



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. xxiii.

An Act for building a Church or Chapel, with a Cemetery to the same, in the Township of *Liscard* in the Parish of *Wallasey* in the County Palatine of *Chester*. [30th March 1831.]

WHEREAS the Township of *Liscard* in the Parish of *Wallasey* hath of late Years greatly increased in Population, and the present Parish Church of *Wallasey* is inadequate to the Accommodation of the Inhabitants of the said Township; and the Erection and Endowment of a Church in the said Township within the said Parish of *Wallasey*, for the Performance and Celebration of Divine Service therein according to the Rites and Ceremonies of the Church of *England*, would be of great Benefit to the Inhabitants of such Township and Parish, and of general Utility: And whereas, in order to promote so useful a Measure, Sir *John Tobin* of *Oak Hill*, near *Liverpool*, in the County of *Lancaster*, Knight, hath agreed to give Seven thousand Square Yards, or thereabouts, of Freehold Land, in the said Township of *Liscard*, as and for the Site of a Church or Chapel with a Cemetery to the same; and several Persons have subscribed a Sum sufficient for building such Church thereon, and walling and railing such Cemetery; but the Intentions of the said Subscribers cannot be carried into complete Effect 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,

[Local.] 3 D

Committee
appointed.

poral, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *John Tobin*, *John Askew*, *William Bartley*, *John Jackson*, and *William Martin*, and the Survivors and Survivor of them, shall be and they are hereby appointed a Committee for carrying this Act into execution; and all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done by or before the said Committee shall and may be exercised, had, and done by or before the major Part of them present at any of their Meetings to be holden in pursuance of this Act, and all such Acts, Matters, and Things when so done shall be of as full Force and Effect as if done or executed by or before all the said Committee.

Church to be
completed.

II. And be it further enacted, That it shall be lawful for the said Committee to cause the building of the said Church and Enclosure of the said Cemetery to be completed according to the Plans and Elevations which have been agreed upon by and submitted to the Right Reverend *John Lord Bishop* of the Diocese of *Chester* for the Time being for his Sanction and Approbation.

Acceptance
of Convey-
ance of Land.

III. And be it further enacted, That it shall be lawful for the said Committee hereby appointed, or the Trustees to be hereafter appointed for Superintendence and Management of the said Church, and they are hereby authorized and empowered, to accept and take from the said Sir *John Tobin*, and all other Persons interested therein, a Conveyance in Fee Simple of the said Piece or Parcel of Land situate on the West Side of the Road leading from *Seacombe* to *Liscard*, directly opposite the Road leading from the River *Mersey* by the *Egremont Hotel* to the first-mentioned Road in *Liscard* aforesaid, with the Rights, Privileges, and Appurtenances to the same belonging; and the same Piece of Land when so accepted and taken as aforesaid shall be and the same is hereby vested in the Committee until the Appointment of such Trustees, and after their Appointment, then in the said Trustees and their Successors for ever; and it shall be lawful for the said Trustees and their Successors to hold the same without incurring or being subject to any of the Penalties or Forfeitures of the Statute of Mortmain, or of any other Law or Statute whatsoever, to the Use, Intent, and Purpose that the said Church may, when completed, be set apart, consecrated, and dedicated to the Service of Almighty God as a Place of Divine Worship according to the Liturgy and Usage of the United Church of *England* and *Ireland*, for ever, and that the rest of the said Ground may be set apart and consecrated as a Cemetery or Burial Place as aforesaid; and the said Church shall from and after the Consecration thereof be and the same is hereby declared to be a Perpetual Cure and Benefice, and shall be called "The Church of *Saint John*," in the Township of *Liscard* aforesaid, in the Parish of *Wallasey*, in the County Palatine of *Chester*.

Committee to
make Calls on
Subscribers
when requi-
site.

IV. And be it further enacted, That the said Committee shall have full Power and Authority from Time to Time to make equal Calls, in proportion to the Amount subscribed, on the respective Subscribers, their Executors or Administrators, for the Payment of the Sums of Money

Money by them respectively subscribed, not exceeding the Sum of Twenty Pounds *per Centum* at any One Time, and so that such Calls shall be made at the Distance of One Calendar Month from each other, to be employed in and about the Erection and Completion of the said Church and carrying this Act into effect; and if any of the said Subscribers, his, her, or their Executors or Administrators, shall refuse or neglect to pay any such Call or Sum of Money to the Person or Persons who shall be from Time to Time authorized and empowered by the said Committee to receive the same, and also all Arrears of any Call or Calls already made, together with lawful Interest for the same from the Time when the same ought to have been paid, and at the Place where it shall be appointed by the said Committee that the same shall be paid (being in the Town of *Liverpool* near the said Township of *Liscard*), for the Space of Fourteen Days after Notice thereof by Letter addressed by or by the Order of the said Committee to such Person or Persons, directed to them, him, or her, and left at their, his, or her usual and last Place of Abode, which Person or Persons so refusing or neglecting to pay such Call or Sum of Money shall, at the Discretion of the said Committee, forfeit all Interest of and in the said Church, and all Sums of Money that may have been subscribed and contributed by them, him, or her towards the Erection thereof, or it shall be lawful for the said Committee, instead of declaring the Forfeiture of any Share or Shares, to sue for and recover the Money so due, in the Name or Names of any One or more of the said Committee, in any of His Majesty's Courts of Record, by Action of Debt or on the Case; and notwithstanding the Transfer or Assignment of any such Share or Shares, the original Subscribers, or the Persons appearing as Subscribers in the general Contract or Instrument of Subscription, and his, her, and their respective Executors and Administrators, shall be liable to such Actions as aforesaid; and no Action or Proceeding which may be brought or instituted by or against the said Committee by virtue of or on account of this Act shall abate or be discontinued by reason of the Person or Persons, or any of them, in whose Name or Names such Action or Proceeding may be brought or instituted or may be defended, ceasing to be a Committee Man or Committee Men, or by any Act or Default of any One or more of such Committee Man or Committee Men done or suffered without the Consent or Direction of the said Committee.

V. And be it further enacted, That it shall be lawful for the said Committee, and they are hereby authorized and empowered, to borrow and take up at Interest, on the Security of the Church Seats after Payment of the annual Amount thereon herein-after mentioned, such Sum or Sums of Money as they may think proper, not exceeding Four thousand Pounds, to be by them applied in and towards the Erection and Completion of the said Church.

Power to
borrow
Money.

VI. And be it further enacted, That the said Committee shall, within Three Calendar Months next after the Completion and Consecration of the said Church and Cemetery, call a General Meeting of the Subscribers to the said Church, of the Time and Place of which Meeting Fourteen Days previous Notice shall be given in

Appointment
of Trustees.

Three

Three of the Newspapers published in *Liverpool*, at which Meeting shall be elected by a Majority of the Subscribers present thereat (each Subscriber to have One Vote for each One hundred Pounds by him subscribed) Five of such Subscribers to be Trustees for the Superintendence of the said Church and Cemetery, and for the entire Disposal and Management of all Matters connected therewith, save the Appointment of Minister; and from and immediately after the Appointment of such Trustees the Authority hereby vested in such Committee shall absolutely cease and determine, and all Property, Power, and Authority in the said Church and Cemetery then vested in such Committee shall, under and by virtue of this Act, instantly vest in such Trustees: Provided always, that all or any of the said Committee shall be eligible to be elected as Trustees; and any Person proposed to be elected as a Trustee for any of the Purposes of this Act may vote in such Choice in favour of himself or any other; and in the Event of an Equality of Votes the Chairman of the Meeting to have a casting Vote in addition to his Vote or Votes as an individual Subscriber.

Nomination
of Trustees
for the Ap-
pointment
of Minister.

VII. And be it further enacted, That at such Meeting shall be elected by a Majority of the Votes of such Subscribers as aforesaid Five of such Subscribers to be Trustees for the Appointment of the Minister or Ministers of the said Church, after the first Appointment, Nomination, or Presentation thereof shall have been made, and which first Appointment, Nomination, or Presentation shall be vested in the said Sir John Tobin, so as he do make the same within Three Calendar Months next after such Completion and Consecration of the said Church; and after such first Appointment, Nomination, or Presentation as aforesaid, the said Trustees so appointed shall and they and their Successors are hereby authorized to appoint, nominate, and present a Minister to the said Church on every Vacancy that may occur therein: Provided always, that any of the Persons appointed Trustees for the before-mentioned Purposes shall also be eligible to be elected Trustees for the Appointment of Minister.

Vacancies
in Trustees
how to be
supplied.

VIII. And be it further enacted, That when and so often as any of the Trustees to be elected and appointed under and by virtue of this Act, either for the Management of the said Church and Cemetery, or for the Appointment of the Minister, shall die, or become incapable of acting, or decline to act when required so to do, it shall be lawful for the surviving or remaining Trustees of that Class of Trustees in which such Vacancy shall from Time to Time happen, present at any Meeting to be called for that Purpose by any Two or more of such remaining Trustees, of which Meeting Fourteen Days previous Notice shall be given by such Two or more Trustees to the other surviving or remaining Trustees by Note or Letter delivered to or left at the usual or last Place of Abode of each of them, from Time to Time to nominate and appoint some other Subscriber, or Assignee of a Subscriber, if any such Subscriber or Assignee shall be then living and willing to act, and if not, then some other Person being a Pew Owner to the said Church, to be a Trustee in the Place of the Trustee so dying, or becoming incapable of acting, or declining to

to act as aforesaid ; and in case of such Vacancy occurring in the Trustees in whom the Property and Management of the said Church is vested as before mentioned, the Property by this Act vested in the Trustees to be named as herein-before mentioned shall be thereupon considered as vested in the continuing or surviving Trustee or Trustees ; and the Trustee or Trustees to be appointed as aforesaid, and such new Trustee or Trustees, whether such occur in the Trustees for the Management of the said Church or in Trustees for the Appointment of Minister, shall in every respect be invested with the like Property, Powers, and Authorities, to all Intents and Purposes, as the Person or Persons in whose Place or Stead he or they may be so nominated and appointed as aforesaid.

IX. And be it further enacted, That in case, from any Omission to elect any Trustee or Trustees by virtue of the Power herein-before given for that Purpose, the Number of Trustees shall at any Time be reduced to Two, and no Appointment of new or other Trustees shall be made by the surviving or continuing Trustee in manner aforesaid for the Space of Six Calendar Months after the last Vacancy shall have occurred, it shall be lawful for the Minister of the said Church for the Time being, and he is hereby authorized and empowered, to nominate and appoint any Trustee or Trustees in the Room or Stead of any of those dying, declining, or becoming incapable of acting ; and if no Appointment shall be made by such Minister within the further Term of Six Calendar Months, then it shall be lawful for the Bishop of *Chester* for the Time being, the Patron of the said Parish Church of *Wallasey*, and he is hereby authorized and empowered, from Time to Time to nominate and appoint any Trustee or Trustees in the Room or Stead of any of those dying, or becoming incapable of acting, or declining to act as aforesaid ; and the said new Trustee or Trustees so to be nominated and appointed as last aforesaid is and are hereby invested with the same Property, Powers, and Authorities, to all Intents and Purposes, as if he or they had been named and elected to be a Trustee or Trustees by the surviving or continuing Trustees as aforesaid.

In case of
Omission to
elect Trus-
tees.

X. And be it further enacted, That the said Committee shall meet within Twenty-one Days after the passing of this Act, (of which Meeting Three Days previous Notice shall be given,) between the Hours of Twelve and Two of the Clock in the Afternoon, and then and from Time to Time afterwards adjourn themselves to any convenient Time and Place which they shall think fit for the Purpose of carrying this Act, or any of the Powers herein contained, into execution.

Meeting of
Committee.

XI. And be it further enacted, That the said Trustees for the Management and Superintendence of the said Church shall meet within Fourteen Days after being appointed as before mentioned, between the Hours of Twelve and Two of the Clock, and then and from Time to Time afterwards adjourn themselves to any convenient Time and Place which they shall think proper for the Purpose of putting this Act, or any of the Powers therein contained, into execution ; and in case of any Neglect or Omission to adjourn to any
[Local.] 3 E future

Meeting of
Trustees.

future Day, or in case any Two or more of the said Trustees shall think it necessary at any Time, or from Time to Time, that a Meeting shall be held, then and in either of the said Cases it shall be lawful for any Two or more of the said Trustees to call a Meeting, and Notice in Writing, signed by any Two or more of the said Trustees, of every such Meeting, (except in case of an Adjournment from Day to Day,) shall be delivered or left at the usual or last Place of Abode of every Trustee Three Days before such Meeting.

Three Trustees to be a Quorum.

XII. And be it further enacted, That all the Powers and Authorities vested in the Trustees by this Act may be exercised by a Majority of them present at such Meetings to be held as hereinbefore mentioned, the Number of Trustees present at any such Meetings not being less than Three; and at every Meeting the Trustees present shall elect a Chairman, and in all Cases, except the Appointment of a Minister as herein-after mentioned, where the Number of Votes upon any Question shall be equal, the Chairman shall have a second or casting Vote.

Proceedings to be entered in Books, and to be Evidence.

XIII. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be kept for that Purpose of all the Acts and Proceedings of the said Committee or Trustees at any of their Meetings, and of the Names of the Committee or Trustees who shall be present; and the same shall, when approved and confirmed, be signed by the Chairman; and all such Entries being so signed shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

XIV. And be it further enacted, That the said Trustees for the Management and Superintendence of the said Church and Cemetery shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of and under this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been received, paid, disbursed, laid out, and expended; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Monies to be raised by virtue of this Act, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case any Clerk shall refuse to permit, or shall not permit, any of the said Trustees or any such Creditor to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, to be recovered as herein-after mentioned.

Nomination of Minister in case of Vacancies.

XV. And be it further enacted, That it shall be lawful for the said Trustees for the Appointment of Minister, after the first Appointment,

Nomina-

Nomination, or Presentation thereof as aforesaid, upon every Vacancy of the said Church which shall happen, by Resignation, Deprivation, Avoidance, or by any other Means whatsoever, within the Space of Forty Years from the Time the said Church shall be consecrated, and they are hereby authorized and empowered, to nominate to the Bishop of the Diocese of *Chester* for the Time being, for his Approbation and Licence, another Minister to the said Church, being a Graduate of one of the Universities of *England*, or of *Trinity College, Dublin*; and subject thereto, and to such Right of Nomination in the said Sir *John Tobin* and Trustees, the Patronage, free Disposition, Nomination, Appointment, and Right of Presentation to the said Church shall for ever appertain, belong to, and be vested in the Bishop of *Chester* for the Time being, the Patron of the said Parish Church.

XVI. And be it further enacted, That the said Trustees for the Appointment of Minister, after the said first Appointment thereof, shall, within Six Calendar Months next after every Vacancy which shall happen during the said Term of Forty Years, in the Vestry Room of the said Church, nominate and elect a fit and proper Person to be the Minister of the said Church; and such Persons so to be nominated and appointed, having obtained a Licence from the Bishop of *Chester* for the Time being, shall from thenceforth be deemed and taken to be the Minister of the said Church according to the Directions of this Act: Provided always, that in case of a Difference of Opinion amongst the said Trustees as to a proper Person to be nominated as such Minister as aforesaid, the same shall be decided by Majority of Votes of the said Trustees for the Time being; and if there shall at any such Election be an equal Number of Votes for Two or more Candidates for the Ministry of the said Church, and the said Trustees cannot agree amongst themselves as to the Appointment of a Minister, then and in every such Case it shall be lawful for the Bishop of *Chester* for the Time being, and he is hereby authorized and required, to nominate and appoint such Person as he may think proper to be the Minister of the said Church.

Election of
Minister in
case of Va-
cancy.

XVII. And be it further enacted, That, upon every Vacancy of the Ministry of the said Church within the said Term of Forty Years, a Meeting of the said Trustees shall be called and held in pursuance of this Act for the Purpose of electing a Minister of the said Church, of which Fourteen Days previous Notice at the least, signed by Two or more of the said Trustees, and specifying the Day, Time, and Purport of such Meeting, shall be affixed in the said Vestry Room and on the Doors of the said Church, and shall also be left at the usual or last Place of Abode of each of the Trustees for the Time being; and at the Meeting to be held pursuant to such Notice, or at some Adjournment thereof, or at some future Meeting to be called for the Purpose, it shall be lawful for the said Trustees who shall be present at such Meeting to nominate and elect, in the Manner hereinbefore directed, a fit and proper Person to be the Minister of the said Church, and after such Election by Writing under their Hands to present such Minister to the Bishop of *Chester* for the Time being; and every such Presentation of a Minister, he being so licensed by the

Notice of
Meeting for
Election of
Minister.

the said Bishop for the Time being as aforesaid, shall be good, valid, and binding to all Intents and Purposes, and upon all Persons whomsoever.

On failure of
Nomination,
Presentation
to lapse.

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

Church to be
subject to
the Jurisdic-
tion of the
Bishop of
Chester.

XIX. And be it further enacted, That the said Church, and the Minister 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 of the Bishop of *Chester* for the Time being, and his Successors, and shall be visited as other Churches in the Diocese of *Chester* are visited; and the Minister of the said Church for the Time being shall be deemed and taken by virtue of this Act to be incorporated and made One Body Politic and Corporate, by the Name of "The Minister of the Church of *Saint John*, in the Township of *Elis-card*, in the Parish of *Wallasey*, in the County Palatine of *Chester*," and by that Name shall have perpetual Succession, and shall sue and be sued in all Courts of the Realm; and the said Church (except the Seats or Pews and Sitting Places which are by this Act vested in the said Trustees) and the Churchyard belonging to the same (except the Cemetery, which is also by this Act vested in the said Trustees) shall be vested in the said Minister for the Time being, and his Successors, Ministers of the said Church, for ever, in the same Manner as the Freehold and Inheritance of the Church of the said Parish of *Wallasey* is by the Laws of this Realm vested in the Incumbent thereof.

Minister not
to accept
any other
Preferment.

XX. Provided always, and be it further enacted, That every Election and Appointment and Presentation of any Minister under, in, and by virtue of this Act, shall be upon this express Condition, that in case such Minister shall accept of any other Living or Preferment, or shall absent himself from the Performance of the Duties of the said Church for a longer Period than Three Calendar Months in any One Year without the Consent of the Bishop of the Diocese, which Consent he is hereby empowered to give on such special Circumstances as he shall consider require the same for a further Period not exceeding Three Calendar Months, the same shall render such Election, Appointment, and Presentation voidable; and it shall be lawful for the said Trustees or any Three of them during the said Term of Forty Years, and for the said Bishop of *Chester* for the Time being, Patron of the said Parish Church of *Wallasey*, after the Expiration of the said Term of Forty Years, to declare the Ministry of the said Church void, and proceed to the Election, Appointment, and Presentation of some Minister to fill the Vacancy as if the same had happened by Resignation or Death.

XXI. And

XXI. And be it further enacted, That the Seats or Pews to be erected in the said Church shall be numbered; and one convenient Seat or Pew situate in the Body of the said Church shall be allotted for the Use of the Minister of the said Church for the Time being and his Family, and one other Seat or Pew in the said Church shall be allotted for the Use of the Servants of the said Minister, upon which Two Seats or Pews no Rents shall be charged; and Seats or Sitting Places to be marked with the Words "Free Seats," to accommodate not less than Three hundred and fifty Persons, shall be allotted and set apart in the said Church for the Use of the Poor of the said Township of *Liscard* for ever, and upon which no Rent shall be charged; and the Remainder of the Seats or Sitting Places which shall not have been sold under the Powers herein-after contained for that Purpose shall from Time to Time, until the same shall be sold, be let by the said Churchwardens for the Time being to any Person or Persons who may be willing to take the same, at such Rents as shall be approved of by the said Trustees.

Regulation
as to Seats.

XXII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required, at any Time within Three Calendar Months after the Consecration of the said Church, to fix upon and ascertain the Rent to be paid, for the Purposes herein mentioned, for each Seat or Pew authorized to be sold as aforesaid, so as the Rents of all the said Seats or Pews so to be fixed and ascertained as aforesaid do not amount in the whole to less than the yearly Sum of Three hundred and fifty Pounds; and the said Trustees shall cause the said 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 Seat or Pew.

Reserved
Rents to be
fixed or
Seats.

XXIII. And be it further enacted, That every Purchaser, or other Person or Persons possessed of or occupying a Seat or Pew or Sitting Place in the said Church, upon which Rent is authorized to be fixed, or which is authorized to be let as aforesaid, shall pay such Rent in anticipation by half-yearly Payments, (that is to say,) on the First Day of *February* and the First Day of *August* in each Year; and in case the Rent of any such Seat or Pew or Sitting Place shall happen to be in arrear or unpaid by the Space of Three Calendar Months next after the same shall become due, then the Churchwardens for the Time being to be appointed in pursuance of this Act, and their Successors, shall and may and they are hereby required, without Delay, either to enter upon such Pew or Sitting Place, and 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, to the former Owners or Occupiers who shall be so in arrear; or the said Churchwardens may and they are hereby authorized to sue for the same Rents so in arrear by Action of Debt or upon the Case, for the Use and Occupation of such Seat or Pew or Sitting Place, to be brought against the Owner or Owners or Occupier or Occupiers thereof in the Name of "The Churchwardens of the Church of *Saint John*, in the Township of *Liscard*, in the Parish of *Wallasey*, in the County Palatine

Payment of
Seat Rents
to be in ad-
vance half-
yearly.

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ting of *Chester*," in any of the Courts of Record at *Westminster*, with Costs of Suit.

Seat Rents
may be levied
by Distress.

XXIV. Provided always, and be it further enacted, That the said Rent or Rents to become payable by virtue of this Act may in any Case of Nonpayment thereof for the Space of Three Calendar Months after Demand made thereof by Notice in Writing under the Hand of any of the said Churchwardens delivered to any Occupier or Occupiers of any Seat, Pew, or Sitting Place in the said Church, or left at his, her, or their usual or last Place of Abode, and on Proof thereof upon Oath before any Justice of the Peace of the County or District in which the Owner or Occupier dwells, which Oath the said Justices are hereby authorized to administer, be levied by Distress and Sale of the Goods and Chattels of every such Occupier or Occupiers, by Warrant under the Hand and Seal of any Justice, rendering the Overplus (if any), after deducting the Sums due in respect of such Rent or Rents, and all Costs and Charges attending the Recovery thereof, to the Owner of such Goods and Chattels, on Demand.

Seats to be
sold or let.

XXV. And be it further enacted, That all Seats or Pews and Sitting Places to be erected in the said Church, (except those to be set apart for the Minister and his Servants, and the Seats or Sitting Places to be appropriated to the Use of the Poor as herein-before mentioned,) and also the said Cemetery, shall be and the same are hereby vested in the said Committee until the Appointment of the Trustees for the Management of the said Church, and from and after such Appointment, then in such Trustees; and it shall be lawful for the said Committee or Trustees, and they are hereby authorized and empowered, to sell and dispose thereof, and convey the same, respectively unto any Person who may contract for the Purchase thereof, and to the Executors, Administrators, and Assigns of such Purchasers respectively, for a Term of One thousand Years, as Personal Property, and the same shall be transferable and transmissible as such, subject nevertheless to such annual Rents or yearly Sums to be fixed thereon as are provided for by this Act, and to such other the Terms and Conditions as to Seats and Pews in the said Church or Chapel as are in this Act contained; and until the same shall respectively be so contracted for and conveyed, the Churchwardens for the Time being of the said Church shall have full Power and Authority to let the same upon such Terms and at such Rents as may be approved of by the said Trustees, and apply the Rents to be received for the Purpose of this Act, and the Assignment or Transfer of every Seat or Pew and Burial Ground in the said Church and Cemetery shall be registered by the said Trustees or by their Clerk for the Time being in a Book to be provided for that Purpose, and kept in the Vestry of the said Church.

Appointment
of Church-
wardens.

XXVI. And be it further enacted, That upon or immediately after the Consecration of the said Church Two fit Persons, being Occupiers of Seats or Pews in the said Church, shall be nominated and appointed Churchwardens of the said Church, until the Twenty-fifth Day of March next after such Appointment; and from thenceforth upon the

Twenty-fifth Day of *March* yearly, or within Fourteen Days thereafter, Two Persons, being Occupiers of Seats or Pews in the said Church as aforesaid, shall be appointed Churchwardens of the said Church, the one of such Churchwardens to be nominated by the Minister for the Time being, and the other by the said Trustees; and the Persons so nominated and appointed as aforesaid shall respectively be and shall act as or in the Nature of Churchwardens of the said Church, and shall appear to be admitted and sworn according to Law, and continue in Office until the Twenty-fifth Day of *March* next after their respective Appointments; and they and their Successors, and the Survivor of them, are and is hereby authorized and required to collect and receive the Rents of the said Seats and Pews and Sitting Places, and in case of Nonpayment to enter upon the same, or otherwise to sue and bring Actions for the Recovery of such Rents, or to distrain for the same, in manner aforesaid, and out of the said Rents to pay the Minister, Clerk, and Sexton, and also the Organist, Singers, and other Officers of the said Church for the Time being, their respective Salaries, Stipends, and Wages, and likewise to provide Bread and Wine for the Holy Communion, and also to support and keep in repair the said Church and Churchyard, and the Walls, Gates, and other Appurtenances thereto, and also the Bells and other Things to the said Church belonging, and to do and perform all other Matters whatsoever necessary or expedient for and concerning the Management, Support, and good Order of the said Church, which Churchwardens are by Law authorized to do, so far as respects the said Church and Churchyard; and such Person and Persons so to be nominated and appointed to act as 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 Sums of Money by them received on account of the Rents of the Seats or Pews and Sitting Places as aforesaid, and otherwise, and of all Sums of Money by them issued and paid; and all such Books and Accounts, and also the Books containing the Entries of the Rents of the Seats or Pews and Sitting Places so to be fixed and ascertained as aforesaid, shall be kept in the Vestry Room of the said Church, and shall and may be inspected at all convenient Times by all Owners and Proprietors of Seats in the said Church, and by the Minister of the said Church, and all other Persons interested therein; and in case of the Refusal of any such Churchwarden or Churchwardens, or any other Person or Persons whomsoever having Possession of any such Book or Accounts, to produce and show the same, for the Purpose of Examination and Inspection, to any such Proprietor or Minister or other Churchwarden, on reasonable Demand and Notice in Writing for that Purpose given, such Churchwarden or Churchwardens or other Person or Persons so refusing as aforesaid shall for each and every such Offence forfeit and pay unto each and every Person so entitled to inspect the same, and requiring so to do, the Sum of Fifty Pounds, to be recovered by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit; and in case of the Death of any Churchwarden during the Year for which he shall be appointed, then and so often a new Churchwarden qualified as aforesaid shall be nominated and appointed by such Person

Person or Persons and in such Manner as the deceased Churchwarden shall have been appointed; and every Churchwarden so to be appointed in the Room of one dying in his Year of Office shall have and be invested with the same Powers and Authorities as his Predecessor.

Repairs of
the Church.

XXVII. And be it further enacted, That out of the Rents to be received for the said Seats or Pews and Sitting Places an annual Sum of not less than Thirty Pounds shall be retained by the Churchwardens for the Time being, and the same, or such Part thereof as may be requisite, shall be employed by the Churchwardens of the said Church for the Time being in the Repairs of the said Church and Churchyard; but in case it shall not be requisite in the Judgment of the Churchwardens for the Time being to lay out and expend the Whole of the said Sum of Thirty Pounds towards the requisite Repairs of the Church and Churchyard in any one Year, such Part thereof as shall not be so applied shall be laid out and invested, under the Directions of the Trustees of the said Church for the Time being, in the Public Stocks or Funds, or in Government Securities, at Interest, in the Name of the Minister of the said Church for the Time being, and any Two or more of the said Trustees; and the accumulating Interest and Dividends thereof shall be laid out and invested in like Manner, and so from Time to Time, so that a Fund sufficient for all Purposes of substantial and lasting Repairs, or for the Enlargement or Improvement of the said Church, may be provided, which Fund shall from Time to Time be at the Disposal of the Churchwardens for the Time being, and shall be by them applied in the Repairs, Enlargement, or Improvement of the said Church or Churchyard, when and as the same may be requisite.

In case the Fund for Repair shall amount to 700*l.*, the annual Sum reserved for that Purpose to be appropriated by the Trustees, either in Augmentation of the Minister's Stipend, or for other Purposes.

XXVIII. And be it further enacted, That in case the said Funds so directed to be reserved and invested for the Purpose of repairing and enlarging the said Church as aforesaid shall, by means of the Accumulation, at any Time hereafter amount to the Sum of Seven hundred Pounds and upwards, then and in such Case, and as often as the same shall happen, it shall be lawful for the said Trustees and they are hereby authorized to pay and apply the said annual Sum of Thirty Pounds so to be reserved out of the Rents as before directed, either in Augmentation of the Stipend of the Minister, Organist, Clerk, Sexton, or other Officer of the said Church, or in the Erection or Repair of any House for the Residence of the Minister of the said Church, or to the Salaries of any Master or Mistress, or other Expenses of any School for Education in the Principles of the Established Church which may be conducted or patronized by such Trustees or by the Minister of the said Church, or in or about the erecting, repairing, or Improvement of any such School, or in such other Manner as the said Trustees for the Time being may, with the Sanction and Approbation of the Bishop of *Chester* for the Time being, in their Discretion deem best for the Interest of the said Church or School; and the Erections, Repairs, or Alterations of the said Church, House, or School may be defrayed out of such Fund until the same shall by reason thereof be reduced to the Sum of Two hundred Pounds or under, then and from thenceforth, as often as the same shall

shall happen, the said annual Sum or Sums thereof as shall not be expended, together with all accruing Interest thereon, shall be again vested in manner herein-before directed.

XXIX. And be it further enacted, That the Minister for the Time being of the said Church shall reside in *Liscard* aforesaid, and shall (unless prevented by Sickness or other reasonable Cause, to be approved of by the Bishop of the Diocese for the Time being,) every *Sunday* Morning read in the said Church the Morning Prayer and other Service in the Book of Common Prayer or Public Liturgy of the Church of *England*, and in the Evening of every *Sunday* in like Manner read therein the Evening Prayers and other Service prescribed in the said Book of Common Prayer, and shall on every *Sunday* throughout the Year, as well in the Morning as in the Evening, and on every *Christmas Day* and *Good Friday* in the Morning, after Divine Service is performed, preach a Sermon in the said Church, and shall on every *Easter Sunday*, *Whitsunday*, *Good Friday*, and *Christmas Day*, and on such other *Sunday* during the Course of each Month in the Year as shall be found most convenient, administer the Holy Communion in the said Church, according to the Rites and Ceremonies of the Church of *England*. Minister's Duty.

XXX. And be it further enacted, That the Minister for the Time being of the said Church shall and he is hereby required whenever requested, in addition to the Performance of the Duties herein-before specified, to visit the Sick in the Township of *Liscard* aforesaid, and perform the several Offices prescribed and to be performed upon the Visitation of the Sick, in such Township, according to the Laws and Canons of the United Church of *England* and *Ireland*. Minister to visit the Sick.

XXXI. And be it further enacted, That, for the Maintenance of the Minister for the Time being of the said Church, the Persons who shall be appointed to act as Churchwardens thereof for the Time being in pursuance of this Act, and their Successors, shall, by and out of the Rents of the said Seats or Pews and Sitting Places as aforesaid, pay or cause to be paid to such Minister for the Time being, yearly and every Year, a Sum not less than Two hundred Pounds of lawful *English* Money, without any Deduction or Abatement for Taxes or otherwise howsoever, on the First Day of *February* and First Day of *August* in each Year, by even and equal Portions; and on such of the said Days as shall happen next after the Consecration of the said Church, the Persons who shall be appointed Churchwardens as aforesaid shall pay or cause to be paid to such Minister such Proportion of his Stipend as shall have accrued from the Time of the Consecration of the said Church to such last-mentioned Day; and the Money so to be paid shall be allowed to such Churchwardens in their Account; and a like Apportionment of the said Stipend shall from Time to Time be made between the Executors or Administrators of any Minister of the said Church dying in the Interval between Two half-yearly Days of Payment, and the Successor of such Minister so dying, for and in respect of the accruing Half Year when such Death shall happen. Minister's Stipend.

[*Local.*]

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XXXII. And

Remedy for
the Reco-
very of the
Minister's
Stipend.

XXXII. And be it further enacted, That if Default shall be made in Payment of the said yearly Stipend, or any Part or Apportionment thereof, to the said Minister for the Time being, of the Executors or Administrators of a deceased Minister, by the Space of One Calendar Month after any of the Days of Payment wherein the same ought to be paid, then it shall be lawful for such Minister, 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 for the Use of such Minister, his Executors or Administrators, or for Work and Labour, to be brought in any of His Majesty's Courts of Record at Westminster, wherein respectively no Essoign, Protection, Privilege, Wager of Law, or more than One Imparance, shall be allowed.

No more
than Half
Year's Ar-
rear to be re-
covered from
succeeding
Church-
wardens.

XXXIII. Provided always, and be it further enacted, That no Arrears of the said yearly Stipend 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 Six Calendar Months 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 every Action for the Recovery thereof shall be commenced against every succeeding Churchwarden within the Space of Six Calendar Months next after their first entering upon and being sworn in the Office of Churchwardens.

Minister to
appoint
Clerk, Sex-
ton, and
other Offi-
cers.

XXXIV. And be it further enacted, That it shall be lawful for the Minister for the Time being of the same Church to nominate and appoint such Person as he shall think fit to officiate as Clerk and Sexton in the said Church, and also from Time to Time to displace and remove such Clerk and Sexton at his Will and Pleasure; but that the Nomination, Appointment, and Removal of an Organist to the said Church shall be and the same is hereby vested in a Majority of the said Trustees for Management of the said Church, at a public Meeting to be called for the Purpose of such Nomination, Appointment, or Removal, in manner aforesaid; and that the Wages or Stipend of such Clerk shall never be less than Twenty Pounds, nor of the Organist less than Twenty-five Pounds, nor of the Sexton less than Twelve 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 hereinbefore given to the Minister of the said Church for the Recovery of his Stipend.

Vaults to be
vested in
Trustees.

XXXV. And be it further enacted, That (subject nevertheless as herein-after is mentioned) the several Vaults or Burial Places in the said Churchyard or Cemetery shall be and the same are hereby vested in the said Trustees for Management of the said Church and Churchyard, and they are hereby authorized and empowered to sell, dispose of, and convey all or any of such Vaults or Burial Places as and for Places of Burial to any Person or Persons willing to become the Purchaser or Purchasers thereof; and the Money to arise from the Sale of such Vaults or Burial Places shall on the First Day of January yearly be

be divided and paid to the said Subscribers and their Representatives proportionally, or in such other Manner as such Subscribers or their Representatives may arrange among themselves; and every Purchaser or Purchasers of any such Vaults or Burial Places, his or her Executors or Administrators, shall, and he, she, or they is and are hereby required, within Six Calendar Months next after such Purchase, to put down or cause such One or more Gravestones sufficiently large to cover the Vaults or Burial Places to be put down in the said Churchyard, under the Penalty of Ten Pounds for every Default thereof.

XXXVI. Provided always, and be it further enacted, That within and adjoining to the Walls of the said Cemetery, on the West Side thereof, there shall be reserved for the Burial of the Poor residing or happening to die in *Liscard* aforesaid a Space of Ground equal in its Extent to One Fourth Part of the same Cemetery.

Burial Places for the Poor to be provided.

XXXVII. And be it further enacted, That it shall not be lawful to bury, nor shall there be any Vault or Burial Place, within the Body of the said Church, nor within Six Feet of the Walls thereof; and it shall not be lawful to place any Coffin at a less Distance than Two Feet from the Surface of the said Churchyard; and if the Churchwardens of the said Church shall permit or suffer any Corpse to be buried within the said Church, or within Six Feet from the Walls thereof, or any Coffin to be placed in the said Churchyard at a less Distance from the Surface than before specified, then and in every such Case such Churchwardens or Churchwarden so offending shall forfeit the Sum of Ten Pounds.

Coffins not to be placed within the Church, or within Two Feet of the Surface, in the Churchyard.

XXXVIII. And be it further enacted, That, from and after the Consecration of the said Church, Banns of Matrimony may be published and Marriages solemnized therein, according to the Laws and Canons in force within this Realm in that Behalf; and all such Banns as shall be published, and all such Marriages solemnized, as aforesaid, in the said Church, shall be as good, valid, and effectual to all Intents and Purposes as if the same had been solemnized in the Parish Church of *Wallasey* as aforesaid.

Marriages may be solemnized in the Church.

XXXIX. And be it further enacted, That all Christenings and Marriages performed and solemnized in the said Church shall be registered according to the Provisions of an Act passed in the Fifty-second Year of the Reign of His Majesty King George the Third, intituled *An Act for the better regulating and preserving the Parish and other Registers of Births, Baptisms, Marriages, and Burials in England*, in Books to be provided for that Purpose by the Churchwardens of the same for the Time being; and Transcripts or Copies thereof, signed and attested according to the Provisions of the said Act, shall be from Time to Time transmitted to the Register of the Diocese of *Chester* on or about the First Day of *June* in each Year, to be by him kept and preserved with the Register Book of the said Parish of *Wallasey*.

Registers to be kept according to

52G.3.c.146.

XL. And be it further enacted, That there shall be paid to and into the Hands of the Minister of the said intended Church for the Time

Fees.

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 Churchyard or Cemetery at the Parish Church of *Wallasey* aforesaid, and Double all such other Dues, Fees, and Perquisites as are usually paid at the said Parish Church; and that the Minister of the said intended Church shall from Time to Time collect and receive such Double Fees, Dues, and Perquisites, and account for and pay, on the First Day of *January* and the First Day of *July* in every Year, One Moiety thereof to the Rector of the said Parish Church of *Wallasey* for the Time being, so to be divided between him and the Clerk and Sexton of the same Parish Church, within Ten Days after such Rector shall have received the same, in such Shares and Proportions as the Fees payable at the said Parish Church are divided; and the Remainder shall on the said half-yearly Days be divided between the Minister, Clerk, and Sexton of the said intended Church, in such Shares and Proportions as Fees of the like Nature and for the like Services are usually or of right ought to be among the Rector, Clerk, and Sexton of the said Parish Church; the first of which Payments to the said Rector, Clerk, and Sexton of the said Parish Church 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 intended Church; and in case of Nonpayment thereof at any Time or Times within Three Calendar Months 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 intended Church for the Time being, from Time to Time, by and in the Name of the Rector of the Parish of *Wallasey*, by Action for Money had and received for his Use, in any of the Courts herein-before mentioned.

Procurations
and Synodals.

XLI. And be it further enacted, That there shall be paid by the Minister of the Church to be erected by virtue of this Act for the Time being the usual or customary Payments at the Feast of *Easter* in every Year, for Synodals and for Procurations at every triennial or ordinary Episcopal Visitations, 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.

Application
of Monies
received.

XLII. And be it further enacted, That the Monies which shall or may be received by the said Committee hereby appointed, or by the said Trustees to be hereafter appointed as before-mentioned, from the Subscriptions of the said several Parties, or from the Sale or Rents of Seats or Pews, or otherwise by virtue of this Act, shall be applied by them respectively first in Payment of the Costs, Charges, and Expences incident to and attending the preparing, applying for, and passing this Act, and in the Payment of all other just and reasonable Costs, Charges, and Expences of carrying the same into execution, and in erecting and completing and finishing the said Church, and in paying and discharging any Advances, Loans, or Liabilities, made, received, or incurred by them, relating to the same, with Interest thereon, and for other the Purposes of this Act; and the Monies which

which shall remain after such Payment, together with the several Sums of Money which shall or may be received by the Churchwarden or Churchwardens of the said Church for the Time being, and which may remain after Payment of the Salary or Stipend of the Minister, Clerk, Sexton, and Organist, and of the Expences herein-before authorized and required to be paid, applied, and disbursed by such Churchwarden or Churchwardens respectively, and after providing for the Repairs or Alterations of the said Church in manner herein-before mentioned, shall from Time to Time be paid and divided by the said Trustees for the Time being unto and amongst the Subscribers, their Executors, Administrators, and Assigns, and their personal Representatives, proportionally, or in such other Manner as such Subscribers or their Representatives may arrange amongst themselves, as his and their own proper Monies, as a Reimbursement for the great Expence which the said Subscribers may sustain in building the said Church.

XLIII. And be it further enacted, That all Fines, Penalties, and Forfeitures imposed by this Act (the Manner of levying and recovering whereof is not hereby particularly directed) may in case of Nonpayment thereof be recovered in a summary Way before One or more Justice or Justices of the Peace of the said County of *Chester*, and levied (as well as the Costs attending such Recovery) by Distress and Sale of the Goods and Chattels of the Offender or Offenders or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized to examine into and hear and determine in a summary Way all Complaints and Offences arising under this Act, according to the Provisions in that respect herein contained; and the Overplus (if any) of the Money so raised, after discharging the Penalty or Forfeiture, and the Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods or Chattels so seized; and it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be made to such Warrants of Distress (unless the Offender or Offenders shall give Security to the Satisfaction of such Justice or Justices for his or their Appearance before him or them on such Day as shall be appointed for the Return thereof, not being more than Seven Days from the taking of such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance); and if upon Return of such Warrant or Warrants, or if it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that such Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Costs, and Charges may be levied, such Justice or Justices shall not be required to issue such Warrant of Distress, but thereupon it shall be lawful for any such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender or Offenders to the Common Gaol for the County of *Chester* for any Time not exceeding Three Calendar Months, unless such Fines, Penalties, Costs, and Expences shall be

Mode of
Recovery of
Fines and
Forfeitures.

[*Local.*]

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sooner

sooner paid; and one Moiety of all such Penalties shall be paid to the Informer, and the other Moiety to the Overseers of the Poor of the Place wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor thereof.

Justices may proceed by Summons for the Recovery of Penalties.

XLIV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice; and all such Proceedings by Summons without Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Conviction of Offenders.

XLV. 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 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,)

‘
 ‘ to wit, } BE it remembered, That on this Day of
 ‘ in the Year of the Reign of
 ‘ A. B. is convicted before 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 to the Quarter Sessions.

XLVI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Matter or Thing whatsoever which shall be done or omitted to be done in pursuance of this Act, then and in every such Case he, she, or they may appeal to the Justices assembled at any General or Quarter Sessions of the Peace which shall be holden for the said County Palatine of Chester, within Four Calendar Months next after the Cause of Complaint shall have arisen, every such Appellant giving Ten Days Notice in Writing of such Appeal, and of the Matter thereof, to the said Trustees and to the Party or Parties concerned; and the Justices (not interested in the Premises) in their General or Quarter Sessions are hereby empowered and required to hear and determine the Matter of every such Appeal, and to make such Order therein, and to award such Costs, as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy or cause to be levied the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties ordered and made liable to pay the same, rendering the Overplus, if any, upon Demand,

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to

to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Warrant, Distress, and Sale; and the Order and Determination of such Justices upon any such Appeal shall be final and conclusive to all Parties concerned, and shall not be subject or liable to be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous or vexatious or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants as to them in their Discretion shall seem reasonable, and such Costs shall be levied in manner aforesaid.

XLVII. 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 County where the Cause of Action shall arise, 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 Suit or Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given against the Plaintiff or Plaintiffs upon Demurrer, Nonpros, or otherwise, then and in any of the said Cases the Defendant or Defendants shall and may recover his, her, or their 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.

Limitation
of Actions.

XLVIII. And be it further enacted, That none of the Parishioners of the said Parish of *Wallasey* shall be subject or liable to the Repairs of the said intended Church, or to any Charge, Rate, or Assessment on account of such Repairs, other than the Sums herein directed to be paid by the Owners of any Seats or Pews and Sitting Places in the said Church for or towards such Repairs; nor shall the said Church or Churchyard, or any thing pertaining thereto, be liable to or be assessed or charged to the Poor Rates in the said Parish of *Wallasey* or the Township of *Liscard*.

Parishioners
of Wallasey
not to be
liable to
Repairs of
Church.

XLIX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all other Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (other than such as are barred by this Act,) all such Estate, Right, Title, and Interest of, in, to, and out of the said Piece of Land so to be set apart for erecting the said intended Church and for a Churchyard thereto, 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.

Saving
Clause.

L. And

Public Act.

L. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without the same being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.