



CHAPTER cxiii.

An Act for the commutation of the Annual and other Sums payable by the Corporation of the City of Liverpool and by the Churchwardens of the Parish of Liverpool in respect of certain Churches in the City for the investment and application of the Commutation Moneys for the removal of the Churches of Saint George and Saint John and reuniting their respective Districts to the Parish of Liverpool and for making other Provisions consequential on and relative to the above matters.

A.D. 1897.

[15th July 1897.]

WHEREAS under the provisions of the Acts enumerated in the First Schedule to this Act or some of them there have been erected and endowed in the city of Liverpool at different times during the last two hundred years the following churches (namely) the churches of—

Saint George	Saint John	Saint Michael
Saint Thomas	Saint Ann	Saint Luke
Saint Paul	Holy Trinity	Saint David :

And whereas under those Acts or some of them the mayor aldermen and citizens of the city of Liverpool (in this Act called “the Corporation”) are authorised or liable to maintain and repair the fabric of some of the said churches and to pay the stipends of their ministers and other officials out of the city fund while in the case of others of the said churches they are authorised or liable to contribute to such stipends but not to maintenance and repair :

And whereas the Corporation are also liable to maintain and repair the church of Saint Martin in the said city and to pay the stipends of the minister and officials of the said church which became vested in the Corporation in the year one thousand eight hundred and twenty-nine :

[Price 1s. 3d.]

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A.D. 1897.

And whereas the church of Saint Peter is the parish church of the parish of Liverpool and the church of Saint Nicholas is a parochial chapel of the same parish and stipends to the rectors of the said parish are by the Act first named in the First Schedule to this Act required to be paid out of a rector's rate leviable on hereditaments in the said parish as therein mentioned :

And whereas under the Act 2 George III. chapter 68 the churches of Saint John and Saint Paul are to be maintained and repaired and the stipends of the ministers and officials are partly payable out of the parochial rates of the parish of Liverpool by the churchwardens :

And whereas a scheme has been prepared in consultation with the Ecclesiastical Commissioners for the commutation of the several annual and other payments payable by the Corporation under the scheduled Acts or otherwise and for the application of the commutation moneys in payment of such compensation to ministers or others as this Act provides and for or towards the maintenance and endowment of the said churches or some of them and for or towards the building and endowment of new churches in Liverpool and it will be of local and public advantage that the provisions of such scheme as embodied in this Act should become law :

And whereas a scheme has also been prepared in consultation with the Ecclesiastical Commissioners for the commutation of the annual and other payments payable by the churchwardens of the parish of Liverpool under the scheduled Acts or some of them and for the application of the commutation moneys in like manner as the commutation moneys payable by the Corporation and it will be of local and public advantage that the provisions of such scheme as embodied in this Act should become law :

And whereas the population of the ecclesiastical districts assigned to the churches of Saint George and Saint John respectively has greatly diminished and their united population is now less than three thousand and sufficient church accommodation is available in the immediate neighbourhood for such population :

48 & 49 Vict.
c. 51.

And whereas the provisions contained in the Liverpool Cathedral Act 1885 for the erection in certain events of a cathedral on the site of Saint John's Church have lapsed and become void :

And whereas in these circumstances it is expedient to provide for the removal of the said churches of Saint George and Saint John and for re-uniting their respective ecclesiastical districts to the parish of Liverpool from which they were originally severed :

And whereas it is expedient to vest the sites of the said two churches in the Corporation freed and discharged from all ecclesiastical trusts uses purposes and disabilities :

And whereas the patron of the church of Saint George is the Reverend Joseph Turner the present incumbent of that church and the patrons of the church of Saint John are the Lord Bishop of Liverpool the Very Reverend William Lefroy Dean of Norwich and Edward Wrangham Bird of the city of Liverpool : A.D. 1897.

And whereas it is expedient to appoint trustees and to invest them with powers for the better execution of the provisions of this Act :

And whereas Queen Anne's Bounty have consented to undertake the management and application of the funds herein directed to be paid to them and it is expedient to confer on Queen Anne's Bounty such powers in connection with the execution of this Act as are in this Act contained :

And whereas for the purposes of this Act it is necessary that the churchwardens of the parish of Liverpool and the Corporation respectively be empowered to raise and borrow moneys :

And whereas it is expedient to make provision for the consolidation of the two offices of first minister and second minister of the church of Saint Paul into one office or benefice :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas the Lord Bishop of Liverpool and the Ecclesiastical Commissioners and the patrons of the churches of Saint George and Saint John have consented to this Act :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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 as follows (that is to say) :—

Preliminary.

1. This Act may be cited as the Liverpool City Churches Act Short title.
1897.

2. In this Act—

“The scheduled Acts” means the Acts enumerated in the First Schedule to this Act;

“The city churches” means all the churches mentioned in the preamble to this Act;

“The trustees” means the trustees appointed by or in pursuance of this Act;

“The Lord Bishop” means the Lord Bishop of the diocese of Liverpool and his successors.

Interpreta-
tion.

A.D. 1897. *Commutation of Liabilities of Corporation and of Churchwardens of Parish of Liverpool.*

Commuta-
tion of
liabilities of
Corporation
on payment
to trustees
of 95,000*l.*

3.—(1.) Within three months after the passing of this Act the Corporation shall pay to the trustees the sum of ninety-five thousand pounds in commutation of all payments and liabilities of every description to which they are liable under the scheduled Acts or any of them or under any other Act of Parliament private or public relating to the city churches or any of them.

(2.) The Corporation shall also pay to the trustees interest at the rate of three pounds per centum per annum on the said sum of ninety-five thousand pounds from the passing of this Act till payment thereof.

50 & 51 Vict.
c. 32.

(3.) From the passing of this Act the Corporation shall be by virtue of this Act freed and discharged from all payments obligations and liabilities whatsoever under the scheduled Acts or any of them or under any other Act of Parliament private or public relating to the city churches or any of them excepting only such obligations and liabilities as the Corporation have taken upon themselves and incurred under the provisions of the Open Spaces Act 1887 with respect to the churchyard of any of the said churches.

(4.) All stipends salaries and other annual payments made by the Corporation under the scheduled Acts or any of them shall if necessary be apportioned up to the date of the passing of this Act and the proportion of any such stipend salary and other payment so ascertained shall be considered as falling due at the date of the passing of this Act and be paid by the Corporation to the person or persons entitled thereto accordingly and nothing in this section shall prevent or prejudicially affect the recovery of any arrears or other sum due or the enforcement of any obligation or liability incurred previously to and existing at the date of the passing of this Act and any such arrears sum obligation or liability may be sued for recovered and enforced in all respects as if this Act had not been passed.

Commuta-
tion of
liabilities of
church-
wardens on
payment to
trustees of
48,000*l.*

4.—(1.) Within three months after the passing of this Act the churchwardens of the parish of Liverpool shall pay to the trustees the sum of forty-eight thousand pounds in commutation of all payments and liabilities of every description to which they or the inhabitants or ratepayers of the parish of Liverpool are liable under the scheduled Acts or any of them or under any other Act of Parliament private or public relating to the city churches or any of them.

(2.) The churchwardens of the parish of Liverpool shall also pay to the trustees interest at the rate of three pounds five shillings per centum per annum on the said sum of forty-eight thousand pounds from the passing of this Act till payment thereof. A.D. 1897.

(3.) From the passing of this Act the churchwardens and inhabitants and ratepayers of the parish of Liverpool shall be by virtue of this Act freed and discharged from all payments obligations and liabilities whatsoever under the scheduled Acts or any of them or under any other Act private or public relating to the city churches or any of them.

(4.) All stipends salaries and other annual payments made by the churchwardens of the parish of Liverpool under the scheduled Acts or any of them shall if necessary be apportioned up to the date of the passing of this Act and the proportion of any such stipend salary and other payment so ascertained shall be considered as falling due at the date of the passing of this Act and be paid by the churchwardens of the parish of Liverpool to the person or persons entitled thereto accordingly and nothing in this section shall prevent or prejudicially affect the recovery of any arrears or other sum due at the date of the passing of this Act and any such arrears or sum may be sued for and recovered and applied in all respects as if this Act had not been passed.

5. The rector's rate leviable in the parish of Liverpool under the Act first named in the First Schedule to this Act shall not be made or levied after the passing of this Act without prejudice nevertheless to the recovery of any arrears or sum due in respect thereof at the date of the passing of this Act and any such arrears or sum may be levied and recovered and applied in all respects as if this Act had not been passed. Cesser of rector's rate in parish of Liverpool.

6.—(1.) Of the sum of ninety-five thousand pounds paid by the Corporation under this Act the sum of sixty thousand five hundred pounds shall be paid by the trustees to the Ecclesiastical Commissioners to be held by them as herein-after is provided the sum of thirteen thousand four hundred and six pounds six shillings and eightpence shall be paid by the trustees to Queen Anne's Bounty to be held by them as herein-after is provided and the balance of the said sum after payment thereof by the trustees of the taxed costs charges and expenses of negotiating and effecting the several commutations herein mentioned and referred to or otherwise preliminary to and of and incidental to preparing and obtaining this Act and of all compensation payable under this Act to the patron ministers or incumbents clerk sexton or other officials of the said churches of Saint George and Saint John and any other expenses incurred by Application by trustees of commutation moneys.

A.D. 1897. — the trustees as herein-after is provided or otherwise in execution of this Act including therein the stipends or salaries of the said ministers and the curates clerk sexton or other official for the time being of either of the said churches from the time of the passing of this Act until such church is closed as herein-after is provided shall be paid to the Ecclesiastical Commissioners and carried to an account to be opened in their books under the name of the Liverpool Churches Building and Endowment Fund (in this Act referred to as the "Building and Endowment Fund").

(2.) Of the sum of forty-eight thousand pounds paid by the churchwardens of Liverpool under this Act the sum of forty-one thousand four hundred pounds shall be paid by the trustees to the Ecclesiastical Commissioners to be held by them as herein-after is provided and the balance of the said sum shall be paid by the trustees to the Ecclesiastical Commissioners and carried to the account of the Building and Endowment Fund.

(3.) All interest on the said sums of ninety-five thousand pounds and forty-eight thousand pounds received by the trustees shall be paid and accounted for as income of the funds allotted and disposed of under this Act and shall be applicable accordingly.

Authorised investments. 7. All moneys paid to the Ecclesiastical Commissioners under this Act may from time to time be invested in any securities approved by them.

All moneys paid to Queen Anne's Bounty shall be under their control and shall be dealt with for all purposes of investment according to their general rules and at their discretion as if the said moneys had been originally provided or appropriated by them out of the funds at their disposal for the augmentation of benefices.

Application by Ecclesiastical Commissioners of moneys invested in their name. 8.—(1.) The Ecclesiastical Commissioners shall open in their books an account to be called "the Liverpool City Churches Fund" and shall place to the credit of that account the said sums of sixty thousand five hundred pounds and of forty-one thousand four hundred pounds and all investments thereof.

(2.) The said sum of sixty thousand five hundred pounds and the investments thereof shall be held by the said Commissioners on trust to pay and apply the income from time to time arising therefrom (subject to such regulations with regard to the time and mode of paying the same as the said Commissioners may from time to time make) for or towards the purposes specified in the first column of Part I. of the Second Schedule to this Act in proportions according to the capital sums specified and allotted in the second column of that part of that schedule.

(3.) The said sum of forty-one thousand four hundred pounds and the investments thereof shall be held by the said Commissioners on trust to pay and apply the income from time to time arising therefrom (subject to such regulations with regard to the time and mode of paying the same as the said Commissioners may from time to time make) for or towards the purposes specified in the first column of Part II. of the said Second Schedule to this Act in proportions according to the capital sums specified and allotted in the second column of that part of the same schedule.

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(4.) The Ecclesiastical Commissioners shall be at liberty upon the application of any minister or incumbent of any of the churches mentioned in the first or second parts of the said Second Schedule to this Act with the consent of the Lord Bishop to pay and apply any portion of the capital sum allotted to such minister or incumbent in the said schedule in or towards providing a house of residence for such minister or incumbent upon such terms and conditions and subject to such regulations as shall appear reasonable to the said Ecclesiastical Commissioners.

9. With respect to the capital and income of the Building and Endowment Fund it shall be lawful for the Ecclesiastical Commissioners (after the allotment thereof to the rector or incumbent for the time being of the rectory and parish of Liverpool of such addition to his emoluments as herein-after provided) with the consent of the Lord Bishop to make grants thereof and pay the same from time to time towards the building or endowment of any new church to be erected in the city of Liverpool on and subject to such terms and conditions as to patronage or otherwise in each case as the said Commissioners and the Lord Bishop may think fit and the said Commissioners may transfer the amount of any such grant of capital or may realise and pay the same in such manner as may be necessary for the purpose of such grant.

As to building and endowment grants.

Any appropriation of a grant from the Building and Endowment Fund (including the allotment herein-after mentioned to the said rector or incumbent of the rectory and parish of Liverpool) may be made by instrument under the seal of the said Commissioners with the consent of the Lord Bishop.

10.—(1.) Queen Anne's Bounty shall open in their books an account to be called "the Liverpool City Churches Fund" and shall place to the credit of that account all sums received by them under the authority of this Act.

Application by Queen Anne's Bounty of moneys paid to them.

(2.) The said fund shall be held by Queen Anne's Bounty on trust to pay and apply the income from time to time arising therefrom for or towards the repair and renewal and insurance of the several

A.D. 1897. — churches specified in the first column of Part III. of the Second Schedule to this Act and the fences thereof and all things therein the payment of salaries of clerks sextons or officials employed thereat and any other expenses of and attending divine services therein in proportions according to the capital sums specified in the second column of that part of the same schedule.

(3.) The receipt in writing of the incumbent and churchwardens of any church mentioned in Part III. of the Second Schedule to this Act shall be a good discharge to Queen Anne's Bounty for any payment of income of the said fund held in trust by them for the purposes and requirements of the church in respect of which such payment is made and Queen Anne's Bounty shall be under no liability to see to the application thereof.

Removal of Churches of Saint George and Saint John.

Closing of
churches of
St. George
and St.
John.

11. On the first day of July one thousand eight hundred and ninety-eight or on such earlier date as in the case of either church may be fixed by the Lord Bishop the churches of Saint George and Saint John respectively shall be closed for divine service.

Churches to
be removed.

12.—(1.) On the closing for divine service of each of the said churches pursuant to this Act the building of that church and all materials ornaments fittings and other effects belonging thereto shall be by virtue of this Act vested in the trustees upon the trust and for the purpose that the trustees shall within two years from the passing of this Act take down and remove the said churches respectively and with the consent of the Lord Bishop sell or otherwise dispose of the materials thereof and the ornaments fittings and other effects belonging thereto (except church plate which shall be disposed of as the Lord Bishop may direct or sanction) and in case of sale either together or in lots and either by public auction or private contract and in any case at such time or times and on such terms and conditions as the trustees shall think fit freed and discharged from all ecclesiastical trusts uses purposes obligations and disabilities whatsoever and from all rights or interests of the owners of any seats or pews therein and the trustees may execute and do all assurances acts and things necessary or proper for effecting the purposes aforesaid.

(2.) All moneys received by the trustees under this section shall (subject to payment thereof of any expenses incurred by them in or about the execution of the provisions of this section) be paid by them to the Ecclesiastical Commissioners and be added to the Building and Endowment Fund.

(3.) In default of removal of either of the said churches by the trustees within the time herein-before in that behalf limited or such further time as the Corporation may on the application of the trustees agree to the Corporation shall have full power to remove and dispose of as they think fit the buildings of that church and any materials ornaments fittings and other effects belonging thereto not removed without incurring any liability to the trustees or any other person whomsoever and the proceeds of any sale by the Corporation under this enactment shall be carried to and form part of the City Fund.

A.D. 1897.

13. All registers deeds records books and documents belonging to or kept in either of the said churches of Saint George and Saint John shall be removed to the parish church[or parochial chapel of the parish of Liverpool and there kept with the registers and documents of the said parish and the churchwardens are hereby empowered to make all necessary provision for the safe custody thereof :

Disposal of registers &c.

Provided that one of the duplicate marriage registers current at each of the said churches at the time of the closing of the church for divine service shall be deposited with the district superintendent registrar as required in the case of filled register books by section 33 of the Births and Deaths Registration Act 1836.

14. All monuments tombstones and monumental inscriptions in either of the churches of Saint George and Saint John shall upon the closing of those churches respectively be removed by the trustees and preserved in such manner as the Lord Bishop shall direct or sanction.

Monuments to be preserved.

15. Subject to the provisions of this Act the sites of the churches of Saint George and Saint John and of the churchyard of Saint John shall on and after the passing of this Act be vested in the Corporation for an estate in fee simple in possession freed and discharged from all ecclesiastical trusts uses purposes obligations and disabilities whatsoever so that the Corporation shall be at liberty after the removal of each of the said churches respectively to use and apply the said sites or any part thereof for any city or street improvement or other public purposes but not for any commercial purpose.

Vesting of sites in Corporation.

16. The footpath across Saint John's Churchyard to which the public are now admitted on sufferance pursuant to a faculty dated the fourth day of December one thousand eight hundred and seventy-nine may be at any time closed by an order of the Corporation whereof a copy shall be affixed in a conspicuous position at each end

Power to close foot-path across St. John's Churchyard.

A.D. 1897. — of the said footpath for a period of at least one month before the order shall come into operation.

As to
removal of
human
remains.

17.—(1.) Before the Corporation use or apply any part of the sites of the churches of Saint George and Saint John or the churchyard of Saint John for any purpose other than as an open space or ornamental ground or garden they shall remove or cause to be removed the remains of any deceased person interred in the said churches or churchyard. Provided that the Secretary of State on the application of the Corporation and on being satisfied that such removal is not necessary or desirable may dispense with all or any of the requirements of this section on such conditions (if any) as he thinks fit.

(2.) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in three local newspapers circulating in the city of Liverpool to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of the conditions of such removal provided in sub-sections (3) (4) (5) and (6) of this section.

(3.) At any time within two months after the first publication of such notice any person who is an heir executor or administrator or relative of any such deceased person may give notice in writing to the Corporation of his intention to undertake the removal of the remains of such deceased person and thereupon he shall be at liberty without any faculty for the purpose but subject as herein-after mentioned and to regulations made by the Lord Bishop to cause such remains to be removed to and re-interred in any consecrated burial ground or cemetery in which burials may legally take place.

(4.) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the Consistory Court of the diocese of Liverpool who shall have power to make an order specifying who shall remove the remains.

(5.) The expense of such removal and re-interment not exceeding in respect of remains removed from any one grave the sum of ten pounds shall be defrayed by the Corporation such sum to be apportioned equally if necessary according to the number of remains in such grave.

(6.) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of

the remains in any grave or if after such notice has been given the person giving the same shall fail in any respect to comply with the provisions of this section and with the aforesaid regulations of the Lord Bishop the Corporation may without any faculty for that purpose remove the remains of the deceased person and cause them to be interred in such other consecrated burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose subject to the consent of the Lord Bishop. A.D. 1897.

(7.) All monuments tombstones and monumental inscriptions relating to the remains of any deceased person removed under this section shall be removed and re-erected at the place of re-interment of such remains or at such place as the Lord Bishop on the application (if any) of such heir or executor or administrator or relative as aforesaid of the deceased person may direct.

(8.) The removal of the remains of any deceased person shall be carried out under the supervision and to the satisfaction of the medical officer of health of the city.

18. On and from the date of the closing for divine service of the church of Saint George the ecclesiastical district now attached or assigned to the said church and on and from the date of the closing for divine service of the church of Saint John the ecclesiastical district now attached or assigned to the said church shall respectively by virtue of this Act cease to exist as a separate ecclesiastical district and shall be reunited to and merged in the parish of Liverpool for all ecclesiastical purposes and shall form part of the benefice and cure of souls of the rectory and parish of Liverpool. Merger of districts of St. George and St. John in the parish of Liverpool.

19. The offices of minister or incumbent curate or assistant curate clerk sexton and every other official of the churches of Saint George and Saint John respectively and the advowson or right of presentation or appointment thereto respectively shall from and after the date when such churches shall respectively have been closed for divine service cease and become extinguished by virtue of this Act. Extinction of offices of incumbent &c. of St. George and St. John.

20. Within six months after the date of the closing for divine service of the said churches of Saint George and Saint John the Ecclesiastical Commissioners shall allot such annual and capital sums to be annexed and appropriated by the said Commissioners and held by them for the benefit of the rector or incumbent of the rectory and parish of Liverpool as shall be agreed upon or in default of agreement shall be settled by the said Commissioners as an addition to the emoluments and income of the said rectory in respect of the Increase of stipend of rector of Liverpool.

A.D. 1897. — supervision and additional cure of souls of the separate ecclesiastical districts now attached to the said churches of Saint George and Saint John or either of them and such annual and capital sums shall be allotted and paid out of the building and endowment fund in priority to all other payments thereout.

Compensation to minister of St. George and other officials.

21. Within six months after the date of the closing for divine service of the church of Saint George the trustees shall pay to the minister or incumbent and to the patron clerk and sexton of the said church such sum as shall be agreed upon by the trustees and such minister or incumbent patron clerk or sexton respectively or as in default of agreement shall be settled by the Ecclesiastical Commissioners as full compensation for their interests in the said respective offices as from the said date.

Compensation to minister of St. John's.

22. Within six months after the date of the closing for divine service of the church of Saint John the trustees shall pay to the minister or incumbent of the said church such sum as shall be agreed upon by the trustees and such minister or incumbent or as in default of agreement shall be settled by the Ecclesiastical Commissioners as full compensation for his interest in the said office as from the said date.

As to existing endowments of churches of St. George and St. John.

23. All endowments stipends and other payments now belonging to the church of Saint George and to the church of Saint John or the respective ministers or incumbents thereof not extinguished by this Act shall from and after the passing of this Act vest in the Ecclesiastical Commissioners and be held by them upon trust as an addition to and part of the Building and Endowment Fund.

Money Powers.

Payment by Corporation.

24. The Corporation may if they think fit pay out of their capital personal estate the said sum of ninety-five thousand pounds or any part thereof and any other expenses chargeable to capital which they are liable to pay under this Act or they may for the purposes of this Act from time to time borrow and re-borrow any sum or sums not exceeding in the aggregate ninety-five thousand pounds and may raise any moneys so borrowed by mortgages granted in pursuance of the Liverpool Corporation Act 1893 (and subject to the provisions of that Act respecting sinking funds power to re-borrow and annual return to Local Government Board) or by the issue of stock in pursuance of the Liverpool Corporation Loans Act 1894 or partly by mortgages and partly by the issue of stock The Corporation shall make provision for the repayment of the moneys so borrowed within a period not exceeding fifty years from

the date or respective dates of borrowing the same by such one or more of the following methods as they may see fit (that is to say) either by repaying an equal portion of principal every year or by means of equal annual instalments of principal and interest or by means of an accumulating sinking fund. A.D. 1897.

All moneys borrowed under the powers of this Act shall be applied only to purposes to which capital is properly applicable.

25.—(1.) The churchwardens of the parish of Liverpool shall pay and apply any balance of rates received by them levied or accruing under the scheduled Acts or any of them towards payment of the commutation moneys and compensation moneys which they are liable or authorised to pay under this Act and they may borrow on the security of the poor rates of the said parish such sums not exceeding forty-eight thousand pounds for the purpose of providing for the payment of the commutation moneys and compensation moneys which they are liable or authorised to pay and any expenses incurred by them in connection with the commutation and such further sums as they may require for the purpose of providing for the payment of any other compensation moneys which they are authorised to pay under this Act not exceeding such amount as shall be sanctioned by the Local Government Board. Power of churchwardens of parish to borrow.

(2.) All moneys authorised by this Act to be borrowed by the said churchwardens may be raised by way of mortgage and shall be repaid by equal annual instalments within a period not exceeding fifty years.

(3.) For the purpose of providing for payment of interest on and repayment of principal of the moneys borrowed by them under this Act as well as any costs and expenses of such borrowing and the costs charges and expenses incurred by the churchwardens in effecting the commutation hereby made or otherwise connected with this Act the overseers of the parish of Liverpool shall from time to time on receipt of a certificate under the hands of the churchwardens of the sums from time to time required levy together with and as part of the poor rates of the said parish the sums so required by the churchwardens.

26. The churchwardens of the parish of Liverpool shall once at least in every year transmit to the Local Government Board a return in such form and showing such particulars as may be prescribed by the Board with reference to the number and amount and application of annual instalments raised. Annual return to Local Government Board with respect to instalments.

In the event of any wilful default in making such return the churchwardens shall be liable to a penalty not exceeding twenty pounds recoverable in a summary manner.

A.D. 1897. — If it appear to the Local Government Board by such return or otherwise that the churchwardens have failed to raise and apply any instalment the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be raised and applied as the Board direct and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Trustees.

Trustees for
purposes of
Act.

27.—(1.) The following persons (that is to say) :—

The Venerable William Francis Taylor

The Venerable Thomas John Madden

The Reverend Alexander Stewart

The Reverend James Gerard Leigh

The Reverend Percy Stewart

John Brancker

Hamilton Boswell Gilmour

James Mitchell Calder

Charles John Bushell and

Edward Wrangham Bird

shall be trustees for the execution of the powers and duties conferred and imposed on them by this Act.

(2.) If at any time the number of the trustees is reduced by death resignation or otherwise below seven the continuing trustees shall as soon as may be appoint so many other persons to be trustees as will raise the number of the trustees to seven but the trustees may at all times act notwithstanding the existence of any vacancy or vacancies in their number unless reduced below five in which case they shall not exercise any of the powers of this Act except that of appointing new trustees.

(3.) Every trustee shall be a member of the Church of England and if he ceases to be such he shall cease to be a trustee.

Meetings
and pro-
ceedings of
trustees.

28.—(1.) Three trustees must be personally present to constitute a meeting of the trustees for the transaction of business.

(2.) The Lord Bishop or any three trustees may at any time summon a meeting of the trustees.

(3.) Questions arising at a meeting of the trustees shall be decided by a majority of votes and in case of an equality of votes the trustee in the chair at the meeting shall have a second or casting vote.

(4.) Subject as aforesaid the trustees may meet together for the dispatch of business adjourn and otherwise regulate the proceedings of the trustees as the trustees from time to time think fit.

Miscellaneous Enactments.

A.D. 1897.

29.—(1.) All provisions of the scheduled Acts and of any other Act relating to any of the city churches which regulate or affect the appointment or removal or payment of any curate or assistant curate sexton organist or any other official of any of the city churches are hereby repealed without prejudice nevertheless to the tenure of office by or other existing rights of any such curate or assistant curate clerk sexton organist or other official in office at the passing of this Act. Provided that any such clerk sexton organist or other official who at the passing of this Act was dismissible by the Corporation in default of good behaviour or for any other cause shall for the like cause be dismissible with the consent of the Lord Bishop by the incumbent of the church to which such clerk sexton or other official is attached.

Provision
for future
appointment
of officials of
city churches
other than
St. George
and St.
John.

(2.) On the occurrence of a vacancy at any time after the passing of this Act in the office of clerk or sexton of any of the city churches (other than Saint George and Saint John) a clerk or sexton may be appointed by the incumbent for the time being of the church and shall be by him removable for any reasonable cause.

(3.) All the provisions of the scheduled Acts and of any other Act relating to any of the city churches under which the appointment of commissioners trustees receivers treasurers assessors or collectors is required to be made for the execution of any of the purposes of any of the said Acts are hereby repealed and all the powers duties and obligations of such commissioners trustees receivers treasurers assessors and collectors are hereby determined.

(4.) All provisions for the appointment of churchwardens of any of the city churches other than the churches of Saint Peter and Saint Nicholas and the parish of Liverpool contained in the scheduled Acts or any other Act relating to any of the city churches are hereby repealed and all duties and obligations of such churchwardens are hereby determined and from and after the passing of this Act the churchwardens of each of the city churches other than the churches of Saint Peter and Saint Nicholas shall be appointed by the minister or incumbent and the inhabitants of the several ecclesiastical parishes or districts annexed and belonging to such churches respectively in accordance with the provisions for the appointment of churchwardens contained in the New Parishes Acts 1843 1844 and 1856 so far as such provisions are in each case applicable as if such parishes or districts were new parishes created and constituted under the provisions of the said New Parishes Acts or one of them and the like powers duties and obligations shall

A.D. 1897. attach and belong to the churchwardens of the city churches other than the churches of Saint Peter and Saint Nicholas respectively as are prescribed and directed to attach and belong to the office of churchwardens under the said New Parishes Acts.

As to assistant curate of St. John's Church.

30. After the passing of this Act the assistant curate of Saint John's Church shall vacate his curacy upon the expiration of six months from the date at which notice to quit such curacy shall have been delivered or sent to him by or by the direction of the Lord Bishop addressed to his usual or last known place of abode by registered letter in the usual course of post.

Provision as to pew rents.

31. All pew rents paid at any of the city churches after the passing of this Act which if this Act had not been passed would have been payable to the Corporation shall be paid by the persons who receive the same to the trustees who shall pay over the same to the Ecclesiastical Commissioners to be appropriated by the said Commissioners as part of the Building and Endowment Fund :

Provided always that it shall be lawful for the Lord Bishop from time to time or at any time by instrument under his episcopal seal to alter cancel or abolish all or any part of any such pew rents.

Provision as to consolidation of two benefices of St. Paul.

32. Notwithstanding any provision contained in the Act 7 George III. chapter 80 intituled "An Act for enlarging the term" and powers granted by an Act of the second year of the reign of His present Majesty for erecting and building two new churches and for providing burial places in the town and parish of Liverpool in the county palatine of Lancaster" or in any other Act of Parliament all the powers and provisions contained in section 72 of the Ecclesiastical Commissioners Act 1840 as amended or extended by any subsequent enactment shall be applicable to the two offices or benefices of first and second ministers of the church of Saint Paul.

Power for churchwardens of parish to compensate rate collectors.

33. The churchwardens of the parish of Liverpool may if they think fit pay to any rate collector of the said parish whose duties will cease in consequence of the passing of this Act such compensation as they think fit not exceeding the amount of compensation authorised to be paid under section 120 of the Local Government Act 1888 out of the poor rates of the said parish or out of moneys borrowed by them for the purpose under the authority of this Act.

As to maintenance and repair of church clocks.

34. The Corporation may if they think fit continue to repair maintain wind up and light the clocks in all or any of the said churches of Saint Luke Holy Trinity Saint Thomas Saint Paul Saint Michael and Saint Martin and also the clocks in the churches

A.D. 1897.

of Saint George and Saint John respectively so long as those churches shall respectively remain standing and also from time to time reconstruct or renew any of the said clocks and their dials and for such purposes shall have the right by their officers workmen contractors and others authorised by them to enter the said churches at all reasonable and proper times and so as not to interfere with any service in any of the said churches and execute such work as they may think necessary.

Nothing in this section shall impose any obligation on the Corporation with regard to all or any of the said clocks.

35. Save as by this Act is expressly provided all rights of presentation to any benefice or office of minister or incumbent of any of the city churches shall remain unaffected and may be exercised as fully and effectually as if this Act had not been passed. Saving for private patronage.

36. Nothing in this Act shall be read or construed so as to authorise the application by the Ecclesiastical Commissioners of any part of their common fund to any of the purposes of this Act. Saving for common fund of Ecclesiastical Commissioners.

37. All costs charges and expenses incurred by the trustees in the execution of this Act and not otherwise provided for shall be charged upon and payable by the Ecclesiastical Commissioners out of the Building and Endowment Fund. Expenses of trustees.

38. The costs charges and expenses of negotiating and effecting the several commutations herein mentioned or referred to or otherwise preliminary to and of and incidental to preparing and obtaining this Act including all costs charges and expenses incurred by the churchwardens of the parish of Liverpool in connection therewith as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the trustees out of the moneys received by them under this Act. Costs of Act.

A.D. 1897.

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

ACTS RELATING TO THE CITY CHURCHES.

1698. 10 and 11 Will. III. c. 36 (Parish of Liverpool and Church of St. Peter).
1714. 1 Geo. I. c. 21 (Church of St. George).
1748. 21 Geo. II. c. 24 (Church of St. Thomas).
1761. } 2 Geo. III. c. 68 and 7 Geo. III. c. 80 (Churches of St. John and
1766. } St. Paul).
1768. 12 Geo. III. c. 36 (Church of St. Ann).
1786. 26 Geo. III. c. 15 (Rector of the Parish of Liverpool).
1792. 32 Geo. III. c. 76 (Church of the Holy Trinity).
1814. }
1823. } 54 Geo. III. c. 111 and 4 Geo. IV. c. 89 (Church of St. Michael).
1822. 3 Geo. IV. c. 19 (Church of St. Luke).
1826. 7 Geo. IV. c. 51 (Church of St. David).
1828. 10 Geo. IV. c. 11 (Church of St. Martin).
1838. 1 & 2 Vict. c. 98 (Churches of St. George St. Thomas St. John
St. Paul St. Ann St. David and St. Martin).
1839. 2 & 3 Vict. c. 33 (Churches of St. Michael and St. Luke).
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SECOND SCHEDULE.

A.D. 1897.

PART I.

*Application by Ecclesiastical Commissioners of Income of 60,500l. part of
Liverpool City Churches Fund.*

FIRST COLUMN. PURPOSE.	SECOND COLUMN. CAPITAL SUM ALLOTTED.
	£ s. d.
Saint Thomas' Church— Minister or incumbent's stipend - - -	3,500 0 0
Saint Paul's Church— Head or first minister or incumbent's stipend - -	4,333 6 8
Saint Ann's Church— Minister or incumbent's stipend - - -	2,666 13 4
Saint Michael's Church— Minister or incumbent's stipend - - - Assistant curate's stipend - - -	13,333 6 8 3,333 6 8
Saint Luke's Church— Minister or incumbent's stipend - - - Assistant curate's stipend - - -	13,333 6 8 3,333 6 8
Saint David's Church— Minister or incumbent's stipend - - -	3,333 6 8
Saint Martin's Church— Minister or incumbent's stipend - - - Assistant curate's stipend - - -	10,000 0 0 3,333 6 8
	£60,500 0 0

A.D. 1897.

PART II.

*Application by Ecclesiastical Commissioners of Income of 41,400*l.* other part of Liverpool City Churches Fund.*

FIRST COLUMN. PURPOSE.	SECOND COLUMN. CAPITAL SUM ALLOTTED.
	£
Saint Peter with Saint Nicholas Rectory—	
Rector or incumbent's stipend - - -	12,000
Rector for assistant curate or curates * - - -	21,600
Saint Paul's Church—	
Head or first minister or incumbent's stipend - - -	2,700
Second minister or incumbent's stipend - - -	5,100
	£41,400

* NOTE.—One-fourth of the income of this sum shall represent and be in lieu of the annual amount or stipend payable to each of the four curates of Liverpool whose stipends are at the time of the passing of the Act regulated by the provisions of any of the scheduled Acts until the time when such curate shall vacate his curacy.

PART III.

Application by Queen Anne's Bounty of Income of Liverpool City Churches Fund.

FIRST COLUMN. NAMES OF CHURCHES.	SECOND COLUMN. PROPORTION.
	£ s. d.
Saint Thomas' Church - - - - -	2,218 0 0
Holy Trinity Church - - - - -	379 3 4
Saint Michael's Church - - - - -	3,041 13 4
Saint Luke's Church - - - - -	3,933 5 0
Saint Martin's Church - - - - -	3,834 5 0
	£13,406 6 8

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