



ANNO TRICESIMO NONO & QUADRAGESIMO

# GEORGI II. REGIS.

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## Cap. 106.

An Act for establishing a new Church or Chapel lately erected on the South Side of *Hunter Street*, within the Town and Parish of *Liverpool*, in the County Palatine of *Lancaster*.

[9th July 1800.]

**W**HEREAS by Reason of the great Increase of Inhabitants within the Town and Parish of *Liverpool*, in the County Palatine of *Lancaster* and Diocese of *Chester*, the Churches and Chapels there are not sufficient to contain the Inhabitants desirous of frequenting Divine Service according to the Liturgy of the Church of *England*: And whereas *John Houghton*, of *Liverpool* aforesaid, Esquire, hath lately purchased and appropriated and set apart a certain Piece or Parcel of Ground, situate on the South Side of *Hunter Street*, within the Liberties of the Town and Parish of *Liverpool* aforesaid, of which Piece of Ground he is now seised to him and his Heirs in Fee Simple, and which contains in Length on the East Side One hundred and sixty Feet, on the West Side One hundred and sixty-six Feet, and in Breadth on the South Side One hundred and forty-two Feet, and on the North Side One hundred and twenty-nine Feet, as and for the Scite of a Church or Chapel together with  
[Loc. & Per.]

Preamble.

a Yard for a Burial Place or Cemetery thereto, and which Piece of Ground he hath, at his own Expence, enclosed with a Wall, and hath also at his own Expence, which hath been very considerable, erected thereon a Building which is in the Form of and intended for a new Church or Chapel, with Galleries, Pews, Seats, and other Conveniences and Decorations therein, and with Vaults under the Floor thereof, (and which Pews and Seats respectively are marked and distinguished by different Numbers and Figures carved on Plates of Brass affixed to the Door of each Pew respectively), and in all other Respects hath completed and finished the said intended Church or Chapel in a proper, decent, and very commodious Manner, fit for the performing Divine Service therein; and the said *John Houghton* being desirous to promote as far as in him lieth, the Service of Almighty God, and that the same intended Church or Chapel may be consecrated, set apart, and dedicated to and for such Service, and established as a Place of Divine Worship according to the Usage of the Church of *England* for ever; and that the Residue of the said Piece of Ground and Vaults may be set apart and consecrated as and for a Cemetery or Burial Place to the same Church, he hath for that Purpose obtained the Consent of the Reverend *Samuel Renshaw* Clerk, Master of Arts, and the Reverend *Robert Hankinson Roughsedge* Clerk, Master of Arts, the Rectors of the said Parish, and of the Corporation of *Liverpool*, the Patrons of the said Rectory, and of the Bishop of *Chester* the Ordinary thereof: But as the Intentions of the said *John Houghton* cannot be effectually carried into Execution 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 same Piece or Parcel of Ground which is now inclosed with a Wall, situate on the South Side of *Hunter Street* aforesaid, containing in Length on the East Side One hundred and sixty Feet, on the West Side One hundred and sixty-six Feet, and in Breadth on the South Side One hundred and forty-two Feet, and on the North Side One hundred and twenty-nine Feet, and whereon the said Church or Chapel hath been so erected as aforesaid, with the Appurtenances belonging thereto, shall, from and after the passing of this Act, be vested, and the same is and are hereby from thenceforth vested in the said *John Houghton*, his Heirs and Assigns, to the Use, Intent, and Purpose, that the said Building intended for a Church or Chapel shall and may be set apart and dedicated to the Service of Almighty God, as and for a Place of Divine Worship for ever, and together with the Residue of the said Piece of Ground set apart as and for a Cemetery, (the same being first consecrated according to the Usage of the Church of *England*), shall be used for those Purposes respectively; and the said new Church or Chapel shall, from and immediately after the consecrating and dedicating thereof, be, and the same is hereby declared to be a perpetual Cure and Benefice, and shall be called by the Name of *The Church or Chapel of Christ in Liverpool*, for ever.

Site of the new Church or Chapel described.

The Three first Presentations vested in *Mr. Houghton*.

II. And be it enacted, That the Three First Presentations or Nominations of a Minister or Chaplain to the said Church or Chapel shall be, and the same are hereby vested in the said *John Houghton*, his Executors, Administrators,

Administrators, and Assigns, and that the First of the Persons so to be presented or nominated shall be the Reverend *John Vause* Clerk, Master of Arts, if he shall be then living; and that after the Third Avoidance of the said Church or Chapel, the Presentation or Nomination of a Minister or Chaplain to the same Church or Chapel shall be and the same is hereby vested in the Mayor, Bailiffs, and Burgesses of the Town of *Liverpool*, in the County of *Lancaster*, and their Successors for ever; and that the Mayor, Bailiffs, Aldermen, and Common Council of the said Town of *Liverpool*, and their Successors for the Time being, or the major Part of them in Common Council assembled, shall and may, upon every Vacancy or Avoidance after the Third Avoidance of the said new Church or Chapel, under the common Seal of the said Corporation, nominate a Minister or Chaplain to officiate in the same; and every Minister or Chaplain of the said Church or Chapel so to be nominated, shall be thereto admitted and licensed by the Bishop of the said Diocese for the Time being; and the said Church or Chapel, and the Minister or Chaplain thereof for the Time being, as also the Persons who shall act as Churchwardens thereof for the Time being, to be appointed as herein-after directed, shall be under and subject to the ordinary Jurisdiction and Visitation of the Bishop of *Chester* and his Successors; and the Minister or Chaplain of the said Church or Chapel for the Time being shall be and shall be deemed and taken by virtue of this Act to be incorporated and made One Body Politick and Corporate, by the Name of *The Minister or Chaplain of the Church or Chapel of Christ in Liverpool, in the County of Lancaster*, and by that Name shall have perpetual Succession, and shall sue and be sued in all Courts of the Realm; and the said Church or Chapel, (except the Seats or Pews and Benches, and the said Church Yard, and the Vaults under the said Church, and the Cemetery belonging to the same, which are meant and intended to remain vested in the said *John Houghton*, his Heirs and Assigns), shall be vested in the Minister or Chaplain for the Time being, his Successors, Ministers or Chaplains of the said Church or Chapel for ever, in the same Manner as the Freehold and Inheritance of a Parish Church is by the Laws of this Realm vested in the Incumbent thereof.

The subsequent Presentations vested in the Corporation of *Liverpool*.

The Church Minister, etc. to be subject to the Jurisdiction of the Bishop of *Chester*.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend to erect or make any new Parish, or to affect or alter any Payments or Assessments, either Parliamentary or Parochial, except in the Cases herein specially provided for; and that none of the Parishioners of the said Parish of *Liverpool* shall be subject or liable to the Repairs of the said new Church or Chapel, or to any Charge, Rate, or Assessment on account of such Repairs, other than the Sums herein-after directed to be paid by the Owners of any Seats or Pews in the said Church, for or towards the Repairs thereof.

The Act not to extend to the making of a new Parish, or to make the Inhabitants of *Liverpool* liable to the Repairs of the new Church.

IV. And be it further enacted, That for the Purpose of keeping in Repair the said Church or Chapel and Church Yard and Cemetery, with the Walls, Gates, and other Appurtenances thereto belonging, as also the Organ, Clock, Bells, and other Things to the said Church or Chapel appertaining, it shall and may be lawful for the Churchwardens for the Time being of the same Church or Chapel, (publick Notice having been first given in such Church or Chapel Two *Sundays* immediately after Divine Service in the Morning, by the Clerk thereof, from Time to Time to assemble

The Owners and Lessees of the Pews to maintain the Church, etc.

assemble and call together in the said Church or Chapel, on a Day and Hour by such Notice to be Specified, the Proprietors and Lessees of the Seats or Pews of the same Church or Chapel, and that such Proprietors and Lessees, or such of them as shall assemble in consequence of such Notice, or the major Part in Number of such Proprietors and Lessees from Time to Time to be assembled, shall and may, and are hereby authorized to ascertain what (if any) Repairs as aforesaid shall be necessary; and also the Sum which shall be necessary for effecting such Repairs; and that such Sum shall be apportioned and laid on the said Proprietors and Lessees rateably and in proportion to the respective annual Value of the Seats or Pews of such Proprietors and Lessees respectively, and the Sum from Time to Time to be charged on each such Proprietor or Lessee shall be recovered and levied in such Manner as Church Rates by the Laws of the Realm, are now recoverable, or on Information and Complaint of the Churchwardens for the Time being of the said Church or Chapel, in such Manner as Rates for the Relief of the Poor are recoverable and leviable by the Laws now in being.

V. And be it further enacted, That there shall be paid by the Minister or Chaplain of the said Church or Chapel for the Time being, to the Lord Bishop of *Chester* for the Time being, the Sum of Two Shillings at the Feast of Easter every Year for Synodals, and the Sum of Three Shillings at every Triennial or ordinary Episcopal Visitation or Procuration, according to the Custom of the Diocese of *Chester*; the same to be recovered in like Manner as Synodals and Procurations are by Law recoverable.

VI. And be it further enacted, That the Seat or Pew situated in the Body or Ground Floor of the said Church, and marked with and distinguished by the Number and Figures 43, shall be, and the same is hereby allotted to and for the Use of the Minister or Chaplain of the said Church or Chapel for the Time being and his Family, upon which Seat or Pew no Rent shall be charged or imposed; and the several Sittings or Benches in the Upper Gallery of the said Church or Chapel, containing in Length Two hundred and fourteen Yards and Two Feet, and marked with the Words *Common Seats* in several Parts thereof, being sufficiently spacious and commodious to accommodate Four hundred Persons, shall be and the same are hereby appropriated and set apart for the Use of the Poor of the said Parish of *Liverpool* for ever; upon which Sittings or Benches, or any of them so appropriated for the Use of the Poor, no Rent whatsoever shall be charged or imposed; but such Sittings or Benches so appropriated for the Poor are not to comprehend any Part of the Two Front Rows of Pews or Seats on the East and West Sides of such Gallery, nor any Part of the First, Second, Third, and Fourth Rows of Seats or Pews on the North Side of the same Gallery.

VII. And be it further enacted, That all the Pews and Seats erected and set up in the said Church or Chapel, and also the Church Yard and all the Vaults made under the Floor of the said Church, and also the Cemetery of the said Church and Church Yard, (except the said Pew or Seat for the Minister, and the said Benches in the Upper Gallery hereby appropriated to the Use of the Poor as aforesaid), shall be and the same are hereby vested in the said *John Houghton*, his Heirs and Assigns for ever; and

Appointing the Synodals and Procurations to be paid.

Appropriating a Pew for the Minister, and Sittings for the Poor.

Vesting all the other Pews, etc. in Mr. *Houghton*, his Heirs and Assigns, who may let or sell them.

and that it shall be lawful for the said *John Houghton*, and his Heirs and Assigns, and he and they is and are hereby authorized, and empowered, to sell, dispose of, and convey all or any of the said Pews and Seats, (except as aforesaid), and the Fee Simple and Inheritance thereof, or to let the same respectively, to any Person or Persons willing to become Purchasers or Lessees thereof.

VIII. Provided nevertheless, That it shall not be lawful to place any Coffin at a less Distance than Three Feet from the present Surface of the said Church Yard; and if the Churchwardens of the said Church or Chapel shall permit or suffer any Coffin to be placed in the said Church Yard at a less Distance than before specified, that then and in every such Case such Minister or Chaplain shall forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings; which shall be recovered in a summary Way before a Justice of the Peace for the said Borough, and shall be levied by Seizure and Sale of a competent Part of the Goods and Chattels of the Churchwardens so offending, by Warrant under the Hand and Seal of such Justice; and when levied shall go, and be applied to the Use of the Poor of the said Parish of *Liverpool*.

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

IX. And be it further enacted, That it shall be lawful for the said *John Houghton*, his Heirs or Assigns, and he and they is and are hereby required, at any Time before or within Six Calendar Months after the Consecration of the said Church or Chapel, to fix upon and ascertain the Rent to be paid for the Purposes herein-after mentioned for each Seat and Pew in the said Church or Chapel hereby vested in him the said *John Houghton*, his Heirs and Assigns as aforesaid, according to the best of his or their Judgement; so as the Rents of all the said Seats and Pews, so to be settled and ascertained do amount in the Whole to the Sum of One hundred and eighty Pounds; and the said *John Houghton*, his Heirs and Assigns, shall cause the same Rents to be entered in a Book to be kept for that Purpose by the Churchwardens to be appointed as herein-after mentioned, referring to the Number of each Pew.

Mr. Houghton to fix the Rents of Pews within a certain Time after Consecration, not exceeding in the Whole the Sum of 180 l.

X. And be it further enacted, That every such Purchaser, or other Person or Persons, being leased or possessed of a Pew or Seat in the said Church or Chapel, shall pay the Rent to be fixed thereon as aforesaid, at Two equal Half Yearly Payments, to wit, on every Twenty-fourth Day of *June*, and Twenty-fourth Day of *December*, the first Payment thereof to begin and be made at and upon such of the said Days as shall next happen after the Consecration of the said Church or Chapel; and in case the Rent of any such Pew or Seat, or any Part thereof, shall happen to be behind and unpaid by the Space of Twenty Days next after the same shall become due, then the Churchwardens for the Time being to be appointed in pursuance of this Act, shall and may either enter upon and hold such Pew or Seat or Pews or Seats, or let the same to any other Person or Persons, in such Manner as such Churchwardens shall think proper, until the Rent in Arrear shall be duly paid and satisfied, rendering the Overplus, (if any, after deducting all reasonable Costs and Charges to be occasioned by Means of such Rent having been so in Arrear, and of such Entry or Letting), to the former Owner, or Owners who shall have been so in Arrear; or else the said Churchwardens may sue for and recover the said Rent so in Arrear by Action of Debt or upon the Case, for the Use and Occupation of such Pew or Seat, to be brought against the Owner or Owners, or any Occu-

For Recovery of Pew Rents

pier or Occupiers thereof, in the Name of the Churchwardens of the Church or Chapel of *Christ* in *Liverpool*, in the County of *Lancaster*, in any of the Courts of Record at *Westminster*, or in the Court of Common Pleas held for the said County Palatine of *Lancaster*, or in the Borough Court of *Liverpool* aforesaid, with full Costs of Suit.

For appoint-  
ing Church-  
wardens.

XI. And be it further enacted, That it shall be lawful for the said *John Houghton*, his Heirs and Assigns, and he and they is and are hereby authorized and empowered, upon or immediately after the Consecration of the said Church or Chapel, to nominate and appoint Two fit Persons, each being a Proprietor or Contractor for One or more Pew or Pews in the said Church or Chapel, to be Churchwardens of the said Church or Chapel, until *Thursday* in *Easter Week* next after such Appointment, and from thenceforth upon *Thursday* in *Easter Week* yearly, during the Second and Third Years next ensuing the making of such first Appointment, in like Manner to nominate and appoint Two such other Persons as he or they in his or their Discretion shall think fit, to be Churchwardens of the said Church or Chapel for the Time being; and that, from and after the Expiration of the said Three Years, Two fit and appointed out of the Owners and Proprietors of the said Pews or Seats in the said Church or Chapel, to be Churchwardens of the same for the Time being, by the Owners and Proprietors of the Seats or Pews in the said Church or Chapel, or the major Part of them to be therein assembled for that Purpose; and that the Persons so to be nominated and appointed as aforesaid, being duly sworn according to Law, shall respectively be and shall act as and in the Nature of Churchwardens for the Time being of the said Church or Chapel, and shall continue in the Office till *Thursday* in *Easter Week* in the next ensuing Year after such respective Appointments; and they and their Successors, and the Survivor of them, are hereby authorized and required to collect and receive the Rents of the said Pews or Seats, and in case of Non-payment, to enter upon the same, or else to sue or bring Actions for Recovery of such Rents in Manner aforesaid; and out of the Rents so received, to pay the Minister, Clerk, Organist, and Sexton of the said Church or Chapel for the Time being, their respective Salaries, Stipends, and Wages; and likewise to furnish Books and Surplices for the Minister for the Time being of the said Church, and Bread and Wine for the Holy Eucharist, and other necessary Things; and further to do and perform all other Matters whatsoever, which may be necessary and expedient for and concerning the Management and good Order of the said Church or Chapel, which Churchwardens are by Law authorized to do, so far only as respects the said Church or Chapel, and Church Yard and Cemetery; and such Person and Persons so to be nominated and appointed Churchwardens as aforesaid for the Time being, and their Successors, shall and they are hereby respectively required and enjoined to keep true and perfect Entries, in a proper Book or Books to be provided for that Purpose, of all and every Sum and Sums of Money by them received on account of the Rents of the said Pews or Seats as aforesaid and otherwise, and of all and every Sum and Sums of Money by them issued and paid, and of all Debts and Credits due or owing, and of all Contracts made in pursuance of this Act; and all such Books and Accounts, and also the Books containing the Entries of the Rents of Pews to be fixed and ascertained as aforesaid, shall and may be inspected at all convenient Times

The Duty of  
the Church-  
wardens.

Application  
of the Pew  
Rents.

Times by all Owners and Occupiers of Seats in the said Church or Chapel, and by the Minister of the same, and the said *John Houghton* and his Heirs, and all other Persons interested therein; and in case of the Death of any Churchwarden during the Year for which he shall be elected, then and so often a new Churchwarden, qualified as aforesaid, shall be elected by such Person or Persons and in such Manner as the deceased Churchwarden shall have been elected; and every Churchwarden so to be elected in the Room of One dying in his Year of Office, being duly sworn as aforesaid, shall have and be invested with the same Powers and Authorities as his Predecessor.

XII. And be it further enacted, That for the Maintenance of the Minister or Chaplain for the Time being of the said Church or Chapel, the Persons who shall be appointed Churchwardens thereof for the Time being in pursuance of this Act, and their Successors, shall, by and out of the Rents of the Pews or Seats erected therein, yearly and every Year well and truly pay or cause to be paid to such Minister or Chaplain for the Time being, the Sum of One hundred and five Pounds of lawful Money of *Great Britain*, without any Deduction or Abatement for Taxes or otherwise howsoever, at the Feasts of the Nativity of our Saviour *Christ*, and of Saint *John* the Baptist, by even and equal Portions; and on such of the said Feasts as shall happen next after the Consecration of the said Church or Chapel, the Persons who shall be appointed Churchwardens as aforesaid, shall pay or cause to be paid to such Minister or Chaplain, such Proportion of his Salary as shall have accrued from the Time of the Consecration of the said Church to such last mentioned Feast Day; and the Money so to be paid shall be allowed to such Churchwardens in their Account; and a like Apportionment of the said Salary shall from Time to Time be made between the Executors or Administrators of any Minister of the said Church or Chapel, dying in the Interval between Two half-yearly Days of Payment, and the Successors of such Minister so dying, for and in respect of the incurring Half Year wherein such Death shall happen.

Appointing  
the Minister's  
Salary.

XIII. Provided always, and be it further enacted, That the Rents of certain Seats in the Body of the said Church from Number 1. to Number 24. inclusive, shall be in the first Place applied in and towards Payment of the said Sum of One hundred and five Pounds, as the Salary of the said Minister; which same Seats the Minister or Churchwardens for the Time being are hereby empowered to let for his Benefit; and if any additional Sum, over and besides the said Sum of One hundred and five Pounds, shall be received from the Rents of such Seats, such additional Sum shall be deemed and considered as an Augmentation of the Provision hereby intended to be made for the said Minister; and so long as the said Seats shall produce the said Sum of One hundred and five Pounds every Year, the same shall be deemed a Satisfaction of the said yearly Sum appropriated for the Minister's Salary; and in that Case the said One hundred and five Pounds directed to be received by the said Churchwardens out of the Rents of the remaining Seats, shall be paid to the said *John Houghton*, his Heirs or Assigns.

Appointing  
certain Pews  
for raising  
the Minister's  
Salary.

XIV. And be it further enacted, That if Default shall be made in Payment of the said yearly Sum of One hundred and five Pounds, or any Part thereof, or any Apportionment thereof, to the said Minister or Chaplain

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

for the Time being, or to the Executors or Administrators of a deceased Minister or Chaplain, for the Space of Forty Days next after any of the Days of Payment whereon the same ought to be paid, then the Bishop of the Diocese of *Chester*, on Complaint to him made, shall and may summarily hear and determine the same, and shall and may sequester the Profits of such several Seats or Pews for or until Payment thereof; or it shall be lawful for such Minister or Chaplain, and his Executors and Administrators, to sue for and recover the same, with full Costs of Suit, against the Churchwardens or Churchwarden for the Time being, by Action of Debt, or upon the Case, for so much Money had and received to the Use of such Minister or Chaplain, his Executors or Administrators, or for Work and Labour, to be brought in the Court of Common Pleas to be held for the said County Palatine of *Lancaster*, or in any of His Majesty's Courts of Record at *Westminster*, or in the said Borough Court of *Liverpool*, wherein respectively no Effoin, Protection, Privilege, Wager of Law, or more than One Imparance shall be allowed: Provided always, That no Arrears of the said yearly Sum of One hundred and five Pounds, to be had and recovered against any succeeding Churchwardens, which shall have accrued due in the Time of their Predecessors, shall exceed in the Whole One half-yearly Payment of the said yearly Sum, nor exceed the Amount of the Money which shall have been paid to such succeeding Churchwardens by their Predecessors; and that every Action for the Recovery thereof be made and commenced against every such succeeding Churchwardens within the Space of Six Calendar Months next after their first entering upon and being sworn into the Office of Churchwardens.

For appoint-  
ing Clerk and  
Sexton, &c.

XV. And be it further enacted, That it shall be lawful for the Minister or Chaplain for the Time being of the said Church or Chapel, during the Three first Presentations thereto, and afterwards for the Mayor, Bailiffs, Aldermen, and Common Council of *Liverpool*, to nominate and appoint such Persons as he or they shall think fit to officiate as Clerk, Organist, and Sexton, in the said Church or Chapel, and also from Time to Time to displace and remove such Clerk, Organist, and Sexton respectively, upon just and reasonable Cause, as Occasion shall require; the Wages or Stipend of such Clerk, Organist, and Sexton to be fixed and ascertained by the said *John Houghton*, his Heirs and Assigns, during the Three first Presentations to the said new-intended Church, and afterwards by the Mayor, Aldermen, Bailiffs, and Common Council of the said Town of *Liverpool*, for the Time being; but so as the Wages or Stipend of such Clerk be never less than Ten Pounds, nor of the Sexton less than Five Pounds, nor of the Organist less than Twenty-one Pounds *per Annum*; and such Clerk, Organist, and Sexton respectively, shall and may from Time to Time use the like Methods for the Recovery of their respective Wages or Stipends as are herein before given to the Minister or Chaplain of the said Church for the Recovery of his Salary.

Churchwar-  
dens going  
out to account  
with their  
Successors.

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

XVII. And



XVII. And be it further enacted, That the several Vaults under the Floor of the said Church or Chapel, with the Burial Places in the Church Yard, shall be and the same are hereby vested in the said *John Houghton*, his Heirs and Assigns, and he and they is and are hereby authorized and empowered to sell, dispose of, and convey all or any of the said Vaults and Burial Places in the Church Yard as and for Places of Burial, together with the Inheritance of the same, to any Person or Persons willing to become Purchasers thereof; and for each of which there shall be paid to the Minister of the said Church for the Time being the Sum of Ten Shillings and Sixpence before or at the Time when each and every such Vault or Burial Place shall be first sold.

Mr. Houghton may dispose of the Vaults, &c.

XVIII. And be it further enacted, That all Christenings and Marriages to be had and solemnized in the said Church or Chapel, and all Burials in the said Church Yard and Vaults under the said Church, shall be registered in a publick Register to be there kept for that Purpose.

A Register to be kept.

XIX. And be it further enacted, That the Conveyances of the said Pews or Vaults, or Burial Places in the said Church Yard respectively, by the said *John Houghton*, his Heirs and Assigns, and all subsequent Transfers or Conveyances thereof, shall and may be by an Entry in the Vestry Book of the said Church or Chapel.

Seats, &c. may be conveyed by Entry in the Vestry Book.

XX. And be it further enacted, That nothing in this Act contained shall prejudice, impeach, defeat, lessen, or abridge any the Right, Title, Interest, Claim, or Demand of the Rectors of the Parish of *Liverpool*, of, in, or to any Dues, Duties, Offerings, Oblations, Obventions, or any other Ecclesiastical Rights, Benefits, Perquisites, or Advantages, or any other Right, Title, or Interest within the Parish of *Liverpool* aforesaid, (other than and except the Right of Nomination and Presentation to the said Church or Chapel) which they are now legally entitled to.

The Rights of the Rectors of *Liverpool* saved.

XXI. And be it further enacted, That there shall be paid to and into the Hands of the Minister of the said Church or Chapel for the Time being, for the Performance of the several and respective Offices of Minister, Clerk, and Sexton there, Double the Fees, Dues, and Perquisites which are usually and of Right ought to be paid for every Marriage, Churching, Burial, and opening the Ground for Graves in the Church or Chapel Yard or Cemetery at the Parish Church of *Saint Peter*, and Parochial Chapel of Our Lady and *Saint Nicholas*; and that the Minister or Chaplain of the said intended new Church or Chapel shall from Time to Time collect and receive such Double Fees, Dues, and Perquisites, and account for and pay by equal half-yearly Payments in every Year, on every Twenty-fourth Day of *June* and Twenty-fourth Day of *December*, One Moiety or Half Part thereof to and into the Hands of the Rectors of the said Parish Church or Parochial Chapel of Our Lady and *Saint Nicholas* for the Time being, or one of them, to be divided amongst them and the Clerks and Sextons of the same Parish Church and Parochial Chapel within Ten Days after such Rectors shall have received the same, in such Shares and Proportions as the Fees payable at the same Church or Chapel are divided; and that the remaining Moiety shall on the said half-yearly Days be divided between the Minister, Clerk, and Sexton of the said intended new Church or Chapel, in such Shares and

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

One Half for the Rector, &c. of *St. Nicholas*;

and the other Half to the Minister, &c. of the new Church.

Proportions as Fees of the like Nature and for the like Services are usually or of Right ought to be divided among the Rectors, Clerks, and Sextons, of the same Parish Church, or of the said Parochial Chapel of Our Lady and *Saint Nicholas*; the First of such Payments to the said Rectors, Clerks, and Sextons of the said Parish Church and the same Parochial Chapel shall begin and be made at and upon such of the said Half-yearly Days as shall first happen after the Consecration of the said Church or Chapel; and in case of the Non-payment thereof at any Time or Times within Thirty Days after either of the said Half-yearly Days, One Moiety of such Fees, Dues, and Perquisites, shall and may be sued for and recovered from the Minister of the said new Church or Chapel for the Time being, from Time to Time, by and in the Names of the Rectors of the Parish of *Liverpool*, by Action for Monies had and received for their Use, in any of the Courts herein-before mentioned.

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

XXII. And be it further enacted, That, from and after the Consecration of the said Church or Chapel, Banns of Matrimony may be published and Marriages celebrated within the said Church and Chapel, provided such Banns be published and Marriages celebrated according to the Laws and Canons now in force within this Realm in that Behalf; and all such Banns as shall be published, and also all and every such Marriage and Marriages as shall be celebrated in the said 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 Parish Church of *Saint Peter*, or the Parochial Chapel of Our Lady and *Saint Nicholas* in *Liverpool* aforesaid, provided the same be published and celebrated in Manner aforesaid.

Limitation of Actions.

XXIII. And be it further enacted, That if any Action or Suit shall be commenced or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be brought within Six Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid in the said County Palatine of *Lancaster* and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, then the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if Judgement shall be given against the Plaintiff or Plaintiffs upon Demurrer, then and in any of the said Cases the Defendant or Defendants shall and may recover Double Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have by Law for Costs in any other Case.

Saving the King's Rights.

XXIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Persons, Bodies Politick and Corporate, and his, her, and their Heirs, Successors, Executors, and Administrators, (other than and except the said *John Houghton*, his Heirs and Assigns), all such Right, Title, and Interest of, in, to, and out of the same Piece of Ground so walled round and set apart as aforesaid, and the said

said new Church or Chapel erected thereon, as they, every, or any of them had before the passing of this Act, or would have been entitled to in case this Act had not been made.

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

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THE UNIVERSITY OF CHICAGO  
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