Performance of Divine Service therein, according to the Rites and Ceremonies of the Church of *England*; and alſo to lay out a ſufficient Part of the Lands, Tenements, and Hereditaments ſo to be purchaſed, for Approaches to the ſaid Church or Chapel, as the ſaid Truſtees ſhall deem neceſſary and expedient; and it ſhall alſo be lawful for the ſaid Truſtees to fit up, repair, alter or enlarge any Houſe or Premiſes which may be ſo purchaſed as aforeſaid, for the Accommodation of the Curate of the ſaid Church or Chapel, ſo as to make the ſame a fit and convenient Reſidence, to the Satisfaction of the ſaid Lord Biſhop of the Dioceſe, for the Curate for the Time being of ſuch Church or Chapel; or in caſe any ſuch Houſe and Premiſes cannot be procured in a proper and convenient Situation, it ſhall be lawful for the ſaid Truſtees to build ſuch Houſe and Premiſes for ſuch Purpoſe as aforeſaid, and with ſuch Approbation as aforeſaid; and ſuch Houſe, when ſo built and ready for Reſidence, and approved of as aforeſaid, ſhall be thereafter the Houſe of Reſidence of the Curate of the ſaid Church or Chapel for the Time being.

XVI. And

Making Contracts for building the Church.

XVI. And be it further enacted, That it shall be lawful for the said Trustees at any of their Meetings, to contract or agree with any Person or Persons for the Building of the said Chapel and House for the Curate thereof, and for providing Materials for building, erecting, finishing, and completing the same respectively, or any Part or Parts thereof respectively, and generally to make and do all such Orders, Matters, and Things, as they shall think necessary and proper, fully and effectually to carry this Act into Execution; and all such Contracts and Agreements, when made and entered into by or between the said Trustees and any other Person or Persons, shall be reduced into Writing, at the Expence of the Parties with whom such Contracts or Agreements shall be made, and shall be signed by the said Trustees, or any Five or more of them, and by the other Party or Parties thereto, and shall be good, valid, and binding, as well upon the said Trustees and their Successors to be elected in Manner aforesaid, as upon all other Parties thereto, his, her, and their Executors, Administrators and Assigns; and the said Trustees shall and may pay or order Payment to be made of the Monies due upon any such Contract or Contracts, Agreement or Agreements, out of the Monies to arise by virtue of this Act, to the Person or Persons entitled to receive the same: Provided always, that before any such Contract or Contracts shall be entered into, Twenty-one Days Notice at the least shall be given in one or more of the Newspapers published in the Town of *Manchester*, in the County Palatine of *Lancaster*, expressing the Purpose of every such Contract or Contracts, in order that any Person or Persons willing to undertake the same, may make Proposals for that Purpose, to be offered and presented to the said Trustees at a certain Time and Place in such Notice to be mentioned; and Copies of all Contracts made in pursuance of this Act, shall be entered in a Book or Books to be kept for that Purpose; and such Book and Books shall from Time to Time and at all convenient Times be open to the Inspection of all and every Persons and Person upon whom any Rate or Assessment shall be made under the Authority of this Act, on Payment of One Shilling to the Clerk or Person in whose Custody the same shall be.

Church or Chapel to be dedicated.

XVII. And be it further enacted, That the said Church or Chapel when built and completed, shall be set apart and dedicated to the Service of Almighty God, as a Place of Divine Worship for ever, 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 *Saint James*: Provided always, that nothing in this Act contained shall extend or be construed to extend to the making of any new Parish, or to the altering of any Tythes or any Ecclesiastical Dues or Payments, or any Rates, Taxes, Assessments, or other Payments whatsoever.

The Pews, Seats, and Galleries, vested in the Trustees.

XVIII. And be it further enacted, That all the Pews, Seats, and Galleries in the said intended Church or Chapel, with their Appurtenances, shall be and the same are hereby vested in the said Trustees and their Successors for ever.

Allotment of Seats for the Poor.

XIX. And be it further enacted, That the said Trustees shall and they are hereby required to set apart and appropriate One-third Part of the said intended Church or Chapel for Seats for the gratuitous Accommodation of

the Poor of the Town of *Rochdale* aforeſaid, for the Time being, and the remaining Two-third Parts of the ſaid Church or Chapel ſhall be laid out into Pews and Seats upon ſuch Plan and in ſuch convenient Manner as ſhall be approved of by the ſaid Lord Biſhop of the Dioceſe, and ſhall be diſpoſed of in Manner herein-after directed.

Pews and Seats to be numbered.

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

Pews and Seats may be ſold, reſerving a Rent.

XXI. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required with all convenient Speed, after the ſaid Church or Chapel ſhall be in a ſufficient State of Forwardneſs, to ſell the Fee Simple and Inheritance of all of the ſaid Pews and Seats not appropriated to the Poor, in ſuch Manner as to the ſaid Truſtees ſhall ſeem meet, to any Perſon or Perſons willing to become the Purchaſer or Purchaſers thereof, at ſuch Price or Prices in Money as can or may be reaſonably had or gotten for the ſame; and that a Memorandum of each ſuch Sale being entered in a Book or Books kept for the Purpoſe, and ſigned by Seven or more of the ſaid Truſtees, and by the Purchaſer or Purchaſers of ſuch Pews and Seats reſpectively, ſhall be good, valid, and effectual to veſt the Fee Simple and Inheritance thereof in ſuch Purchaſer or Purchaſers, without any Faculty or other Inſtrument whatſoever: Provided always, that on every ſuch Sale of the ſaid Pews and Seats, there ſhall be reſpectively reſerved and made payable as herein-after directed, ſuch yearly Rent or Sum, to be payable by equal Half-yearly Payments, as the ſaid Truſtees ſhall think fit to affix upon each and every ſuch Pew or Seat, (the aggregate Amount of ſuch Rents or Sums in the Whole not being leſs than Two hundred and twenty Pounds *per Annum*); and all Sums of Money which ſhall be produced by the Sale of any ſuch Pews or Seats ſhall be applied under the Proviſions of this Act in the Re-payment of ſuch Sums of Money, or of ſo much of ſuch Sums as the Produce of ſuch Sales will amount to, as ſhall have been advanced or borrowed for the building and completing ſuch Church or Chapel and Houſe for ſuch Miniſter as aforeſaid.

If Rent not paid, Poſſeſſion may be reſumed.

XXII. And be it further enacted, That the aforeſaid Rent or Sum to be reſerved in reſpect of every Pew and Seat, ſhall be aſcertained and determined, and entered in a Book provided for that Purpoſe, before any Sale or Conveyance ſhall be made of them, or any of them; and that the Entry of the ſame, on being ſigned by Seven or more of the Truſtees and by the Purchaſer of ſuch Pew and Seat, ſhall be conſidered binding and concluſive to all Intents and Purpoſes whatſoever; and that in caſe the Rent of any ſuch Pew and Seat ſhall be behind and unpaid for the Space of Twenty-one Days next after the ſame ſhall become due and payable, and ſhall have been demanded, it ſhall and may be lawful for the ſaid Truſtees, or any Perſon by their Order, to enter upon and reaſſume, or take Poſſeſſion of ſuch Pew and Seat, and for the ſaid Truſtees to ſell and convey the ſame on the Terms and in Manner before mentioned, to any other Perſon or Perſons, at ſuch Price or Prices in Money as can or may be reaſonably had or gotten for the ſame, and after deducting therefrom the Rent in arrear and all Expences

attending such Re-sale, the said Trustees shall pay the Surplus (if any) to the late Owner or Owners of such Pew or Seat: Provided always, that Notice in Writing shall be affixed on the Door of the said Church or Chapel, of such Rent being behind or unpaid as aforesaid, and of the Intention of the said Trustees to enter and resell, for Three succeeding *Sundays* previous to any such new Sale being made.

Patronage of the new Church vested in the Vicar of Rochdale;

XXIII. And be it further enacted, That when and as 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 Vicar for the Time being of the said Parish of *Rochdale*.

But the Vicar, &c. not to be Minister of the new Church.

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

Rites of Marriage and Baptism may be solemnized in the new Church;

XXV. And be it further enacted, That after the Consecration of the said intended Church or Chapel, it shall and may be lawful for Banns of Matrimony to be published, and Marriages and Christenings to be solemnized within the said intended Church or Chapel, provided the same be published and solemnized according to the Laws and Customs of this Realm in that Behalf; and that all such Banns as shall be so published, and also all and every such Marriages and Christenings as shall be solemnized in the said intended Church or Chapel, shall be as good, valid, and effectual to all Intents and Purposes, as if the same were published and solemnized in the Parish Church of *Rochdale* aforesaid: Provided always, that it shall be lawful for the Vicar of *Rochdale* for the Time being to perform any of the aforesaid Ceremonies in the intended Church or Chapel at any Time, so as not to interfere with the accustomed Hours of Divine Worship at the said Church or Chapel.

and to be registered there.

XXVI. And be it further enacted, That all Marriages and Christenings solemnized within the said intended Church or Chapel, shall be registered in public Register Books to be provided by the Churchwardens of the said Church or Chapel, and kept for that Purpose by the Minister or Curate of the said Church or Chapel, according to the Laws in force for keeping Registers in that Part of the United Kingdom called *England*; and that such Register Books shall be received in all Courts of Law and Equity as Evidence of such Marriages and Christenings, in the same Manner as Register Books of Marriages solemnized in Churches and public Chapels in which Banns were usually published before the passing 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*, or Copies thereof, are read in Evidence.

What Fees and Dues are to be paid in the new Church.

XXVII. And in order that the erecting of the said intended Church or Chapel may not prejudice the Vicar of the said Parish for the Time being, or lessen his Revenues, be it further enacted, That there shall be paid to the

the Miniſter of the ſaid intended Church or Chapel for every Marriage and for every Churching of Women which may be performed in the ſaid Church or Chapel, 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 *Rochdale* aforeſaid; and that the Miniſter of the ſaid intended Church or Chapel ſhall from Time to Time collect and receive all ſuch Double Fees, of which an Account ſhall be kept by him open to the Inſpection of the Vicar of the ſaid Pariſh, and account for and pay by Two equal Half-yearly Payments in every Year; *videlicet*, on the *Monday* after every *Chriſtmas Day* and *Midſummer Day*, One Moiety or Half-part thereof to the Vicar of the Pariſh for the Time being, or his Agent appointed by him in that Behalf, to be divided between the ſaid Vicar and the Clerk of the ſaid Pariſh, within Ten Days after ſuch Vicar ſhall receive the ſame, in ſuch Shares and Proportions as the Fees payable at the ſaid Church are divided; 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, ſuch One Moiety or Half-part of all ſuch Fees ſhall and may be ſued for and recovered from the ſaid Miniſter of the ſaid Church or Chapel, with full Coſts of Suit, by the Vicar of the ſaid Pariſh for the Time being, in the ſame Manner and by the ſame Ways and Means as any Surplice Fees due and payable at the Pariſh Church of *Rochdale* 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*.

Service to be performed in the new Church or Chapel, according to the Liturgy of the Church of England.

XXVIII. 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 Public Liturgy of the Church of *England*; and ſhall alſo every *Sunday* Morning and Evening, and on every *Chriſtmas Day* and *Good Friday*, and on all occaſional Public Feaſts and Feſtivals, in the Morning after Divine Service is performed, preach or cauſe to be preached a Sermon in the ſaid intended Church or Chapel, and ſhall at leaſt Eight Times in the Year adminiſter the Holy Sacrament of the Lord's Supper; namely, on *Good Friday*, *Eaſter Sunday*, *Whit Sunday* and *Chriſtmas Day*, and 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 can conveniently be.

Maintenance of the Miniſter and the Clerk.

XXIX. And be it further enacted, That for the Maintenance and Support of the Miniſter and Clerk for the Time being of the ſaid intended Church or Chapel, the ſaid Truſtees are hereby required to pay or cauſe to be paid to the ſaid Miniſter, by Two equal Half-yearly Payments, *videlicet*, on the Firſt *Monday* after *Chriſtmas Day* and *Midſummer Day*, out of the Rents which ſhall by virtue of this Act be reſerved and made payable out of the Pews and Seats of the intended Church or Chapel, and out of the Rates to be raiſed as by this Act directed, the annual Sum of Two hundred Pounds, and to the Clerk of the ſaid Church or Chapel the annual Sum of Fifteen Pounds.

If Rents inſufficient to pay 200l. per Annum to

XXX. Provided always, and be it enacted, That in caſe the Rents ariſing from ſuch Pews or Seats ſhall not be ſufficient in any one Year to raiſe the full and clear Sum of Two hundred Pounds for the ſaid Miniſter as aforeſaid,

said, then and in every such Case it shall and may be lawful to and for the said Trustees to raise such Sum of Money as shall, together with the said Rents, make up the said Sum of Two hundred Pounds, by a Rate or Assessment on the Occupiers of all Houses, Buildings, Lands, Tenements, and Hereditaments, within the said Parish of *Rochdale* aforesaid, in such and the like Manner, and with such and the like Powers and Authorities, and under and subject to such and the same Rules, Regulations, and Restrictions, as are given and granted to and vested in them the said Trustees by virtue of this Act, for raising a Rate for paying and discharging the Sum or Sums of Money borrowed by virtue thereof, and so *toties quoties* as often as in each and every Year such Deficiency shall arise; any thing herein contained to the contrary thereof in anywise notwithstanding.

the Minister, Deficiency to be raised by a Rate.

XXXI. And be it further enacted, That if the Proprietors of Pews and Seats in the said intended Church or Chapel, or the major Part of them, shall be desirous of 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-before provided to be done by the stated Minister, it shall be lawful for the said Proprietors of Pews and Seats, or the major Part, 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; and every such Lecturer, other than the Minister of the said intended Church or Chapel, being first approved of and duly licensed thereto by the Bishop of the Diocese, shall have the Use of the said intended Church or Chapel, and the Pulpit therein, for the Purposes aforesaid; and that every such Lecturer shall be paid for his Care and Pains therein, by a voluntary Subscription of the said Proprietors of Pews and Seats, as they or the major Part of them shall appoint.

Proprietors may appont a Lecturer; who is to be paid by voluntary Subscription.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Time or Times hereafter, without Licence in Mortmain, to accept and take any immediate Gift, Grant, Conveyance, or Devise, Gifts, Grants, Conveyances, or Devises, of any Lands, Tenements, or Hereditaments, any Bequests of Money, Goods, Chattels, or Effects, not being of greater Amount or Value in the Whole than Two thousand Pounds Sterling, to them and their Successors for ever, by the Name and Style of "The Trustees of *Saint James's* Chapel," for the Augmentation of the Minister's Salary, or Endowment of the said intended Church or Chapel, or for the Discharge of any Debt or Debts incurred in the Building of the said Church or Chapel, or any other of the Purposes of this Act; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

Trnstess may accept Gifts, Grants, &c. for Augmentation of Minister's Salary.

XXXIII. And be it further enacted, That as soon as conveniently after the Consecration of the said intended Church or Chapel, the said Trustees shall and they are hereby required to place at Interest, upon good and sufficient Security, in the Names of the Minister and Churchwardens of the said intended Church or Chapel for the Time being, the Sum of Two hundred Pounds, and that the Interest or Dividends thereof shall from Time to Time accumulate and be added to the Principal, till the Whole shall amount to Three hundred Pounds, for providing a Fund for and to be laid out by the said Minister and Church or Chapelwardens for the Time being, in the necessary Expences of supporting and keeping in repair

For providing a Fund for keeping the Chapel in repair.

the Roof, Main Walls, and Timbers of the ſaid intended Church or Chapel, 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 to ſuch Purpoſes as aforeſaid, the ſame ſhall never be reduced below the Sum of Three hundred Pounds, which Sum ſhall be continued at Intereſt, or as ſoon as may be done conveniently, laid out in the Purchaſe of Land, to be conveyed to the ſaid Truſtees and their Succeſſors; and the Intereſt of the ſaid Sum of Three hundred Pounds, or the Rents and Profits of the Lands to be purchaſed, as the Caſe may be, ſhall remain a continual Proviſion for ſuch Repairs of the ſaid intended Church or Chapel, Churchyard and Fences, and for the enlarging, beautifying, or improving the ſaid Church or Chapel, as ſhall appear proper to the ſaid Miniſter and Church or Chapelwardens thereof for the Time being.

Appointment of Chapelwardens.

XXXIV. 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 appointed out of the Proprietors of Pews and Seats therein, to be and act as Church or Chapelwardens 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 them before ſuch Time, then the Survivor to be and act as aforeſaid until ſuch Time, and from thenceforth upon every *Wedneſday* in *Eaſter* Week yearly for ever, Two fit Perſons ſhall be appointed as aforeſaid to be and act as Church or Chapelwardens of the ſame Church or Chapel, ſuch Church or Chapelwardens to be appointed by the ſaid Proprietors, or the major Part of them, to be aſſembled in the ſaid Church or Chapel for that Purpoſe; and in caſe of the Death of any Church or Chapelwarden during the Year for which he ſhall have been elected, then and in every ſuch Caſe a new Church or Chapelwarden ſhall be appointed by and out of the Perſons aforeſaid, in ſuch Manner as the deceaſed Church or Chapelwarden ſhall have been appointed; and every ſuch Church or Chapelwarden, to be ſo appointed as laſt aforeſaid, ſhall reſpectively be and act as Church or Chapelwarden of the ſaid intended Church or Chapel, until the *Eaſter Wedneſday* next after his Appointment.

Appointment of Clerk, Organiſt, and Ringers.

XXXV. And be it further enacted, That the ſaid Proprietors of Pews and Seats in the intended Church or Chapel, or the major Part of them, are hereby authorized and empowered to nominate and appoint proper Perſons to the Offices of Clerk and Organiſt (if any Organ ſhall be ſet up in ſuch intended Church or Chapel), and of Ringers (if a Set of Bells ſhall be hung up in the Steeple thereof); and from Time to Time to remove or diſplace any ſuch Officer or Officers, and to appoint any other or others in his or their Stead, or in the Stead of ſuch of them as ſhall die, or decline or become incapable to perform his or their Office or Offices reſpectively.

Chapel to be under the Juriſdiction of the Lord Biſhop of Cheſter.

XXXVI. And be it further enacted, That the ſaid intended Church or Chapel, and Miniſter, and Church and Chapelwardens, ſhall be under and ſubject to the ordinary Juriſdiction of the Lord Biſhop of *Cheſter*, and ſhall be viſited in ſuch Manner as other Churches within the Dioceſe of *Cheſter* are viſited.

XXXVII. And

Church or Chapelwardens may rate the Proprietors of Pews.

XXXVII. And be it further enacted, That the Perſons appointed to the ſaid Office of Church or Chapelwardens of the ſaid intended Church or Chapel as aforeſaid, ſhall and may and they are hereby 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 the Pews and Seats in the ſaid intended Church or Chapel, in Proportion to the Value at the Time of the Sale thereof of each Pew and Seat reſpectively, and to collect and receive every ſuch Rate from the ſaid Proprietors; and in caſe any Proprietor or Proprietors, his, her, or their Executors or Adminiſtrators, ſhall at any Time or Times neglect or refuſe to pay the Sum or Sums aſſeſſed on him, her, or them reſpectively, by any ſuch Rate, it ſhall be lawful for the ſaid Church or Chapelwardens, or one of them, 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 Pariſh 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 to pay all incidental Charges and Expences relating thereto, and alſo to pay all Expences to be from Time to Time incurred in preſerving the Windows of the ſaid intended Church or Chapel whole and in good repair, and in keeping the Inſide of the ſaid intended Church or Chapel at all Times cleaned and painted and in a neat decent State, ſuitable for the ſolemn Celebration of Divine Worſhip therein.

Keys of the Chapel to be kept by the Miniſter, &c.

XXXVIII. 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 and Church or Chapelwardens thereof for the Time being, or of any one whom they 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 of Pews and 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 ſhall from Time to Time be kept by the ſaid Clerk, and the other by the ſaid Church or Chapelwardens for the Time being.

Power to borrow Money.

XXXIX. And be it further enacted, That it ſhall be lawful for any Seven or more of the ſaid Truſtees from Time to Time to borrow and take up at Intereſt (ſuch Intereſt not exceeding the Rate of Five Pounds *per Centum per Annum*), ſuch Sum or Sums of Money not exceeding in the Whole the Sum of Ten thouſand Pounds, as they ſhall think neceſſary for the ſeveral Purpoſes of this Act, over and above the Expences of obtaining and paſſing this Act, upon the Credit of the Produce of the Sale of the Pews and Seats in the ſaid Chapel, and alſo upon the Credit of the Rate or Rates, Aſſeſſment or Aſſeſſments, to be made, levied, and collected by virtue of this Act, and by Writing under their Hands and Seals, or the Hands and Seals of any Seven or more of them, to aſſign all or any Part of the ſaid Produce of ſuch Sale, and of ſuch Rates or Aſſeſſments, to ſuch Perſon or Perſons as ſhall lend or advance any Money thereon, or to his, her, or their Truſtee or Truſtees, as a Security for the Principal Money to be advanced, with lawful Intereſt for the ſame; and the Charges and Expences of ſuch Aſſignment thereof (to be made as herein-after mentioned)

tioned) shall be from Time to Time defrayed by the said Trustees, out of the Monies so borrowed; and every such Assignment shall be in the Words or to the Effect following; that is to say,

Form of Assignment.

'WE, of the Trustees appointed by or in pursuance of an Act of Parliament passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled [*here set forth the Title of this Act*], in Consideration of the Sum of Pounds advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do hereby grant and assign unto the said *A. B.* or to his or her Trustee or Trustees [*as the Case may require*], his or her Executors, Administrators, and Assigns, such Proportion of the Money to be produced by the Sale of any Seats or Pews under the said Act, and of the Rates or Assessments to be raised, levied, and collected by virtue of the said Act, as the said Sum of Pounds doth or shall bear to the whole Sum which may at any Time be borrowed or become due and owing or be charged upon the Credit of the said Sales, Rates, or Assessments, to be had and holden from this Day of until the said Sum of Pounds, with Interest after the Rate of *per Centum per Annum* for the same, shall be repaid and satisfied. In Witness whereof we the said Trustees have hereunto set our Hands and Seals the Day of in the Year of our Lord .'

And all such Assignments shall be numbered, commencing with Number One, and so proceeding in arithmetical Progression ascending, whereof the common Excess or Difference shall always be One; and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

Power of transferring Assignments in prescribed Form.

XL. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed upon legal Interest as aforesaid, and their respective Executors, Administrators, or Assigns, at any Time by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following; (that is to say),

'I *A. B.* being entitled to the Sum of secured to *C. D.* and his Assigns [*or*, his Executors, Administrators, and Assigns, *as the Case may be*] by virtue of an Assignment bearing Date the Day of under the Hands and Seals of of the said Trustees acting in the Execution of an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled [*here set forth the Title of this Act*], upon the Credit of the Produce of the Sales of Seats and Pews under the said Act, and of the Rates or Assessments granted or made payable by the said Act, do hereby transfer all my Right and Title in and to the same Sum, and all Interest and other Money now due and owing thereon, unto

'unto *E. F.* his Executors, Administrators, and Assigns. Dated 'this Day of in the Year 'of our Lord .'

And a Copy of every Security or Assignment, together with the Number or Numbers thereof, which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees; which Extract or Memorial shall specify or contain the Date, Names of the Parties, and Sums of Money thereby transferred, and to which Book or Books any Person interested shall at all reasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer, the said Clerk shall be paid by the Person or Persons to whom such Transfer shall be made, the Sum of Five Shillings and no more; and every such Transfer, after such Entry thereof as aforesaid made, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators and Assigns, to the Benefit of the Security thereby transferred.

Provision for Payment of Creditors by Ballot.

XLI. And in order that no Preference may be given to any of the Persons who shall have advanced Money upon the Credit of the Rates or Assessments to be raised, levied, or collected by virtue of this Act, be it further enacted, That the said Trustees (if there shall be more Creditors than One) shall cause the Numbers of all Assignments or Securities granted and then in force for securing the Principal Monies lent and advanced upon the Credit of the said Rates or Assessments of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size; and all such Papers shall be rolled up in the same Form as near as may be, and put into a Box or Wheel, and the Number or Numbers of the said Assignments or Securities shall be drawn separately out of the said Box or Wheel, by the Clerk to the said Trustees, in the Presence of the said Trustees, or any Seven or more of them; and after such Ballot the said Trustees shall cause Notice signed by their Clerk to be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot; and where there shall be only One Creditor, to give Six Calendar Months Notice to such Creditor of the Intention of the said Trustees to pay him or her as aforesaid; and every such Notice shall express the Sum to be paid off with the Interest due thereon, and that the same will be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Six Calendar Months after the Day of giving or leaving such Notice as aforesaid, and the Interest of the Principal Money so to be paid off, shall from and after the Day to be so specified cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day to be so specified, shall nevertheless be payable on Demand.

Power to borrow Money at a lower Interest, to discharge Securities at a higher Rate.

XLII. Provided always, and be it further enacted, That in case the said Trustees can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments or Securities which shall be then in force shall bear, it shall be lawful for the said Trustees from Time to Time to charge the said Rates or Assessments in Manner aforesaid, with such

ſuch Sum or Sums of Money as they ſhall think proper, and the Intereſt thereof at ſuch low Rate as aforeſaid, and to pay off and diſcharge the Aſſignments or Securities bearing a higher Rate of Intereſt, according to the Directions and Regulations herein preſcribed for paying off Aſſignments or Securities.

Rates to be made.

XLIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby authorized and required in each and every Year, until all the Monies to be borrowed under and by virtue of this Act, and the Intereſt thereof, ſhall be paid off and diſcharged, and the ſeveral other Purpoſes of this Act carried into Execution, to make at ſome Meeting to be holden for that Purpoſe (of which Meeting or Meetings, and of the Purpoſe thereof, Notice in Writing, ſigned by the Clerk to the ſaid Truſtees, ſhall be affixed in Manner before preſcribed by this Act Twenty-one Days at the leaſt immediately preceding the ſame reſpectively), a Rate or Rates, Aſſeſſment or Aſſeſſments on the Occupiers of all Houſes, Buildings, Lands, Tenements and Hereditaments within the ſaid Pariſh of *Rochdale* aforeſaid, not exceeding One Shilling in the Pound in any One Year on the full Annual Rent or Value of all ſuch Houſes, Buildings, Lands, Tenements and Hereditaments within the ſaid Pariſh, according to ſuch Proportion of the Yearly Rent or Value as the Yearly Rent or Value of the ſame Houſes, Buildings, Lands, Tenements, and Hereditaments ſhall have, for the Years One thouſand eight hundred and twelve and One thouſand eight hundred and thirteen, or either of ſuch Years, been aſſeſſed to the Tax commonly called the Property Tax, impoſed or laid by virtue of an Act paſſed in the Forty-ſixth Year of the Reign of His preſent Majeſty, intituled *An Act for granting to His Majeſty during the preſent War, and until the Sixth Day of* April *next after the Ratification of a Definitive Treaty of Peace, further additional Rates and Duties on Profits ariſing from Property, Profeſſions, Trades, and Offices;* and for repealing an Act paſſed in the Forty-fifth Year of the Reign of His preſent Majeſty, for repealing certain Parts of an Act made in the Forty-third Year of the Reign of His preſent Majeſty, for granting a Contribution on the Profits ariſing from Property, Profeſſions, Trades and Offices, and to conſolidate and render more effectual the Proviſions for collecting the ſaid Duties within the ſaid Pariſh; and in caſe at the Time of rating or aſſeſſing any Premiſes for the Purpoſes of this Act, the Value or Rental of any ſuch Premiſes ſhall be more or leſs than the Value or Rental at which the ſame ſhall have been aſſeſſed to the Property Tax in the ſaid Years, or either of them, then the ſaid Truſtees ſhall apportion the Rate or Aſſeſſment for the Purpoſes of this Act on ſuch Premiſes accordingly; and ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be made after the Expiration of Three Calendar Months from and after the paſſing of this Act, and ſhall be raiſed, levied, collected and paid, by any Collector or Collectors to be appointed by the ſaid Truſtees, to the Treaſurer or Clerk appointed by the ſaid Truſtees, to be applied for the Purpoſes of this Act in the Manner herein-after mentioned: Provided always, that the Sum to be raiſed for the Purpoſes of this Act ſhall not in the whole exceed the Sum of Ten thouſand Pounds, together with ſuch further Sum as may be neceſſary for Payment of the Intereſt upon the ſaid Sum of Ten thouſand Pounds, or ſuch Part thereof as may have been borrowed, and alſo together with ſuch Sum as ſhall have been expended in the procuring and paſſing of this Act.

Rates to continue in force until altered, and not to be reduced below a certain Sum, without Consent of Creditors.

XLIV. Provided always, and be it further enacted, That the Rate or Assessment to be made as aforesaid in or for any Year shall continue in force, and shall be collected and recovered in or for every subsequent Year, until the said Trustees shall make a new Rate or Assessment by virtue of this Act, in like Manner as if they had made such Rate or Assessment in and for every subsequent Year: Provided also, that no Rate or Assessment which shall be made by virtue of this Act shall be reduced below the Sum of Sixpence in the Pound in any one Year, until all and every the Sum and Sums of Money which shall be borrowed by virtue of this Act at Five Pounds *per Centum* Interest or under, on the Credit of the said Rates or Assessments, and Interest thereon, shall be paid off and discharged, without the Consent of the Creditor or Creditors entitled to Two-thirds of the Money so due and owing.

Rates how payable.

XLV. And be it further enacted, That the said Rate or Rates, Assessment or Assessments, shall be payable Quarterly at *Midsummer*, *Michaelmas*, *Christmas*, and *Lady-day*, the First Payment thereof to be made at *Michaelmas* One thousand eight hundred and fifteen; and the same shall be payable and paid to the Collector or Collectors to be appointed by virtue of this Act; and that it shall be lawful for the Person or Persons to be appointed by the said Trustees a Collector or Collectors of the said Rate or Rates, Assessment or Assessments, and he and they is and are hereby authorized and empowered to receive, levy, and collect the same accordingly.

Tenants to pay the whole, and deduct Part of the Rates out of the Rents.

XLVI. And be it further enacted, That the several Tenants or Occupiers of such Houses, Buildings, or Premises, Lands, Tenements, and Hereditaments, so to be rated or assessed as aforesaid, shall and they are hereby required to pay the whole of such Rate or Assessment on the Premises in his, her, or their Occupation; and every such Tenant or Occupier, the unexpired Term of whose present Lease shall not be more than Ten Years, shall and may deduct out of his or her Rent payable to his or her Landlord Three-fourth Parts of such Rate or Assessment, and every other such Tenant or Occupier (except as herein-after mentioned with respect to Leases for Ninety-nine Years or other long Term of Years) shall and may deduct out of his or her Rent, payable to his or her Landlord, One-half Part of such Rate or Assessment; and such Landlord is hereby required and directed to allow such Tenant such Payments and Allowances accordingly; and every Tenant and Occupier paying such Part of the said Rate or Assessment for or upon account of the Landlord, and producing a Receipt or Receipts for the same, shall be acquitted and discharged of and from so much of his, her, or their Rent due to his, her, or their Landlord, as fully and effectually as if the same had been paid to such Landlord, or to the Person or Persons to whom his, her, or their Rent was or should have been paid or payable: Provided always, that it shall be lawful for the said Trustees, at any of their Meetings, to apportion the Payment or Amount of the said Rates or Assessments between Landlords and Tenants, in all Cases of Leases for Terms of Ninety-nine Years, or other long Term of Years, and to order and direct what Proportion of the Rates shall be retained by the Tenant in such Cases out of the Rent; and such Apportionment and Order shall be as valid and binding upon such Landlords and Tenants respectively, as if such Apportionment and Order had been expressly enacted or mentioned in this Act.

XLVII. And

Rates where Houſes are let to ſeveral Families.

XLVII. And be it further enacted, That every Perſon, being Landlord or Tenant, who ſhall let his or her Houſe in ſeparate Apartments or ready-furniſhed to a Lodger or Lodgers by the Year, or by any leſs Term than a Year, ſhall, for the ſeveral Purpoſes of this Act, be deemed and taken to be the Occupier thereof, and may be rated and aſſeſſed accordingly.

Recovery of Rates.

XLVIII. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or neglect to pay the Sum or Sums of Money at which he, ſhe, or they ſhall be rated or aſſeſſed by virtue of this Act, for the Space of Ten Days next after the ſame ſhall become due and payable as aforeſaid, after Demand in Writing made thereof, and delivered to and left at the uſual Place of Abode of ſuch Perſon or Perſons, ſigned by any Collector or Collectors of ſuch Money ſo rated or aſſeſſed, then and in every ſuch Caſe it ſhall be lawful for ſuch Collector or Collectors to be appointed as aforeſaid, and he and they is and are hereby reſpectively authorized and required, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of every Perſon ſo refuſing or neglecting to pay as aforeſaid, by virtue of a Warrant under the Hands and Seals of any Two or more Juſtices of the Peace for the ſaid County Palatine of *Lancaſter*; which Warrant ſuch Juſtices are hereby empowered and required, after having firſt iſſued a Summons under their Hands to ſuch Perſon or Perſons to appear before them, and having heard the Matter in a ſummary Way, or upon the Contempt or Non-appearance of the Perſon or Perſons ſummoned, and due Proof made of the Service of ſuch Summons, to grant, upon Proof made upon Oath (which Oath the ſaid Juſtices are hereby empowered and required to adminiſter) before them, of ſuch Demand and Nonpayment as aforeſaid, rendering the Overplus (if any) upon Demand, to the Owner of ſuch Goods and Chattels, after deducting the reaſonable Coſts and Charges of ſuch Diſtreſs and Sale.

Collectors to account for Rates.

XLIX. And be it further enacted, That every Perſon or Perſons to be appointed Collector or Collectors as aforeſaid, who ſhall collect or receive any of the Monies ariſing by any ſuch Rate or Aſſeſſment, ſhall, as often as thereunto required by the ſaid Truſtees, or any Seven or more of them, deliver in Writing under his Hand or their Hands, to the ſaid Truſtees, or unto ſuch Perſons as they ſhall appoint, a true and perfect Account in Writing, of all Monies which he or they ſhall have collected and received by ſuch Rate or Aſſeſſment, and ſhall pay all the Money collected by ſuch Rate or Aſſeſſment, in his or their Hands, Cuſtody or Power, unto the Treaſurer to the ſaid Truſtees; and if any ſuch Collector or Collectors ſhall refuſe or neglect to receive the Sums to be rated and aſſeſſed by virtue of this Act, or to account for ſuch Money in his or their Hands, Cuſtody, or Power, in Manner herein directed as aforeſaid, every ſuch Collector or Collectors ſo offending ſhall for every ſuch Refuſal or Neglect forfeit and pay any Sum not exceeding Ten Pounds; which Penalty, and alſo all the Money in the Hands, Cuſtody, or Power of ſuch Collector or Collectors, ſo due and owing from ſuch Collector or Collectors to the ſaid Truſtees, for or on account of ſuch Rate or Aſſeſſment, ſhall and may be levied and recovered by virtue of a Warrant under the Hands and Seals of any Two Juſtices of the Peace for the ſaid County Palatine of *Lancaſter*, which Warrant ſuch Juſtices are hereby required to give, on

on Proof of any ſuch Refuſal or Neglect, or that any Sum or Sums of Money is or are due and owing from ſuch Collector or Collectors to the ſaid Truſtees, for or on account of ſuch Rate or Aſſeſſments, on the Oath or Oaths (which Oath or Oaths ſuch Juſtice, or any or either of them, are and is hereby empowered to adminiſter) of any credible Witneſs or Witneſſes, directed to any Perſon or Perſons whomſoever, by Diſtreſs and Sale of the Goods and Chattels of the Collector or Collectors ſo refuſing or neglecting, or from whom any Sum or Sums of Money ſhall be ſo due and owing, for or on account of ſuch Rate or Aſſeſſment as aforeſaid, rendering the Overplus (if any) upon Demand, to the Owner of ſuch Goods and Chattels, after deducting ſuch Penalty and the Sum or Sums of Money as ſhall appear to be ſo due and owing to the ſaid Truſtees, for or on account of ſuch Rate or Aſſeſſment; and the Coſts and Charges of ſuch Diſtreſs and Sale, or the Sum or Sums of Money ſo due and owing from ſuch Collector or Collectors, ſhall be paid by the Surety or Sureties for ſuch Collector or Collectors; or in caſe of Refuſal or Neglect of Payment by ſuch Surety or Sureties, ſhall be recovered from ſuch Surety or Sureties by the ſaid Truſtees, by an Action or Actions of Debt, to be commenced and proſecuted agreeably to the Directions of this Act.

Application of Money borrowed or received.

L. And be it further enacted, That the Money which ſhall be borrowed, advanced or lent as aforeſaid on the Credit of the ſaid Rates or Aſſeſſments, or which ſhall ariſe or be received under any of the Powers or Proviſions of this Act, ſhall be paid to the Treaſurer or Clerk to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, and the ſame ſhall be applied and diſpoſed of in Manner following; (that is to ſay), in the firſt Place, in paying and defraying the Coſts, Charges, and Expences incident and attendant upon the applying for, obtaining and paſſing this Act; and then in purchaſing ſuch Lands, Tenements, and Hereditaments for the ſaid Chapel and Houſe for the Miniſter thereof as aforeſaid; and in erecting and building and completing the ſaid Chapel and Houſe, as the Caſe may require, and in otherwiſe carrying this Act into Execution.

Application of the Money ariſing from the Rates.

LI. And be it further enacted, That the Sums of Money ariſing from the Rates and Aſſeſſments to be made under the Proviſions of this Act, ſhall be applied in the firſt Place, in the paying and diſcharging all ſuch Coſts and Charges of or incident to the applying for and obtaining this Act, as ſhall not have been paid, out of any Money advanced or borrowed for the Purpoſes of this Act; and then in the Payment of the Intereſt of ſuch Sums as ſhall have been advanced or borrowed for the erecting and providing of ſuch new Chapel and Houſe for the Curate thereof under this Act; and in the next Place, in the Repayment of all ſuch Principal Sums as ſhall have been advanced or borrowed for the building and completing ſuch Chapel and Houſe, as ſhall not have been repaid by the Produce of the Sale of the Seats or Pews in ſuch Chapel; and that when and as ſoon as all the Monies authorized to be raiſed or to be borrowed by virtue of this Act, and the Intereſt of ſuch Money ſo to be borrowed, ſhall be paid off and diſcharged, and the ſeveral Purpoſes of this Act ſhall be carried into Execution, the Rates and Aſſeſſments granted by this Act ſhall ceaſe, and be no longer paid or payable: Provided always, that in

caſe any Perſon or Perſons ſhall advance and lend or pay any Money for or towards defraying the Expences of applying for and obtaining this Act, ſuch Perſon or Perſons ſhall be repaid ſuch Money, with lawful Intereſt for the ſame, from the reſpective Times of advancing and lending the ſame, out of the Money which ſhall be firſt raiſed under and by virtue of this Act, any thing herein-before contained to the contrary thereof in anywiſe notwithſtanding.

Recovery of Penalties.

LII. And be it further enacted, That all Penalties or Forfeitures, or any Penalty or Forfeiture by virtue of this Act, or by virtue of the Powers thereof impoſed (the Manner of levying and recovering whereof is not otherwiſe particularly directed), ſhall be levied and recovered 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 for the County, City, or Place where the Offence ſhall be committed (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) of the Monies ariſing by ſuch Diſtreſs and Sale ſhall be returned upon Demand to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of making, keeping, and ſelling the Diſtreſs; ſuch Penalties and Forfeitures when recovered (if not herein-before directed to be otherwiſe applied) ſhall be paid to the Treaſurer to the ſaid Truſtees, 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 or Houſe of Correction of the County or Place where the Offence ſhall have been committed, 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.

Conviction.

LIII. And be it further enacted, That in all Caſes where any Conviction ſhall be had for any Offence or 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 of Conviction ſhall be in the Words or to the Effect following; that is to ſay,

Form of Conviction.

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

Appeal.

LIV. 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 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 Juſtices of the Peace at the Firſt General or Quarter Seſſions of the Peace to be holden for the County or Place within which the Matter of Appeal ſhall ariſe, next after the Expiration of Three Calendar Months from the Time ſuch Matter of Appeal ſhall have ariſen, the Perſon or Perſons appealing having firſt given Fourteen Days Notice at the leaſt of his, her, or their Intention to bring ſuch Appeal and the Matter thereof to the Treaſurer or Clerk to the ſaid Truſtees, and within Five Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace of ſuch County or Place, 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 Cauſe and 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 they 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 on all Parties, to all Intents and Purpoſes whatſoever.

Juſtices may relieve on an Appeal againſt Rates, without quaſhing the whole Aſſeſſment,

LV. Provided always, and be it further enacted, That on any Appeal from any Rate or Aſſeſſment to be made for the Purpoſe of this Act, the Juſtices at ſuch General or Quarter Seſſions ſhall and may amend the ſame in ſuch Manner as may be neceſſary for giving Relief, without quaſhing or altering ſuch Rates or Aſſeſſments with reſpect to other Perſons mentioned in the ſame; but if upon Appeal from the Rate or Aſſeſſment it ſhall be found neceſſary to ſet aſide the ſame, then and in ſuch Caſe the ſaid Juſtices ſhall and may order a new Rate or Aſſeſſment to be made in the Manner herein directed.

Form of Warrant of Diſtreſs.

LVI. And be it further enacted, That every Warrant of Diſtreſs for Non-payment of any Rate or Aſſeſſment to be made by virtue of this Act, ſhall be in the Words, or to the Effect following:

Lancaſhire, to wit. } ‘TO the Collector or Collectors of the Rate or Rates for ‘building a Chapel in the Pariſh of *Rochdale*, in the County ‘Palatine of *Lancaſter*, and to all Conſtables, Headboroughs, ‘and Peace Officers for the ſaid Pariſh:

‘WHEREAS the under-mentioned Perſons, now or late Inhabitants, ‘Houſeholders, Landlords, Tenants, Occupiers or Enjoyers of Land, ‘Houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, Vaults, or ‘other Buildings, Tenements, or Hereditaments, or Part of ſome Building, ‘Tenement, or Hereditament within the ſaid Pariſh of *Rochdale*, were ‘and are rated and aſſeſſed, or liable to the Rate or Rates duly made ‘under and by virtue of a certain Act paſſed in the Fifty-fifth Year of the ‘Reign of His preſent Majeſty King *George* the Third, intituled [*here ‘ſet forth the Title of this Act*]: And whereas the ſaid Perſons have re‘fuſed or neglected to pay the ſeveral Sums of Money at and againſt ‘their Names herein-after reſpectively ſet down, for Money due from ‘them for or towards the Purpoſes in the ſaid Act mentioned; and the ‘ſaid ſeveral Sums are ſtill remaining due in Arrear, and unpaid, as ap‘peareth

'peareth upon Oath to Two of His Majeſty's Juſtices of the Peace for 'the ſaid County; and the ſaid ſeveral Perſons having been ſummoned 'to appear before them, to anſwer the Premiſes, as alſo appeareth to '[me, *or* us, the ſaid Juſtice or Juſtices] upon Oath; and no ſufficient 'Cauſe having been ſhewn by them, or any of them, why ſuch Sums 'of Money ſhould not be paid: Theſe are therefore in His Majeſty's Name 'to will and require you or either of you, forthwith to levy the ſaid 'ſeveral Sums due from the ſaid Perſons, and hereunder joined to or ſet 'againſt their Names reſpectively, by Diſtreſs and Sale of their reſpec-'tive Goods and Chattels (ſuch Goods and Chattels being kept for the 'Space of Five Days before the ſame are ſold) rendering to them reſpec-'tively the Overplus (if any) the reaſonable Charges of ſuch Summons, 'of this Warrant, and of ſuch Diſtreſs and Sale, being firſt deducted; 'and if no ſufficient Diſtreſs can be had or taken, that then you certify 'the ſame to [me, *or* us] to the End that ſuch further Proceedings may 'be had therein as to the Law doth appertain: And I [*or* we] do 'hereby ſtrictly charge and command all and ſingular the Conſtables, 'Headboroughs, and other His Majeſty's Peace Officers for the ſaid 'County, to be aiding and aſſiſting in all Things relating to the Premiſes. 'Given under my Hand and Seal [*or*, our Hands and Seals] this

'Day of in the Year of our Lord .'

	£	s.	d.
A. B. - - - - -			
C. D. - - - - -			
E. F. - - - - -			
G. H. - - - - -			

Diſtreſs not unlawful for Want of Form.

LVII. 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 Proceeding relating thereto; nor ſhall the Party or 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.

LVIII. 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 any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere; any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

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

LIX. And be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon for any thing done in purſuance of this Act, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants Fourteen Days at leaſt before ſuch Action

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 the 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.

LX. 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 Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and if any such Action or Suit shall be brought before Fourteen 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, or shall be brought in any other County than 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 Judgment 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 by Law.

Saving of Rights to the Bishop of the Diocese, and the Patron and Vicar of Rochdale.

LXI. Provided always, and be it enacted, That nothing in this Act contained shall take away, change, diminish, prejudice, impeach, or defeat any Estate, Right, Title, Interest, Property, Privilege or Jurisdiction of the Bishop of *Chester* for the Time being, or any Right, Title, Claim, or Demand of the Patron or Vicar of the said Parish of *Rochdale* for the Time being, of, in, or to any Tythes, Offerings, Oblations, Obventions, or other Ecclesiastical Rights, Dues, Benefits or Advantages, arising within the same Parish; but the same shall be paid and payable, reserved and enjoyed in the same Manner as they would or ought to have been in case this Act had not been made.

General Saving.

LXII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person or Persons, Bodies Politic 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.

Public Act. LXIII. 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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