Anno ſecundo

Georgii III. Regis.

An Act for building Two new Churches and providing Burial Places within the Town of *Liverpoole*, in the County Palatine of *Lancaſter*, and for the better preſerving the Pavements of the Streets in the ſaid Town, and for aſcertaining the Fares and Prices to be paid Carters, Carmen, Hackney Coachmen, and Chairmen, and for regulating their Behaviour within the ſaid Town.



WHEREAS by virtue of an Act of Parliament, made and paſſed in the Tenth and Eleventh Years of the Reign of King William the Third, the Town of Liverpoole in the County of Lancaſter was made and erected into a Pariſh, ſeparate and diſtinct from the Pariſh of Walton, whereof it was then Part, and wherein it was formerly comprized; and a new Church was, in purſuance and under the Authority of the ſaid Act, erected and built in Liverpoole aforeſaid, at the Charge of the Inhabitants of the ſaid Town, which is called or known by the Name of Saint Peter's Church; and by virtue and in purſuance of another Act of Parliament made in the Firſt Year of the Reign of King George the Firſt, another Church, or Chapel, was erected and built within the Limits of the ſaid new erected Pariſh of Liverpoole, and

Preamble, reciting Acts 10 and 11 *Will.* III.

1 *Geo.* I.

and on the Site of the Castle of Liverpoole, at the proper Charge of the Mayor, Bailiffs, and Burgesses of the Town of Liverpoole aforesaid, and which is called or known by the Name of Saint George's Church, or Chapel; and there is also standing and being within the said Town of Liverpoole, an ancient Parochial Chapel, called The Chapel of our Lady and Saint Nicholas, in which Divine Service is performed, according to the Usage of the Church of England; and by virtue and in pursuance of another Act of Parliament, made and passed in the Twenty first Year of the Reign of His late Majesty, another Church was erected, and built within the Limits of the said Parish, at the Charge and by the Subscription of several of the Inhabitants of the said Town of Liverpoole, which is called or known by the Name of Saint Thomas's Church: And whereas the Buildings and Inhabitants of the said Town of Liverpoole have for some Time past continued to increase, and great Numbers of Workmen, Labourers, and other Persons living in the said Town, are not of Ability to hire or provide Pews, Seats, or Places, in some of the said Churches; and as all the said Churches are not sufficient to contain all the Inhabitants who are inclined to attend religious Worship, the principal Inhabitants of the said Town, as well for promoting and encouraging Piety and true Religion, as for the Ease, Benefit, and Convenience of the People residing in, and resorting to, the Town and Port of Liverpoole, have thought it requisite and necessary, and are willing and desirous, that One or more other Church or Chapel, Churches or Chapels, for the celebrating Divine Service, and the Worship of God, according to the Usage of the Church of England, and also One or more Cametery or Cametories, for the Interment and Burial of the Dead, should be erected, built, and provided, in some convenient Part or Parts of the said Town of Liverpoole; and in order thereto, the said Inhabitants and Parishioners of the said Parish of Liverpoole have agreed with Ralph Earle, Merchant, for the Purchase of a Piece or Parcel of Ground, lying and being in a certain Field or Close of Land, called the Dogfield, on the North Side of the said Town, and within the said Parish of Liverpoole, being a proper and convenient Place for the Site of One of the said Churches or Chapels, and for a Cametery thereto: Wherefore, and for the effecting and accomplishing a Design tending to promote and encourage Piety and true Religion; May it please your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and

and 21 *Geo.* II.

with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable James Smith Stanley, commonly called Lord Strange; Sir Ellis Cunliffe Baronet, Sir William Meredith Baronet, the Mayor, Bailiffs, and Common Council of the Borough and Corporation of Liverpoole, and their Succeſſors; the Reverend Robert Brereton Clerk, the Reverend Henry Wolſtenholme Clerk, and their Succeſſors, Rectors of the Pariſh of Liverpoole; the Churchwardens and Sidemen of the ſaid Pariſh, and their Succeſſors for the time being; the Reverend William Smith D. D. Dean of Cheſter, Richard Houghton, Thomas Seel, Nicholas Aſhton, Thomas Plumbe, Eſquires; William Martin, Thomas Maddock, Clerks; Bryan Blundell, John Backhouſe, John Knight, John Tarleton, Jonathan Blundell, Samuel Shaw, Joſeph Brooks, Edward Deane, Caril Fleetwood, George Clowes, John Okill, Thomas Mears, Merchants; John Brownell, Robert Whittle, William Rowe, John Liveſley, John Hughes, Robert Seel, William Shaw, William Statham, Ralph Crook, Gentlemen; James Barton Brewer, John Farleton Mercer, William Farington, Patrick Black, John Crompton, Thomas Holſton Apothecary, Thomas Faulkner, Joſeph Taylor, Samuel Woodward, William Coppall, George Langton, John Leather, John Denham, Gilbert Rigby, John Wyke and William Hutchinſon, ſhall be, and they are hereby nominated, conſtituted and appointed, Commiſſioners and Truſtees for the building the ſaid new intended Church or Churches, Chapel or Chapels, and for other the Purpoſes herein after mentioned and expreſſed; and they, or any Seven or more of them, ſhall and may, and they are hereby authorized and required, on the Twenty fourth Day of June, in the Year of our Lord One thouſand ſeven hundred and ſixty two, to meet in the Town Hall within the Exchange in Liverpoole aforeſaid, upon public Notice being given, in Time of Divine Service, in the ſeveral Churches or Chapels of the ſaid Pariſh of Liverpoole, on the Sunday next preceding the Twenty fourth Day of June aforeſaid, of the Day, Hour, and Place of Meeting; and ſo to meet from time to time as often as there ſhall be Occaſion, with or without Adjournments.

First Meeting of the Commiſſioners, of which publick Notice is to be given in the ſeveral Pariſh Churches.

And it is hereby further enacted by the Authority aforeſaid, That in caſe of the Death of any of the Commiſſioners by this Act appointed, it ſhall be lawful for, and Power is hereby given to, the Pariſhioners of the Pariſh of Liverpoole aforeſaid, in Veſtry aſſembled, on Eaſter Tueſday annually for ever, or the major Part of

Election of new Commiſſioners in the Room of ſuch as ſhall die, to be on *Eaſter Tueſday* annually.

them, to nominate and elect other Commissioners in the Places of them so dying, and that the Names of such new elected Commissioners shall be entered by the Clerk of such Vestry, in the Vestry Book of the said Parish, and that such new elected Commissioners shall, from and after such Election, have, and they and every of them is and are hereby vested with, the like Powers and Authorities, as are hereby vested in the Commissioners by this Act appointed.

Their Names to be entered in the Vestry Book.

And it is hereby enacted and declared, That there shall be built of Stone, and other proper Materials, within the said Town of Liverpoole and the Liberties thereof, Two new Churches or Chapels, with Towers or Steeples to each of them, at the several Times, and in Manner, and by the Ways and Means, hereafter mentioned.

Two new Churches with Towers or Steeples to be built of Stone.

And be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorized, impowered, and required, to purchase all such Lands, Tenements, and Hereditaments, lying and being within the Parish of Liverpoole, for the Sites of the said Two new Churches, and for Churchyards, or Coemeteries for the Burial of the Dead, as they shall think proper, and to pay for the same out of the Monies to be raised by virtue and in pursuance of this Act.

Land to be purchased for the Sites of the said Churches and for Churchyards.

Provided also, That it shall and may be lawful to and for all Bodies Politic and Corporate, Guardians, Trustees, and Committees for Infants, Femes Covert, Lunatics, and Charitable Uses, and for all and every other Person or Persons whatsoever, who are or shall be seised, possessed of, or interested in, any House or Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, to sell and convey to the said Commissioners, or their Successors, or to such other Person or Persons as they, or any Seven or more of them, shall appoint, all or any such Houses or Tenements, Buildings, Lands, Grounds, and Hereditaments; and that all Contracts and Agreements, Sales and Conveyances, that shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and that all such Guardians, Committees and Trustees, and other Person and Persons respectively, shall be, and they are hereby indemnified for what they shall do by virtue and in pursuance of this Act: And in case the Owners and Proprietors of such House or Houses, Ground and other Tenements, or any of them, shall refuse to contract

Power given to the Proprietors to sell and convey Lands, &c. for the said Purposes.

tract and agree to and with the ſaid Commiſſioners, or any Seven or more of them, as aforeſaid, or through any Diſability by Nonage, Coverture, or other Impediment, ſhall not be qualified or enabled to contract or agree, or to execute ſuch Contract or Agreement, or to carry the ſame into Execution; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Mayor of the Corporation of Liverpoole aforeſaid, for the time being, and he is hereby authorized and impowered from time to time to iſſue out his Warrant or Warrants under his Hand and Seal, directed to the Sheriff of the County of Lancaſter for the time being, for impanelling, ſummoning, and returning a Jury, and ſuch Sheriff is hereby required accordingly to impanel, ſummon, and return a Jury of Twelve able and ſufficient Men, qualified according to the Laws and Statutes of this Realm, to be returned for Trials of Iſſues joined in his Majeſty's Court of Common Pleas at Lancaſter, to appear before the Mayor, Aldermen, and Bailiffs, of the ſaid Borough and Corporation for the time being, or any Five or more of them, whereof the Mayor and One of the Bailiffs to be Two, at ſuch Time and Place as by ſuch Warrant or Warrants ſhall be appointed; and alſo to return Iſſues upon every Perſon ſo impanelled and returned the Sum of Forty Shillings, which ſhall be duly eſtreated and levied: And for Default of a ſufficient Number of Jurymen appearing, ſuch Sheriff or his Deputy ſhall return other honeſt and indifferent Men of the Standers by, or that can ſpeedily be procured to attend that Service, to make up the ſaid Jury to the Number of Twelve; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen; and the ſaid Mayor, Aldermen, and Bailiffs, or any Five or more of them, are hereby impowered to order and authorize the ſaid Jury to view the Place or Places or Matters in Queſtion, as ſhall be thought requiſite, and to adminiſter the Oaths to them, and to ſuch Perſon and Perſons as ſhall be called upon to give Evidence before them; and which ſaid Jury, ſo to be impanelled and ſworn, ſhall enquire into the Value of the Premiſſes in Queſtion, and award and aſſeſs ſuch Damages and Recompences as they ſhall think fit to be aſſeſſed and awarded, to the Owners and Occupiers of ſuch Houſe or Houſes, Ground, Tenements, and Buildings, or any Part thereof, for the Purchaſe of their reſpective Eſtates and Intereſts therein; and the ſaid Mayor, Aldermen, and Bailiffs, or any Five or more of them, ſhall give Judgement for ſuch Sums ſo to be aſſeſſed or awarded by ſuch Juries; and ſhall upon Oath as

Where Perſons ſhall refuſe, or be diſabled by Law, to enter into any ſuch Contract,

a Jury may be ſummoned to aſcertain the Value and Recompence.

Jury may be fined for Neglect of Duty;

and be challenged.

Duty and Power of the Jury:

Judgement to be given on their Verdict.

as aforeſaid, and by all other lawful Ways and Means, examine, hear, and finally determine, all Manner of Diſputes and Controverſies which ſhall happen or ariſe between any Perſons whatſoever, touching or concerning any Matter or Thing relating to the aforeſaid Premiſſes, or any Part thereof; which ſaid Verdict, and the Judgement, Decree, or Determination thereupon declared and pronounced by the ſaid Mayor, Aldermen, and Bailiffs, or any Five or more of them, and the Value and Recompence ſo to be aſſeſſed and decreed, ſhall be binding and concluſive to all Infants, Femes Covert, and all other Perſon and Perſons whatſoever, his, her, and their Heirs, Succeſſors, Adminiſtrators, and Aſſigns, and all others claiming any Title or Intereſt in the ſaid Ground and Premiſſes; ſo as Notice in Writing of the Time of ſuch Meeting of the Jury for the Purpoſes aforeſaid, be given and declared by the ſaid Mayor, or by ſome other Perſon or Perſons by him to be appointed, at leaſt Fourteen Days before every ſuch Meeting, to every Perſon concerned, or left in Writing at the Dwelling-houſe of ſuch Party concerned, or at his, her, or their uſual Place of Abode, or with ſome Tenant or Occupier of ſuch Ground, Tenement, or Buildings, in caſe the Owner thereof cannot conveniently be found to be ſerved with ſuch Notice.

Verdict of the Jury, and Judgement thereon, to be binding and concluſive to all Parties.

Notice to be given of the Meeting of the Jury for the aforeſaid Purpoſes.

And be it further enacted, That ſuch Sentences, Decrees, or Determinations ſo to be made, ſhall be ſet down in Writing, under the Hands and Seals of the Mayor, Aldermen, and Bailiffs of the ſaid Borough and Corporation, or ſuch of them as ſhall make the ſame, and be kept among the Records and Writings of the ſaid Corporation; and the ſame, or true Copies thereof, ſhall be taken, adjudged, and deemed, good and ſufficient Evidence and Proof in any Court of Law or Equity whatſoever; and all Perſons ſhall and may have Recourſe to the ſame, and take Copies thereof, without any Stamps thereupon, paying for every Copy not exceeding Two hundred Words, Six Pence, and ſo in proportion any greater or leſs Number of Words; and that upon Payment of any ſuch Sum or Sums of Money ſo agreed on, or aſſeſſed to the Parties concerned, or Tender thereof made at his, her, or their Dwelling-houſe, and if they have no ſuch Dwelling-houſe, then at the Houſe of ſome Tenant or Occupier of ſome Part of the Ground, Tenement, or Premiſſes before mentioned; or if, upon ſuch Tender as aforeſaid, they refuſe, or ſhall not be willing to receive the ſame, then upon Payment of ſuch Sum into the Hands of ſuch Perſon or Perſons as

Judgements, &c. to be entered on Record;

and to be admitted as Evidence:

Copies allowed to be taken thereof.

Upon Payment or Tender of the Monies agreed for, or aſſeſſed,

the Mayor, Aldermen, and Bailiffs, of the ſaid Borough and Corporation, or any Five or more of them, ſhall appoint for the Uſe of the Parties intereſted as aforeſaid; it ſhall then, and not before, be lawful to and for the ſaid Commiſſioners, or any Seven or more of them, their Nominees, Agents, Workmen, and Servants, in that Behalf, to be aſſigned and appointed, to take, uſe, apply, and appropriate, the ſaid Ground and Premiſſes, or any Part thereof, for which ſuch Satisfaction ſhall be aſſeſſed, awarded, or decreed as aforeſaid, for the making, building, and erecting of the ſaid Two Churches, and for Coemeteries, Church Yards, or Burial Places, for the Uſe of the ſaid Pariſh, according to the Purport and true Meaning of this Act; and this Act ſhall be ſufficient and effectual to indemnify as well the ſaid Mayor, Aldermen, Bailiffs, and Common Council, and their Succeſſors, and Commiſſioners, their Executors and Adminiſtrators, as alſo their Agents or Nominees, and all Perſons employed or authorized by them as aforeſaid, againſt the Owners and Occupiers of ſuch Ground and Premiſſes, their reſpective Heirs, Executors, Adminiſtrators, and all Perſons claiming under them, or ſome or any of them.

the Commiſſioners may uſe and appropriate the Premiſſes for the Purpoſes of erecting the ſaid Churches and Coemeteries.

And be it further enacted, by the Authority aforeſaid, That all and every Perſon and Perſons who, in any Examination directed to be taken by this Act, ſhall give falſe Evidence before the ſaid Commiſſioners, appointed or to be appointed by virtue and in purſuance of this preſent Act, or before any Mayor or his Deputy, or other Juſtice or Juſtices of the Peace, or before any Jury, ſhall and may be proſecuted for the ſame; and ſuch Perſon or Perſons as ſhall be convicted thereof, ſhall be ſubject and liable to the ſame Puniſhment and Diſqualifications which any Perſon or Perſons can or may be ſubject and liable to for wilful and corrupt Perjury, by any Laws or Statutes of this Realm.

Perſons giving falſe Evidence, liable to the Penalties of wilful and corrupt Perjury.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſummoned to give Evidence by virtue of this Act, ſhall neglect or refuſe to appear at ſuch Time or Times, Place or Places, as ſhall be appointed in the Warrant or Warrants by the ſaid Mayor for the time being, or appearing, ſhall refuſe to be ſworn by, or give Evidence before the ſaid Mayor; or if any Perſon ſummoned as a Juryman as aforeſaid, ſhall, after his Appearance, refuſe to be ſworn, or, being ſo ſworn, refuſe to give, or not give his Verdict, or in any other Manner wilfully neglect his Duty in the Premiſſes, contrary to the true In-

N. Penalty on Evidences or Jury, being duly ſummoned, neglecting their Duty in the Premiſſes.

tent and Meaning of this Act, every Perſon ſo offending (having no reaſonable Excuſe to be allowed by the ſaid Commiſſioners, or any Five or more of them) ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds; to be levied on the Goods and Chattles of the Perſon and Perſons ſo offending, by Warrant and Warrants under the Hands and Seals of the ſaid acting Commiſſioners, or any Five or more of them, by Diſtreſs and Sale of the Offender's Goods, rendering the Overplus, if any be, and the ſame demanded, to the Owners thereof, after ſuch Penalty and the Charges of ſuch Diſtreſs and Sale are deducted.

Conveyance of the Lands purchaſed to be made to Seven or more Commiſſioners,

And be it enacted and declared, That all ſuch Lands, Tenements, or Hereditaments, ſo to be purchaſed in purſuance of this Act, ſhall be conveyed unto the ſaid Commiſſioners, or any Seven or more of them, and their Heirs for ever, for the Purpoſes aforeſaid; and the ſaid Commiſſioners, or any Seven or more of them, are

who are to cauſe the Churches to be built thereupon, and the Coemeteries to be incloſed.

hereby authorized, impowered, and required, to cauſe ſuch Churches to be built upon ſuch Sites, ſo to be by them purchaſed as aforeſaid, and at the Times hereafter mentioned; and to cauſe ſuch Church Yards, Coemeteries and Burial Places to be incloſed with proper Walls and Gates or Doors; and to make decent Paths, Walks, and Avenues, up to the ſaid Churches reſpectively; and that the ſaid Commiſſioners, or any Seven or more of them (in caſe they ſhall think it convenient, requiſite, and neceſſary) ſhall and may purchaſe other Lands

They may purchaſe Lands for enlarging other Coemeteries of other Churches, &c.

and Ground within the ſaid Town of Liverpoole and Liberties thereof, for the enlarging, augmenting, or increaſing, any Coemetery or Coemeteries, Burial Place or Burial Places, of or for any Church or Chapel, Churches or Chapels, now built, eſtabliſhed, or hereafter to be erected and built by virtue of any former Act or Acts, or this preſent Act reſpectively, or for a general or common Burial Place for the Uſe of the ſaid Pariſh; and

and convey the ſame to the Uſe of the ſaid Churches.

to grant, convey, and aſſure the ſame Lands and Grounds to be purchaſed, ſo as that the ſame may belong to, and be deemed and taken as Coemeteries or Burial Places for ſuch of the ſaid Churches and Chapels, or common Burial Place for the Uſe of the ſaid Pariſh, as the ſaid Commiſſioners, or any Seven or more of them, ſhall, by Writing under their Hands and Seals, order, aſſign, and appoint the ſame reſpectively; and the ſame Lands and Grounds reſpectively ſhall accordingly, from the Time of every ſuch Appointment reſpectively, be held, enjoyed, uſed and applied for that Purpoſe for ever.

And

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Seven or more of them, ſhall and may, and they are hereby authorized and required, at any Time on or before the Twenty fifth Day of July, One thouſand ſeven hundred and ſixty two, to cauſe or procure to be made an Eſtimate in Writing, under the Hands of ſome able and ſufficient Perſon and Perſons duly qualified for ſuch Purpoſe, of the Charges and Expence of the erecting ſuch new intended Church or Chapel, Churches or Chapels reſpectively, and the making and providing Pews, Seats, and other Works requiſite and neceſſary, in and about the building, finiſhing, and decorating the ſaid Church or Churches, fit and proper for the Celebration of Divine Service therein; and alſo to raiſe and levy, by the Ways and Means herein after mentioned, ſo much Money (over and above, and excluſive of, ſuch Sum or Sums as ſhall be raiſed by voluntary Contribution of Perſons charitably diſpoſed) as will be ſufficient for the Purpoſes of this Act, ſo as the ſame do not exceed the Sum of Four thouſand Pounds.

Commiſſioners to cauſe an Eſtimate to be made of the Charges of erecting the new intended Churches, &c.

and raiſe Money ſufficient for the Purpoſe, ſo as not to exceed 4,000*l.* excluſive of charitable Contributions;

And it is hereby agreed and declared, That ſuch Sum and Sums as ſhall be raiſed by ſuch charitable Contribution as aforeſaid, ſhall be paid to, and received by, the ſaid Commiſſioners and their Succeſſors, or any Seven or more of them; and the ſame, together with the other Money to be otherwiſe raiſed and levied by virtue and in purſuance of this preſent Act, ſhall be paid, employed, applied, and diſpoſed of, to and for the ſeveral Uſes, Intents, and Purpoſes, in and by this Act mentioned, expreſſed, provided, and declared.

the ſaid Contributions to be paid to the Commiſſioners;

and to be applied with the Monies raiſed to the Purpoſes of this Act.

And it is hereby further enacted by the Authority aforeſaid, That for the raiſing, collecting, and levying Money for the Purpoſes aforeſaid, the ſaid Commiſſioners or their Succeſſors, or any Seven or more of them, at any of their Meetings to be held in purſuance and for the Purpoſes of this Act, ſhall and may, and they are hereby required, under their Hands and Seals, to nominate Two Inhabitants or Reſiants of the Town of Liverpoole aforeſaid, not being of the People called Quakers, (who are hereby excuſed and exempted from ſerving the ſaid Office) to be Aſſeſſors, in order to raiſe Money for the Purpoſes in this Act mentioned; and ſuch Perſons, ſo to be nominated and appointed Aſſeſſors, are hereby impowered and required forthwith to make and ſettle a yearly, half-yearly, or other Rate or Rates, Aſſeſſment or Aſſeſſments, upon all Owners and Occupiers

In order to raiſe Money, the Commiſſioners are to nominate Two Aſſeſſors,

who are to make a Yearly, or other Rate, on the Owners and Occupiers of Houſes, &c.

piers of any Houſes, Edifices, Warehouſes, Buildings, Graving or Repairing Docks, Yards, Lands, Grounds, Tenements, and Hereditaments, of what Kind or Nature ſoever, liable to the Tax charged upon Land by authority of Parliament, and alſo upon all Perſonal Eſtates, and Stock in Trade, of the Inhabitants of the ſaid Town of Liverpoole, to be ſettled, regulated, proportioned, and aſcertained, by the Aſſeſſment made for the Relief and Support of the Poor of the ſaid Pariſh in the Year preceding every Aſſeſſment to be made by virtue of this Act; and which ſaid Rates and Aſſeſſments hereby directed to be made, ſhall be allowed and ſigned by Two or more of the Juſtices of the Peace for the ſaid Borough and Town of Liverpoole; and after ſuch Rates and Aſſeſſments are ſo made and confirmed, the ſaid Commiſſioners, or any Seven or more of them for the time being, ſhall have full Power, and they are hereby authorized and required, to cauſe the ſame to be collected Quarterly or Half-yearly, and to appoint Two or more Perſons, being ſubſtantial Pariſhioners of the ſaid Pariſh of Liverpoole, to collect the ſame: And if any Perſon or Perſons ſhall wilfully refuſe or neglect to appear, aſſeſs, or collect ſuch Rates or Aſſeſſments as aforeſaid, being thereunto ſummoned and appointed as aforeſaid, or refuſe to be ſworn well and faithfully to execute either of the ſaid Offices of Collector or Aſſeſſor; which Oath the ſaid Mayor, or any One Juſtice of the Peace for the ſaid Borough for the time being, is authorized and impowered to adminiſter; every ſuch Perſon or Perſons ſhall, for every Offence, forfeit and pay the Sum of Ten Pounds, to be recovered, levied, and diſpoſed of, as hereafter is directed.

Perſonal Eſtates, and Stock in Trade;

according to the Poor Rate in the preceeding Year;

the ſame to be allowed and ſigned by Two Juſtices;

and Two Collectors to be appointed for Collecting the ſame;

who forfeit 10*l.* for refuſing to ſerve.

And be it further enacted, That the ſaid Rates and Aſſeſſments ſhall be paid by the ſeveral Tenants or Occupiers of the ſeveral Houſes, Edifices, Warehouſes, Buildings, Repairing Docks, Yards, Lands, Grounds, Tenements, Hereditaments, and Real Eſtates above mentioned, and by the Owners and Proprietors of Perſonal Eſtates and Stock in Trade, ſo rated and aſſeſſed reſpectively as aforeſaid, to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they, or any Seven of them, ſhall direct, order, and appoint, from time to time, to collect and receive the ſame, ſo as the ſame do not exceed Twelve Pence in the Pound in any One Year.

Rates to be paid to the Commiſſioners, or to their Collectors,

and are not to exceed 12*d.* in the Pound.

And be it further enacted, That in caſe any Perſon or Perſons, ſo aſſeſſed and rated as aforeſaid, ſhall re-

ſuſe or neglect to pay ſuch Rate or Aſſeſſment by the Space of Twenty Days next after Demand thereof made, it ſhall and may be lawful to and for the ſaid Collectors reſpectively, by Warrant under the Hands and Seals of the Mayor and One or more of the ſaid Juſtices, and which Warrant they are hereby authorized and required to grant to the Collector applying for the ſame, to levy the ſame by Diſtreſs and Sale of the Goods and Chattles of the Perſon and Perſons ſo refuſing or neglecting, tendering the Overplus, if any be, to the Perſon or Perſons ſo refuſing or neglecting, the neceſſary Charges of making ſuch Diſtreſs and Sale being firſt made and deducted. The Rates may be levied by Diſtreſs and Sale.

Provided always, and it is hereby enacted and declared, That no Perſon or Perſons farming or renting any Land or Ground, uſed only for Meadow, Paſture, or in Tillage and Husbandry, or Gardening, ſhall, in reſpect thereof, be liable to pay any Part of the Rates or Aſſeſſments to be impoſed by virtue of this Act; but that the Landlord and Landlords, or Owners of the Soil of ſuch Land or Ground reſpectively, ſhall be liable to, and charged with, the Payment of ſuch Rates or Aſſeſſments; any Agreement between ſuch Landlord and Tenant reſpectively, to the contrary thereof, in any wiſe notwithſtanding. Where Farmers, &c. hold under others, the Landlord is to pay the Rates.

And be it further enacted by the Authority aforeſaid, That if any Difference or Diſpute ſhall ariſe or happen between any Owner and Occupier of any Houſes, Edifices, Buildings, Lands, Grounds, Tenements, or Hereditaments, hereby directed to be charged or aſſeſſed as aforeſaid, touching and concerning the Shares and Proportions of the Rates or Cares to be paid by ſuch Owner and Occupier reſpectively, then, and in every ſuch Caſe, the ſaid Mayor and Juſtices of the Peace for the ſaid Borough for the time being, or any Two of them, whereof ſuch Mayor or his Deputy to be One, ſhall and may, in a ſummary Way, hear, adjuſt, and determine, all and every ſuch Difference and Diſpute, and ſuch Determination ſhall be final, and binding and concluſive to both Parties; and alſo, that if any Perſon or Perſons hereby made liable to pay the ſaid Rates and Aſſeſſments, or any of them, or any Part thereof, ſhall afterwards remove from or quit the Houſe, Tenement, or Premiſſes, in reſpect of which ſuch Rate or Aſſeſſment was made, before ſuch Time as the Aſſeſſment due from ſuch Perſon or Perſons ſhall be paid, it ſhall and may be lawful to and for the ſaid Collectors to levy the ſame by Diſtreſs and Sale, being warranted as aforeſaid, Differences between Owners and Occupiers of Houſes, &c. concerning the Proportion of Rates to be paid, to be ſettled by the Mayor and Juſtices. Where Perſons chargeable to the Rates ſhall remove, the Collectors may levy the ſame by Diſtreſs and Sale;

aforeſaid, on the Goods and Chattles of ſuch Perſon and Perſons ſo removing as aforeſaid, provided he or ſhe ſhall reſide in the ſaid Town, and a ſufficient Diſtreſs can be found; or otherwiſe, the Churchwardens of the ſaid Town of Liverpoole for the time being in their own Names, ſhall and may ſue for and recover the ſame, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record at Weſtminſter, or in the County Palatine of Lancaſter, with Full Coſts of Suit.

or the Churchwardens may ſue for the ſame.

And be it further enacted and declared, That no Perſon or Perſons who ſhall be charged with, or pay any Rate or Aſſeſſment to be made or levied by virtue and in purſuance of this Act, ſhall gain, or be thereby deemed or conſtrued to gain, any Settlement in the Pariſh of Liverpoole aforeſaid, for himſelf, or any of his or their Family.

No Perſon to gain any Settlement by paying to the ſaid Rates.

And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall receive any Money, by virtue of this Act, for the Purpoſes aforeſaid, ſhall from time to time, and as often as the ſaid Commiſſioners, or any Seven or more of them at any Time aſſembled, ſhall require the ſame, make and render to ſuch Commiſſioners, or unto ſuch other Perſon and Perſons as they ſhall appoint, a true and perfect Account upon Oath (which Oath may be taken in Writing, without any Stamp thereon, before the ſaid Mayor, or any One Juſtice of the Peace for the ſaid Borough, who are hereby reſpectively impowered and required to adminiſter the ſame) of all ſuch Sum and Sums of Money by ſuch Perſon or Perſons collected and received, or which ſhall have been rated and aſſeſſed as aforeſaid, and not received or accounted for, and of all other Matters and Things committed to their Charge under the Authority of this Act; and to pay and deliver over unto ſuch Perſon or Perſons as the ſaid Commiſſioners, or any Seven or more of them, ſhall direct and appoint, all and every ſuch Sum and Sums of Money as ſhall remain in his or their Hands at the Time of ſuch Account, together with the ſaid Books of the ſaid Rates and Aſſeſſments, and all other Books and Papers in any wiſe relating to the ſame, whole, undefaced, or deſignedly or fraudulently altered or obliterated; and in caſe any ſuch Collector or Collectors ſhall refuſe ſo to do, and to account for and pay ſuch Sum or Sums of Money accordingly, any Two or more of the ſaid Juſtices, whereof the ſaid Mayor ſhall be One, ſhall and may, by Warrant under their Hands

Account to be rendered on Oath, as often as required, of the Money received or aſſeſſed for the Purpoſes of this Act, &c.

and the Money to be paid and delivered over, with the Books relating thereto, to the Commiſſioners Order.

Where ſuch Order ſhall be refuſed to be complied with.

Hands and Seals, cauſe the ſame Books and Papers to be ſeized and taken out of his or their Cuſtody, and all Monies ſo in Arrear, and due from him to the ſaid Commiſſioners, to be levied by Diſtreſs and Sale of the Goods and Chattles of ſuch Collector or Collectors, rendering the Overplus to the Owner, the Charges of ſuch Warrant, Diſtreſs, and Sale, being firſt deducted thereout; but in caſe a ſufficient Diſtreſs cannot be had or found, then the ſaid Mayor and Juſtices, or any Two of them, ſhall and may, by virtue of this Act, commit ſuch Perſon or Perſons to the Common Priſon in and for the ſaid Borough of Liverpoole, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account, and a Satisfaction or Compoſition to ſuch Commiſſioners, or any Seven or more of them aſſembled as aforeſaid; and the ſaid Commiſſioners, or any Seven or more of them, are hereby authorized to compound the ſame for ſo much as, upon the ſaid Account, ſhall appear in ſuch Collector or Collectors Hands; and that, upon his or their delivering up as aforeſaid all Books and Papers of Account, and Vouchers relating to the ſame, unto ſuch Commiſſioners, ſome or One of them, then, and in every ſuch Caſe of Satisfaction or Compoſition made them, ſuch Perſon and Perſons ſhall be forthwith diſcharged out of Cuſtody; and that in caſe any Money received by any ſuch Collector as aforeſaid, ſhall be either totally or in Part loſt, the ſaid Aſſeſſor or Aſſeſſors for the time being are hereby authorized and required, upon the Order and by the Directions of the ſaid Commiſſioners, or any Seven or more of them aſſembled as aforeſaid, to make a new or additional Rate or Aſſeſſment, for the ſupplying and making good ſuch Deficiency, and the Charges and Expences thereof, to be in like manner aſſeſſed, laid, paid, or levied, on the ſaid Pariſhioners of Liverpoole, their reſpective Eſtates and Tenancies, Goods and Chattles, as aforeſaid is directed.

the Books may be ſeized, and the Money levied by Diſtreſs and Sale;

and for want of Diſtreſs, the Offender may be committed, till he render an Account, or compound with the Commiſſioners.

Where any Money ſhall be loſt, the ſame is to be made good by a Re-aſſeſſment.

And be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Seven or more of them, or ſuch Three or more of them as the ſaid Commiſſioners ſhall, for that Purpoſe, depute in that Behalf, to receive Propoſals from, and enter into, make, and execute Contracts with any Builder or Builders, and all other Workmen and Perſons, for the building of the ſaid Two intended Churches, and the Steeples or Towers thereof, and for the getting, finding, and providing Stone, Timber, and all other Materials, Utenſils, and Things, that ſhall or may be neceſſary and requiſite for the building, finiſhing, and decorating

Commiſſioners impowered to receive Propoſals, and execute Contracts for building the ſaid Churches, &c.

decorating the same Church or Churches, and Towers and Steeples respectively, and for making and inclosing the Coemeteries, Church Yards or Burying Places for the same, and all other Matters, Articles, and Things concerning the same; so as Ten Days Notice in Writing be fixed upon the Exchange in Liverpoole, for public View, of the Time and Place appointed to receive Proposals, and make Contracts, for any Part of such Buildings or Materials, or Work to be done in, about, or relating to the same, from time to time, and at all or any Time or Times hereafter, as Occasion may require; and that all such Contracts, so to be made, shall be entered into a Book to be kept for that Purpose, and signed and executed by the Commissioners, or any Three or more of them, hereby impowered to make such Contracts; and also that the said Commissioners and their Successors, or any Seven or more of them, shall and may appoint a fit and experienced Person or Persons to inspect, survey, and superintend the said Buildings and Works, and to allow and pay him or them such reasonable Salary or Recompence as to the said Commissioners, or any Seven or more of them, shall seem meet; and shall and may also appoint a Treasurer or Clerk of the said Works from time to time, with a proper Salary, to receive and pay all Monies that shall be collected, issued, and paid, on account of the said intended Buildings, and who shall keep a Book of all his Receipts and Payments, and of the Meetings, Minutes, and Orders of the said Commissioners, touching or concerning the same.

giving Ten Days previous Notice.

Contracts to be entered in a Book, and signed by Three Commissioners.

Surveyors may be appointed to superintend the Buildings, with a reasonable Salary;

and also a Treasurer or Clerk,

who shall keep a Book of Receipts and Payments, and Proceedings of the Commissioners.

And be it further enacted, That the said Church, and Coemetery or Church Yard, intended to be built and made on the said Piece of Land, Part of Dogfield aforesaid, shall be first built and finished under the Powers and Authority of this Act; and that the same shall be compleated and finished, fit for Consecration and the Celebration of Divine Service, within the Term of Five Years from the Time of passing this Act; and shall, upon the Consecration thereof, be called the Church of Saint Paul.

The Church on *Dogfield* Ground to be first built, and to be compleated within Five Years;

and to be called *St. Paul's* Church.

And forasmuch as the Money so to be collected, by the Receipts of the said Rates or Assessments, by this Act laid and made payable as aforesaid, will not at present be sufficient for the speedy building and finishing the said Churches, be it therefore enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, at any such Meeting to be had as aforesaid, shall and may, and they are hereby impowered, from time to time, by any Writing or Writings (without any Stamp to be impressed thereon) under their Hands and Seals, to assign

Commissioners may assign over the Rates, in order to raise Money for the speedy Purpose of building the said Churches.

assign over the said Rates and Assessments to arise by virtue of this Act, or any Part thereof, (the Costs and Charges of assigning or mortgaging the same to be borne and paid out of such Rates and Duties) for any Time or Term for which the same are hereby made payable, or any Part of such Time or Term, as a Security for any Sum or Sums of Money by them to be borrowed for that Purpose, to such Person or Persons, or their Trustees, who shall advance and lend the same, to secure the Repayment thereof, with such Interest as shall be agreed upon, not exceeding legal Interest; which said Money, so to be borrowed, shall be applied and disposed of, as the said Rates or Assessments by this Act are directed to be applied and disposed of, and to no other Use or Purpose whatsoever: But no Money shall be borrowed by the said Commissioners, on the Credit of the Rates hereby laid, after their First Meeting, unless Notice in Writing, under the Hand of the Treasurer or Clerk of the said Commissioners, be for that Purpose fixed upon the Exchange in Liverpoole, at least Twenty Days before the borrowing such Money.

Application of the Money borrowed.

Notice to be given previous to the borrowing of Money.

And be it further enacted by the Authority aforesaid, That Copies of all and every Assignment and Assignments, so to be made by the said Commissioners as aforesaid, shall be entered at Length in a Book or Books to be kept for that Purpose by the Clerk or Treasurer for the time being; which said Book or Books shall and may be seen and perused, at all seasonable Times, by any Person or Persons whomsoever, without Fee or Reward.

Copies of all Assignments to be duly entered, and be liable to be perused by any Persons.

And be it further enacted by the Authority aforesaid, That the said Commissioners and their Successors, or any Seven or more of them, shall and may, after the End or Expiration of the Term of Five Years, to commence and be computed from the finishing and compleating the Building and performing the Consecration of the said Church, intended to be called the Church of Saint Paul in the Town of Liverpoole, and they are hereby authorized and required from thenceforth, with all convenient Speed, by such Ways and Means as are hereby in that Behalf mentioned, appointed, and provided, to cause and procure another Church or Chapel to be erected, built, and finished, decorated, consecrated, and made fit for Divine Service, according to the Usage and Ceremonies of the Church of England, and to provide a proper Coemetery or Burying Place to belong to the same, in such Part of the Town and Parish of Liverpoole as by the said Commissioners or their Successors, or any Seven or more of them, shall be found proper and convenient; and which said

After compleating St. *Paul*'s Church, the Commissioners are authorized to erect another, to be called the Church of St. *John*; with a proper Coemetery to the same.

Church, upon the Consecration thereof, shall be called the Church of Saint John.

The said Churches are to be built according to the Plan and Directions of the Commissioners;

And be it further enacted, That the said Two Churches so intended and appointed to be made and erected in pursuance of this Act, shall be built and consist of such Materials and Dimensions, and after such Plans, Forms, and Models, as they the said Commissioners, or the major Part of them, assembled at any publick Meeting for the Purposes of this Act, shall direct and appoint: Provided always, That out of the Monies granted, or directed or appointed to be levied, by virtue of this Act, there shall not be issued or applied, in or for the erecting, building, finishing, compleating, and decorating the said Church of Saint Paul, and rendering the same proper for the Celebration of Divine Service therein, and for the purchasing, providing, and making the Site and Church-yard, or Coemetery, of or for the same, above the Sum of Four thousand Pounds; or in or for the building, finishing, decorating and compleating the said Church of Saint John, for that Purpose, and in purchasing, making, and providing such Site, Church-yard, and Coemetery for the same, above the Sum of Three thousand five hundred Pounds.

and not more than 4000*l.* to be applied in compleating St. *Paul's* Church and Coemetery;

nor more than 3500*l.* in compleating that of St. *John*.

Pews only for the Minister and Churchwardens, to be built in the Body of each Church, the other Seats to consist of open Benches.

And be it further enacted, That the said Commissioners and their Successors, or any Seven or more of them, shall cause to be made, erected, or built, Two convenient Pews in the Body of each of the Churches or Chapels so appointed to be built as aforesaid, videlicet, One for the Use of the Minister, and the other for the Churchwardens or Chapelwardens thereof respectively; and that no other Pews, or Seats inclosed, shall be made, erected, or set up in the Nave or Body of either of the said Churches, but instead thereof, open Benches or Seats shall be fixed to the Floor of the same Churches or Chapels respectively, for the Ease, Convenience, and Benefit, of the poorer Sort of People, who shall attend Divine Service therein; and that no Rent, or other Consideration, shall be paid or demanded of any Person or Persons whatsoever, for the Use or Occupation of any of the said Pews, Seats, or Benches respectively.

Galleries to be erected, with inclosed Pews,

Provided always, and be it enacted and declared, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorized and required, to make, build, and erect, or cause to be made, built, and erected, such Galleries, in and about the said Churches or Chapels respectively, as to them shall seem requisite and convenient; and to make and set up convenient inclosed Pews and Seats, in and upon the same Galleries, leaving conve-

convenient Avenues, Passages, or Room for Access to the said Pews and Seats respectively; and which said Pews shall be painted or marked with different Numbers and Figures, to distinguish the same: which are to be numbered.

And it is hereby further enacted and declared, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorized and required to assemble and meet together, in the said New Churches, on any Day or Days after the Consecration thereof respectively, and so as public Notice be thereof given at least Fourteen Days before any such Meeting, and then and there to ascertain and fix the Rent to be paid for each and every Seat in the said respective Galleries, for the Uses and Purposes hereafter mentioned, according to the best of their Skill and Judgement; so as the Rents of all the Pews to be erected and set up in the Gallery of either of the said Churches, do not, at the Time of fixing and ascertaining the same respectively, amount, in the Whole, to above the yearly Sum of One hundred and fifty Pounds, or to less than the yearly Sum of Eighty Pounds: And the said Commissioners shall cause the several Rents, so ascertained and fixed for and upon every such Pew, to be entered into Books, to be kept for that Purpose, by the Churchwardens of each Church, referring to the Number of each Pew; and after the Rents of the said Seats or Pews shall be so fixed and ascertained, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to let, demise, or lease the same, at and for such annual Rents respectively, unto such of the Parishioners of the Parish of Liverpoole as shall be willing to rent the same, for such Term of Years, or otherwise, and subject to such Conditions and Agreements, as the said Commissioners, or any Seven or more of them, shall think proper, requisite and expedient; and that such Seats or Pews, after such Assignment or Allotment by the said Commissioners, or any Seven or more of them, shall be, and they are hereby, vested from thenceforth in the Person and Persons to whom the same shall be respectively assigned or allotted, and in their respective Executors and Administrators; and shall and may be bargained, sold, assigned, leased, devised, aliened, made over, or disposed of, by such Person and Persons respectively, but subject to the Payment of the Rents hereby directed to be reserved upon the same, and all Arrears thereof, and to the supporting, maintaining, and keeping the same in Repair, in such Manner as the said Commissioners shall think proper and requisite.

Commissioners to assemble in the said Churches after Consecration, in order to fix the Rent for the Seats in the Galleries,

the said Rent not to exceed 150*l.* nor be less than 80*l.* *per Ann.* and to be entered in a Book,

the Seats to be let to the Parishioners;

and may be sold, or assigned, &c. by them;

Provided

So as ſuch Sale or Aſſignment, &c. be to Inhabitants only.

Provided always, That every Bargain, Sale, Aſſignment, Deviſe, or other Alienation or Diſpoſition made, or mentioned to be made, of any of the ſaid Pews or Seats, unto any Perſon or Perſons who ſhall not then be an Inhabitant or Inhabitants of the Pariſh of Liverpoole aforeſaid, ſhall be ipſo facto void, and of none Effect.

Commiſſioners may raiſe, from time to time, the Rents of the Seats, for the Benefit of the Miniſters,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Fifteen or more of them, from time to time, and at all Times after the paſſing this Act, upon Notice being given as aforeſaid, to encreaſe and raiſe the Rents of all and every or any of the ſaid fixed Seats or Pews, in either of the ſaid Two Churches, to ſuch Rates or Prices as they ſhall think proper, in order the better to reward the Miniſters thereof reſpectively; ſo as ſuch Augmentation or Increaſe of Rents do not, in the Whole, exceed, in any One Year, the annual Sum of One hundred and fifty Pounds for each or either of the ſaid Churches; any thing herein before contained to the contrary notwithſtanding.

but ſo as not to exceed 150*l. per Ann.* in the Whole.

Rent to be paid Half-yearly, and to commence Six Months next after the Conſecration; and if unpaid 10 Days, the Seats may be let to others;

And be it enacted, That all and every Perſon and Perſons whomſoever, poſſeſſing or enjoying One or more Seats or Pews in either of the ſaid intended Churches, ſhall be obliged to pay the Rent and Rents reſerved or aſſixed thereon, at Two equal Half-yearly Payments in every Year; the firſt Payment to begin and be made at the End of Six Months next after the Conſecration of the ſaid Churches reſpectively: And in caſe the Rents ſhall be behind and unpaid, by the Space of Ten Days after the ſame ſhall become due, the ſaid Churchwardens of each Church, or each of them ſeverally, ſhall and may enter upon, take, and keep Poſſeſſion of ſuch Seat or Seats, Pew or Pews; and the ſaid Commiſſioners, or any Seven or more of them, ſhall and may, under the Authority of this Act, ſet, demiſe, aſſign, or diſpoſe of the ſame, to any other Perſon or Perſons whatſoever, on ſuch Terms as ſuch Commiſſioners ſhall think reaſonable, ſubject to the Payment of an annual Rent as aforeſaid; or otherwiſe ſuch Churchwardens reſpectively may, in the Name of the Miniſter of each Church reſpectively, ſue for and recover the ſame Rents ſo in Arrear, with full Coſts of Suit, by Action of Debt, in any of the Courts of Record at Weſtminſter, or County Palatine of Lancaſter, or in the Court of Pleas for the Borough of Liverpoole reſpectively, or in the Court of Requeſts for the Borough of Liverpoole, if the Sum ſued for be within the Juriſdiction and Cognizance of the ſaid Court of Requeſts, as to the ſaid Commiſſioners, or their

or the Arrears may be ſued for and recovered, with full Coſts of Suit.

C

their Successors, or any Seven or more of them, shall for that Purpose think requisite and expedient:

And be it further enacted, That the Churchwardens of and for the said Two intended Churches, shall be annually chosen by the Parishioners of Liverpoole paying Scot and Lot in the said Parish, at their annual Vestries held on Easter Tuesday in every Year; and the said Churchwardens respectively shall collect and receive the Rents of the said Seats and Pews, and pay the Stipends, Salaries, or Wages, of the respective Minister, Clerk, and Sexton, of and belonging to each of the said new intended Churches respectively for the time being; and also shall do, perform, and execute, all lawful Acts, Matters, and Things necessary and requisite for the Ornament of, and good Order and Decency of Behaviour to be kept and observed in, the said respective Churches, by the Congregations thereof, and otherwise: And the said Persons, so to be appointed or chosen Churchwardens, shall continue in their said Offices till Tuesday in Easter Week in the next ensuing Year: And the said Person and Persons, so to be chosen Churchwardens for the said respective Churches, are hereby authorized and impowered to collect and receive the Rents of the Pews or Seats, in the several Churches to which they belong respectively; and, in case of Non-payment thereof, to sue, or bring Actions for the same as aforesaid, by the Name of The Churchwardens of the Church of Saint Paul in the Town of Liverpoole in the County of Lancaster, and by the Name of The Churchwardens of the Church of Saint John, in the Town of Liverpoole, in the County of Lancaster respectively, as the Case shall or may require.

Churchwardens to be chosen on *Easter Tuesday* annually.

They are to collect the Rents; and pay the Stipends of the Minister, Clerk, and Sexton, &c.

And be it further enacted by the Authority aforesaid, That the said Mayor, Bailiffs, and Burgesses of the said Borough and Corporation of Liverpoole, and their Successors, shall allow and pay, out of the publick Estate and Stock of the said Corporate Body, the annual or yearly Stipend or Salary of Fifty Pounds of lawful Money of Great Britain, for and towards the Maintenance and Support of the Minister of the said intended Church of Saint Paul for the time being, by equal half-yearly Payments for ever; the first Payment thereof, to begin and be made at the End of Six Calendar Months from the Day of the Consecration of the said Church.

Corporation to pay 50*l. per Annum* to the *Minister* of St. *Paul's* Church, by equal Half-yearly Payments.

And it is hereby further enacted, That the Churchwardens of the Parish Church of Liverpoole aforesaid, shall allow and pay, out of the annual Parochial Levies imposed or assessed upon the Parishioners of the said Parish of Liverpoole, in respect of themselves or their Estates

Churchwardens to pay 50*l. per Annum* out of the Parish Rates, to the *Minister* of St. *John's* Church, by equal Half-yearly Payments.

Rates both Real and Personal, the annual Stipend or yearly Sum of Fifty Pounds, of like Money, for and towards the Maintenance and Support of the Minister of the said intended Church of Saint John for the time being, by equal Half-yearly Payments for ever; the first Payment thereof, to begin and be made at the End of Six Calendar Months, from the Day of Consecration of the said Church of Saint John; and the said Churchwardens of the Parish Church of Liverpoole aforesaid, are hereby authorized and required to pay such Salaries or Stipend unto the Minister of the said Church of Saint John for the time being accordingly, for ever.

The Right of Presentation to the said Churches, vested in the Mayor, Bailiffs and Burgesses.

And be it further enacted, That the Right of Presentation, and the perpetual Advowson and Patronage of, in, and to the said Church of Saint Paul, and also of, in, and to the said Church of Saint John, shall be, and the same is hereby vested in the Mayor, Bailiffs, and Burgesses of the said Town of Liverpoole for ever; and that the Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation of Liverpoole, and their Successors, or the major Part of them, in Common Council assembled, shall and may, and they are hereby authorized, impowered, and required, before or upon the Consecration of the said Churches respectively, to nominate and present, under the Common Seal of the said Borough and Corporation, a proper Person, duly qualified, to be the Minister and Ministers of each of the said Churches; and also in like Manner, to nominate and appoint a Minister to and for each of the said Churches, on every Vacancy and Avoidance thereof respectively; and that the said Mayor, Aldermen, Bailiffs, and Common Council as aforesaid, shall and may nominate and appoint every of the Clerks and Sextons to serve and officiate in the said Churches of Saint Paul and Saint John respectively, and also displace and remove such Clerk and Clerks, Sexton and Sextons respectively, from time to time, upon just and reasonable Cause or Causes: But that the Commissioners and their Successors, or any Seven or more of them, assembled as aforesaid, shall and may, and they are hereby authorized and required, to ascertain, fix, and appoint the Salaries and Wages of all and every such Clerks and Sextons respectively; and the said Salaries and Wages, so to be ascertained and appointed, shall be paid out of the Rents arising from the Pews and Seats in the said respective Churches, by virtue and in pursuance of this Act.

Corporation to nominate and present the Ministers thereto;

and also the Clerks, and Sextons.

Commissioners to appoint the Salaries of the Clerks and Sextons,

to be paid out of the Rents of the Pews.

And it is hereby also enacted, That nothing in this Act contained, shall prejudice, impeach, or defeat, lessen or abridge, or be construed to prejudice, impeach, or defeat,

lessen

lessen or abridge the Right, Title, Interest, Claim, or Demand, of the Rectors of the said Parish of Liverpoole, of, in, or to any Dues, Duties, Offerings, Oblations, Obventions, or any other Ecclesiastical Rights, Benefits, Perquisites, or Advantages, or any other Right, Title, or Interest, within the Parish of Liverpoole aforesaid, which were or are vested in them, or which they can or may respectively claim, demand, or be intitled to, by force and virtue of the said first herein recited Act; nor to charge any of the Burgesses or Inhabitants within the said Town or Borough, or the Liberties thereof, in any other Manner than as in and by the said former recited and this present Act, they are already charged or chargeable to the said Parish Church and Parochial Chapel, and to the Offices and Duties of the said Parish and Parish Church of Liverpoole, and of the said intended Churches.

Reservation of Dues, and other Ecclesiastical Rights, to the Rector of the Parish, &c.

And be it further enacted, That the respective Ministers of the said Two new intended Churches for the time being, shall and may, and they are hereby required, from time to time, to ask, demand, take, and receive of and from all and every Person and Persons liable to pay the same, all Fees, Duties, and Perquisites, for Weddings, Churchings, Christenings and Burials, done and performed by them respectively, in the said Parish of Liverpoole, which shall of Right belong, and be due and payable to the Rectors of the said Parish for the time being; and that such Minister and Ministers respectively shall, from time to time, keep and render a just and fair Account of, for, and concerning, all such Fees, Duties, and Perquisites, to be from time to time by them respectively received, unto the Rector or Rectors, of the Two Portions or Medieties of the Rectory and Parish Church of Liverpoole aforesaid for the time being; and shall pay the said Fees, Duties, and Perquisites, so by them respectively to be received, by equal Half-yearly Payments, at or on the Twenty fifth Day of December, and the Twenty fourth Day of June, in every Year; the first Payment thereof respectively to begin and be made, at or on such of the said Feasts as shall first and next happen after the Consecration of the said new Churches respectively.

The Ministers of the said new Churches to receive the Fees, &c. for occasional Offices,

and account for and pay over the same to the Rector of the Parish Half-yearly.

And be it further enacted and declared, That all and every Person and Persons who shall, from time to time, be appointed to collect and receive the Rent and Rents of the Pews and Seats to be made, erected, and built, in the said new intended Churches respectively, shall and may, and they are hereby enjoined and required, to keep just, true, and

Book of Account to be kept of the Rents of the Pews received,

said perfect Accounts of all Sum and Sums of Money to be by them respectively received, in, about, or concerning the Premisses, and of all Sum and Sums of Money, paid, issued, or applied, in or about the same; and shall enter all Debits, Vouchers, Payments, and Receipts, in a Book or Books to be by them respectively kept for that Purpose: All which said Books of Account, and Papers in any wise relating to the said Premisses, so to be kept, shall be inspected and examined into, from time to time, and at all Times, by the said Commissioners, or any Seven or more of them, or by such Person or Persons as they shall in that Behalf appoint; and shall upon Demand be delivered to the said Commissioners, or any Seven or more of them, they giving to the Treasurer, or Person or Persons keeping or intrusted with the said Books, or Account, proper Receipt or Receipts for the same.

and of Disbursements,

which are liable to be examined by the Commissioners.

And be it further enacted, That every such Treasurer, Receiver, or Collector, for the time being, shall from time to time, when required by the said Commissioners, or any Seven or more of them, make, render, and deliver to them as aforesaid, or to any other Person or Persons as they shall, in that Behalf, nominate and appoint, a fair, true, and full Account, upon Oath, before the Mayor, or any Justice of the Peace of and for the said Borough of Liverpoole, of all such Sums of Money, by such Collector, Treasurer, or Receiver respectively, collected, paid to, or received, and of all other Matters and Things committed to his and their Charge under the Authority of this Act; and pay over and deliver unto such Person and Persons as the said Commissioners, or any Seven or more of them, shall direct and appoint, all and every such Sum and Sums of Money, Articles, Matters, and Things as shall remain in his or their Custody, or Power, at the Time of rendering such Account: And if any such Treasurer or Receiver shall neglect or refuse to account, pay, and deliver up such Money, or other Things accordingly, any Two or more of the said Justices shall and may, by virtue of this Act, commit such Person or Persons to the Common Gaol of the Borough of Liverpoole, there to remain, without Bail or Mainprize, until he or they shall have made a true Account and Delivery, and paid and delivered up what shall, upon such Account, appear to be and be remaining in his or their Hands, or that such Commissioners shall and may make such Composition and Agreement, in and about the same, as they the said Commissioners, or any Seven or more of them, assembled at any publick Meeting to be appointed for such Purpose, shall think fit and reasonable; and which said

Treasurer to account upon Oath, when required by the Commissioners,

and pay over the Money in Hand to their Order;

on Penalty of being committed,

till Payment or Composition made.

Compo-

Composition, such Commissioners are hereby from time to time, authorized to make, allow, and confirm.

The Churches to be kept in Repair out of the Parochial Rates.

And be it further enacted, That from and after such Time as the said Two Churches shall respectively be built and consecrated, the same shall be supported and kept in good Repair, by the Parishioners of Liverpoole aforesaid, out of the Parochial Rates, Levies, and Assessments, to be raised, taxed, or assessed upon the Inhabitants of the said Parish.

No additional Buildings or considerable Repairs to be made after Consecration, till a Report be made to, and allowed by, the Commissioners.

Provided always, That after the Building, Finishing, and Consecration of the said new intended Churches respectively, no Repairs or additional Buildings shall be made, done, or added to the said Churches respectively, which shall cost above the Sum of Five Pounds, unless and until an Application shall be made to the said Commissioners, or any Seven or more of them, on that Behalf, by Persons acting as Churchwardens of the said Church and Churches for the time being; and until a Report be made in Writing to such Commissioners, by some able Workman to be by them appointed for that Purpose, signifying, that such Repairs or Buildings are necessary to be made and done; and unless and until such Report shall be first allowed by the said Commissioners, or any Seven or more of them, assembled as aforesaid, by Writing under their Hands.

Bread and Wine for the Communion to be provided by the Churchwardens, out of the Church Rates.

And be it further enacted, That the Bread and Wine to be used in the Communion in the said Churches respectively, shall be provided and paid for, in like Manner as the Bread and Wine used in the Parish Church of Liverpoole is provided and paid for; and the Churchwardens of the Parish of Liverpoole, for the time being, are hereby authorized and directed to pay the Expences thereof, out of the Church Leys or Rates annually made in the said Town of Liverpoole, accordingly.

No Corpse to be buried within the said Churches, on penalty of 100*l.*

Provided always, and be it enacted, That no Body or Corpse whatever shall be buried within either of the said new intended Churches; and the Minister and Ministers of each Church respectively are hereby strictly enjoined and prohibited not to suffer the same to be done, on penalty of forfeiting to the said Parishioners of Liverpoole, the Sum of One hundred Pounds for every such Corpse so suffered to be buried in either of the said Churches; to be recovered, paid, and applied, to the Use of the said Parish.

The Churches subject to the Ordinary Jurisdiction of the Bishop of *Chester*.

And be it further enacted by the Authority aforesaid, That the said Two new intended Churches, and the respective Ministers thereof for the time being, shall and may be licensed by, and that they shall be under and subject to the Ordinary Jurisdiction of, the Bishop of Chester, and

his Successors; and shall be by him or them visited, in such Manner as other Churches or Chapelries in the Diocese of Chester are now visited.

Commissioners impowered to augment the Salary of the Incumbent of St. *Paul*'s Church,

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and their Successors, or any Fifteen or more of them, to grant, assign, and appoint, unto and for every Minister or Incumbent of the said new Church, intended to be called The Church of Saint Paul, for the time being, such further or additional Salary or Stipend, over and above the annual Stipend or yearly Sum of Fifty Pounds, hereby directed to be paid to him and them by the said Corporation of Liverpoole as aforesaid, as the said Commissioners assembled in the said Church for the first Time after the Consecration thereof, and afterwards upon the Death, Resignation, Cession, or Deprivation of the First, and every other Minister or Incumbent of the said Church respectively, shall think proper and requisite; so as such additional Salary or Stipend do not exceed One hundred Pounds a Year, or be not less than Thirty Pounds a Year; and which said additional Salary or Stipend shall be paid out of, and the same is hereby charged upon, the Rents and Profits of the Seats in the Galleries of the said Church; and shall commence and be made payable from the Time of the Consecration of the said Church, by equal Half-yearly Payments, the first Payment thereof to begin and be made at the End of Six Calendar Months from thence next ensuing; and the Churchwardens of the said Church of Saint Paul, are hereby authorized and required to pay such additional Salary or Stipend, to the Minister to whom the same shall be so assigned and appointed for the time being, out of the Monies arising and to arise by the Rents of the said Seats or Pews accordingly. And also, that it shall and may be lawful to and for the said Commissioners and their Successors, or any Fifteen or more of them, to grant, assign, and appoint, unto and for every Minister or Incumbent of the new Church, intended to be called The Church of Saint John, such further or additional Stipend or Salary, over and above the said annual Sum of Fifty Pounds, hereby directed to be paid to him and them by the said Churchwardens of Liverpoole aforesaid, as the said Commissioners assembled in the said Church, for the first Time after the Consecration thereof, and afterwards upon the Death, Resignation, Cession, or Deprivation of the First, and every other Minister of the said Church respectively, shall think proper and requisite; so as such additional Salary or Stipend do not exceed One hundred Pounds a Year, or be not less than Thirty Pounds a Year;

not exceeding 100*l. per Ann.* nor less than 30*l.* payable out of the Rents of the Pews,

and they may augment in like Manner the Salary of the Incumbent of St. *John*'s Church,

not exceeding 100*l. per Ann.* nor less than 30*l.*

year; and which said additional Salary or Stipend shall be paid out of, and the same is hereby charged upon, the Rents and Profits of the Seats or Pews in the Galleries of the said Church of Saint John; and shall commence and be made payable from the Time of the Consecration of the said Church, by equal half-yearly Payments, the first Payment thereof to begin and be made at the End of Six Calendar Months from thence next ensuing; and the said Churchwardens of the said Church of Saint John, are hereby authorized and required to pay such Minister and Ministers accordingly, out of the Monies arising and to arise by the Rents and Profits of the said Seats or Pews in the Gallery of the said Church.

payable also out of the Rents of the Pews.

Provided always, and be it enacted and declared, That Notice shall be given in the said Churches respectively, of any Meeting of the Commissioners to be held for the Purpose of appointing such Augmentation as aforesaid, at least Ten Days before such Meeting.

Notice to be given of the Meeting of the Commissioners for the said Purposes.

And be it further enacted, That the said Churchwardens of the said Two new intended Churches, shall, out of the Rents and Profits of the said Seats or Pews in the Galleries of each of the said Churches, pay unto the Clerk of each of the said Churches such yearly Sum, not exceeding Twenty Pounds a Year, and to the Sexton of each Church such yearly Sum, not exceeding Ten Pounds a Year, for their Wages respectively, as the said Commissioners and their Successors, or any Seven or more of them, shall from time to time order and direct; having Respect to their and every of their decent and diligent Behaviour in their respective Offices.

Clerk to be paid not exceeding £. *per Annum*, and the Sexton £. out the Rents of the Pews.

And be it further enacted and provided, That in case any Money arising and to be collected, for or on account of the Rents of the Pews and Seats in the Galleries of the said Churches respectively, shall remain, after Payment of the several Salaries, Stipends, and Wages, to the Minister, Clerk, and Sexton, and other Monies directed to be issued and paid thereout by this Act; then, and in such Case, the said Surplus Money shall be laid out in and for such Ornaments, Decorations, and Conveniencies of, in, and for the respective Churches from whence such Surplus shall arise or be produced, as the said Commissioners, or any Seven or more of them assembled as aforesaid, shall order, direct, or appoint: And that in case the annual Revenues arising from such Churches respectively, by virtue of this Act, shall not be sufficient to answer and pay such yearly Salaries, Stipends, and Wages, and other Payments charged upon the same by virtue of this Act; such Deficiency shall from time to time, be made good and supplied

Surplus Monies arising by the Rents to be applied in the Ornaments, &c. of the said Churches.

Deficiency of the Rents to make good the Payments charged thereon, to be supplied out of the Parish Rates.

ſupplied by, with, and out of, all or any of the annual Parochial Rates, Levies, or Cares of the Parish of Liverpoole aforeſaid.

Incumbent of St. *Paul*'s may ſue the Corporation for any Arrears of the Salary payable by them;

And be it further enacted by the Authority aforeſaid, That in caſe the ſaid yearly Stipend or Salary of Fifty Pounds a Year, ſo to be paid by the ſaid Mayor, Bailiffs, and Burgeſſes of Liverpoole aforeſaid, to the Miniſter of the ſaid new intended Church, to be called The Church of Saint Paul, out of the publick Eſtate and Stock of the ſaid Corporation as aforeſaid, ſhall be behind and unpaid for Twenty one Days next after any of the ſaid half-yearly Payments ſhall become due and payable by virtue of this Act; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Miniſter, for the time being, his Executors and Adminiſtrators, in his and their own Name or Names reſpectively, to ſue the ſaid Mayor, Bailiffs, and Burgeſſes, in their Corporate Capacity, for the ſame, in any of His Majeſty's Courts of Record at Weſtminſter, or in the County Palatine of Lancaſter; in which Suit or Action, no Eſſoin, Protection, Wager of Law, or more than One Imparlance, ſhall be allowed; and ſhall and may ſo, from time to time, recover from them all ſuch Monies ſo in Arrear, together with Full Coſts of Suit.

and the Incumbent of St. *John*'s, may ſue the Churchwardens for any like Arrears payable by them;

And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Stipend or Salary of Fifty Pounds a Year, ſo to be paid by the Churchwardens of the ſaid Pariſh of Liverpoole, out of all or any of the Parochial Leys or Cares of the ſaid Pariſh of Liverpoole, to the Miniſter of the ſaid Church of Saint John for the time being, ſhall not be paid to him or them by the Space of Twenty one Days next after any of the ſaid Half-yearly Payments ſhall become due and payable by virtue of this Act; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Miniſter of the ſaid Church of Saint John for the time being, his Executors and Adminiſtrators, in his or their own Name or Names reſpectively, to ſue the ſaid Churchwardens of the ſaid Pariſh of Liverpoole, his and their Executors and Adminiſtrators, for the ſame, in any of His Majeſty's Courts of Record at Weſtminſter, or in the County Palatine of Lancaſter; in which ſaid Suits or Actions, no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and ſhall and may ſo, from time to time, recover from them all ſuch Monies ſo due and in Arrear, together with Full Coſts of Suit.

to be recovered with Full Coſts.

Poor Perſons and Cottagers exempted from Payment of the Rates.

Provided nevertheleſs, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend, to charge or make chargeable any poor Perſons or Cottagers,

tagers, who are or ſhall not, for the time being, be liable by Law to pay to any of the publick Taxes impoſed by Authority of Parliament on the Inhabitants of the ſaid Town of Liverpoole, to, with, or for any of the ſaid Parochial Rates or Aſſeſſments hereby directed to be applied, and made contributory to, and for the Purpoſes aforementioned; any thing in this preſent Act, or in any former Act or Acts of Parliament, contained to the contrary thereof, in any wiſe notwithſtanding.

And whereas, by the great Number of Carts and other Wheel Carriages made uſe of in the ſaid Town of Liverpoole, for the carrying and conveying of Goods, Wares, and Merchandize, Timber, Materials for Shipping, Stone, Bricks, and other heavy Loading, and the exceſſive Weights and Burthens loaded and carried in and upon the ſame; and the ſmall Breadth and Dimenſions of the Fellies of the Wheels of ſuch Carts and other Carriages reſpectively, the Pavements of the ſaid Streets, Roads, and other Places in the ſaid Town and Liberties of Liverpoole, are daily impaired, broken up, and become ruinous; wherefore, for providing ſome Remedy and Relief in the Premiſſes, it is hereby further enacted by the Authority aforeſaid, That from and after the Twenty fourth Day of June, which will be in the Year of our Lord One thouſand ſeven hundred and ſixty three, the Wheels of every ſuch Cart, Dray, or other Wheel Carriage, uſed for the carrying and removing of Wares and Merchandize, Goods, and any other Thing whatſoever, from Place to Place, within the ſaid Town of Liverpoole and the Liberties thereof, where the ſaid Streets and other Places and Roads therein are, or hereafter may be, paved, ſhall be of and contain in the Fellies or Soles thereof, from Side to Side, the full Breadth of Six Inches; and no ſuch Cart, Dray, or other Wheel Carriage, ſhall be drawn with more than Three Horſes, or other Beaſts of Draught (except from the Sea Bank or Water Side, up to the next End of the Pavement of any adjoining Street, or other paved Place in the ſaid Town of Liverpoole); and that every Owner or Owners of any ſuch Cart, Dray, or other Carriage, drawn or conveyed in or upon the Streets of the Town and Liberties of Liverpoole aforeſaid, ſhall forfeit and pay the Sum of Forty Shillings for every Time ſuch Cart, Dray, or Carriage, ſhall be uſed and drawn contrary to the true Intent and Meaning of this Act; and which Sum of Forty Shillings ſhall be recovered, levied, paid, and applied, by ſuch Ways and Means, and to and for ſuch Uſes,

From and after 24 *June* 1763, all Carts, &c. within the Town, are to have the Fellies of the Wheels Six Inches broad at the Sole,

and to be drawn by not more than 3 Horſes, (Exception)

on Penalty of 40 *s.*

Intents, and Purpoſes reſpectively, as are hereafter mentioned, provided and declared.

Country Carts, &c. excepted.

Provided nevertheleſs, That this Act ſhall not extend to any Country Waggon or other Carriage loaden with, or carrying, any Goods or Things whatſoever into or out of the ſaid Town of Liverpoole, to or from any Place lying and being at the Diſtance of half a Mile from the Stones End or paved Streets of the ſaid Town of Liverpoole.

Carts may be ſtopped, and the Fellies of the Wheels meaſured.

And be it further enacted, That in caſe, after the ſaid Twenty fourth Day of June One thouſand ſeven hundred and ſixty three, the Mayor of the Town of Liverpoole, or his Deputy, for the time being, or any other Juſtice or Juſtices of the Peace of and for the ſaid Borough, or any Perſon or Perſons whatſoever, ſhall have juſt Cauſe to ſuſpect that the Fellies of the Wheels of any ſuch Cart, Dray, or other Carriage, paſſing, ſtanding, and being in any of the ſaid paved Streets or other paved Places in the ſaid Town of Liverpoole, are not of the full Breadth of Six Inches at the Sole or Bottom thereof, from Side to Side, or drawn with more Horſes or Beaſts of Draught than as aforementioned; then, and in ſuch Caſe, it ſhall and may be lawful to and for every ſuch Perſon and Perſons to ſtop and detain ſuch Cart, Dray, or other Carriage, for ſuch Time as ſhall be requiſite and neceſſary, to meaſure the Fellies or Wheels thereof: And if the Driver or Drivers of ſuch Cart, Dray, or other Carriage, or any other Perſon or Perſons whatſoever, ſhall by any Ways or Means prevent, moleſt, or interrupt ſuch Perſon or Perſons in the meaſuring or gauging thereof, every Perſon and Perſons ſo offending herein, ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Shillings to the Informer or Informers, upon Conviction thereof, upon Oath of any One credible Witneſs, before the Mayor or his Deputy, or any other Juſtice of the Peace, for the time being, of the ſaid Borough of Liverpoole; to be levied, recovered, paid, and applied as herein after is directed.

Driver, &c. interrupting the Meaſuring thereof, to forfeit 10 s.

Owner's Name to be painted, and kept undefaced, on each Cart uſed within the Town,

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Twenty fourth Day of June One thouſand ſeven hundred and ſixty three, the Owner and Owners of every ſuch Cart, Dray, or other Carriage, ſhall paint, or cauſe to be painted, in fair legible Letters, in the moſt conſpicuous Part of ſuch Cart, Carr, Dray, or other Carriage, kept, uſed, and drawn in the ſaid Town of Liverpoole, and paved Streets and Places thereof, his or their Names, and ſhall not obliterate or

Preſſe

deface such Name or Names, not wilfully or knowingly suffer or permit the same to be at any Time then after obliterated or defaced; but in case the same Name or Names shall accidentally be obliterated and defaced, or be worn out in Part, or in the Whole, that then, and in every such Case, the said Owner and Owners of such Cart and other Carriage shall forthwith cause such Name and Names to be repainted in fair and legible Letters, on such Cart or other Carriage as aforesaid; and shall respectively, for every Neglect or Default in the Premisses, forfeit and pay the Sum of Twenty Shillings, to be recovered, levied, and applied in the Manner, and to and for the Uses and Purposes, herein after directed and appointed. on Penalty of 20 s.

And be it further enacted by the Authority aforesaid, That in case any Driver of any Coach, Chariot, Post Chaise, Cart, Dray, or other Wheel Carriage, or any Carrier or Carriers of Sedan Chair or Chairs, do or shall at any Time after the passing of this Act, whilst he is driving, loading, unloading, or attending any such Coach, Chariot, Chaise, Cart, Dray, Wheel Carriage, or Sedan Chair respectively, within the said Town of Liverpoole, or the Liberties thereof, wilfully or negligently thereby do, or cause to be done, any Hurt, Spoil, or Damage, to the Person or Persons of any of His Majesty's Subjects, his, her, or their Goods and Chattles, or who shall be guilty of any Breach of the Peace or Misbehaviour in their respective Employments; then, and in every such Case, it shall and may be lawful to and for the Mayor, or his Deputy, or any other Justice or Justices of the Peace of the said Town of Liverpoole, for the time being, upon his or their own Knowledge and View, Confession of the Party, or Proof of One or more credible Witness or Witnesses upon Oath before him or them, (which Oath, such Mayor, his Deputy, or other Justice, is hereby impowered to administer) to issue out his Warrant to apprehend every Offender and Offenders, and, in a summary Way, to proceed to convict any Person or Persons of any Offences aforesaid, and to fine such Person or Persons so offending, in any Sum not exceeding the Sum of Forty Shillings; which said Penalty, Fine, and Forfeiture shall, by such Party convicted be immediately paid down in the Presence of such Mayor, his Deputy, or other Justice; or, in case the Sum be not immediately so paid, it shall and may be lawful to and for such Mayor, his Deputy, or other Justice, to commit such Offender or Offenders to the Common Gaol of the said Borough of Liverpoole, there to remain for the Space of Ten Days, or until such Money is paid, and not exceeding the Space of One Month; which said Penalty

Coachmen, Carmen, Carters, or Chairmen, doing any Injury, or being guilty of Misbehaviour, in their respective Employments, may be fined, on Conviction, in any Sum not exceeding 40 s.

and if not forthwith paid, may be committed.

Penalty to go to the Party injured; and may be levied by Distress and Sale.

nalty and Penalties shall be paid to the Party and Parties so aggrieved or injured; or that all or any of the said Penalties shall and may be levied by Distress and Sale of the Offender and Offenders Goods and Chattles, rendering the Overplus (if any be) after the Charges of such Distress and Sale are deducted, unto the Owner and Owners thereof.

The Mayor and Justices, at the Quarter Sessions, impowered to settle the Rates payable to Hackney-Coachmen, Chairmen, Carters, Carmen, and Porters;

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the Mayor and Justice of the Peace of and for the said Borough or Corporation of Liverpoole, or any Two or more of them, at any General Quarter Sessions of the Peace, or at any Adjournment thereof to be held in and for the said Borough of Liverpoole, shall, and they have hereby full Power and Authority, from time to time, to set down and ascertain the Rates, Fares, and Prices, which shall from time to time be paid and payable to Hackney Coachmen, Chairmen, Carters, Carmen, and Porters respectively, plying, working, and labouring for Hire, within the said Town of Liverpoole and the Liberties thereof, for the carrying and conveying of One or more Person or Persons in any such Coach or Chair, and also of any Goods, Merchandize, Materials, or other Things whatsoever, in any such Cart, Carr, Dray, or other Carriage, and for carrying Goods, Letters, or Messages, or other Business, from any Part of the said Town or Liberties thereof to any other Part of the same, as the said Mayor and Justices, or any Two or more of them, shall judge reasonable and proper as aforesaid; and which said Rates, Fares, and Prices, and none other, shall from time to time be paid or payable to any such Hackney Coachmen, Chairmen, Carters, Carmen, and Porters respectively; and also that the said Mayor and Justices, or any Two or more of them, at any such Sessions or Adjournment thereof, shall and may and have hereby full Power to make and ordain such Orders, Rules, and Bye Laws, for the better Governing and Regulating all such the said Hackney Coachmen, Chairmen, and Chairs, Carters, Carmen, Carts, and Carriages, and Porters, within the said Town of Liverpoole and Liberties thereof, for the time being, in all Respects whatsoever, as in the Judgement of the said Mayor and Justices shall seem fit, just, and reasonable; and also to fix and appoint such pecuniary and other Penalties for Non-observance or Non-performance or other Breach of all or any such Rules, Orders, or Bye Laws, and to be from time to time recoverable by such Ways and Means, and for the Offender to be convicted in such Manner, and for want

and to make Rules and Bye Laws for their better Regulation;

with pecuniary and other Penalties for Breach thereof.

want of Payment of the Forfeiture on Demand, or of ſome ſufficient Diſtreſs being had for Recovery thereof, to fix and preſcribe ſuch Powers for the Offender to be committed for ſuch Time not exceeding Ten Days to the ſaid Priſon of Liverpoole, as they the ſaid Mayor and Juſtices, or any Two or more of them ſo aſſembled, ſhall, from time to time, order, direct, and appoint; ſo that each Penalty or Forfeiture for each ſuch ſeparate Offence, ſhall not be ſo ordered or ordained to exceed the Sum of Ten Shillings; all which Orders and Rules ſhall, from time to time, be final and binding to all Intents and Purpoſes whatſoever, and every Proceeding, in conſequence thereof, ſhall be good and effectual.

Penalty for each ſeparate Offence not to exceed 10*s.*

Orders, and Proceedings thereupon, to be binding and concluſive.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Mayor for the time being, or any One or more Juſtice or Juſtices of the Peace for the ſaid Town and Borough of Liverpoole, to hear and determine any of the Offences which are made ſubject to and puniſhable by any pecuniary Penalties directed to be levied by this Act: And ſuch Mayor or Juſtices of the Peace are hereby authorized and required, upon any Information exhibited, or Complaint made, in that Behalf, within Six Months after ſuch Offence committed, to ſummon the Party or Parties accuſed, and the Witneſſes on either Side, and after Oath of the Commiſſion of any of the Acts before mentioned by One or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party or Parties ſo offending, and upon the Appearance, or Contempt of the Party accuſed in not appearing, upon the Proof of Notice given, to proceed to the Examination of the Witneſs or Witneſſes upon Oath, which Oath they are hereby authorized, impowered, and required to adminiſter, and to give ſuch Judgement, Sentence, or Determination, as ſhall be juſt and conformable to the Tenor and true Meaning of this Act: And where the Party accuſed ſhall be convicted of ſuch Offence upon ſuch Information as aforeſaid, or Confeſſion of the Party accuſed, it ſhall and may be lawful to and for ſuch Juſtices, to iſſue a Warrant or Warrants for the levying the pecuniary Penalties and Forfeitures ſo adjudged, on the Goods and Chattles of the Offender, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in Five Days, rendering to the Party the Overplus, (if any there be): And in caſe any Perſon or Perſons ſhall be convicted in purſuance of this Act of any Offence and Offences aforeſaid, and no Goods and Chattles of any Perſon ſo offending, can at the Time of ſuch Conviction be found; then, it ſhall and

Offences puniſhable by pecuniary Penalties may be heard and determined by the Mayor, or any One Juſtice;

and they may ſummon and examine Witneſſes on Oath on either Side;

and upon Conviction, iſſue their Warrant for levying the Penalty by Diſtreſs and Sale;

and for want of Diſtreſs may commit the Offender.

may be lawful to and for such Mayor, Justice or Justices of the Peace, before whom such Person or Persons shall be convicted as aforesaid, to commit such Offender to the House of Correction of the said Town of Liverpoole, there to be kept to hard Labour, for any Time not exceeding the Space of Three Months, or until such pecuniary Penalty or Penalties shall be paid.

Penalties and Forfeitures, where not otherwise directed, may be levied by Distress and Sale;

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act incurred or imposed (the Manner of recovering and levying whereof is not otherwise hereby particularly directed) shall be recovered and levied by Distress and Sale of the Goods and Chattles of the Offender or Offenders, by Warrant or Warrants under the Hands and Seals of the Mayor, Recorder, and Justices, for the time being, or any Two or more of them, which Warrant or Warrants they, or any Two or more of them, are hereby impowered and required to make, upon the Information of One or more credible Witnesses upon Oath before them, or any Two or more of them, (which Oath they, or any Two or more of them, are hereby impowered and required to administer): And that all the pecuniary Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whose Goods and Chattles shall be so distrained and sold, (the Charges of such Distress and Sale being first deducted) shall be paid and applied as follows, That is to say, One Moiety thereof to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the said Parish, to be by them applied for the Use of the Poor of the said Parish of Liverpoole; and in case no such Distress as aforesaid can be had, then it shall and may be lawful to and for the said Mayor, Recorder, and Justices, for the time being, or any Two or more of them, by like Warrant or Warrants, to commit the Party offending unto the Common Gaol of the said Town, for the Space of Three Months, without Bail or Mainprize.

One Moiety thereof to go to the Informer, and the other to the Overseers, for the Use of the Poor;

and where no Distress can be found, the Offender is to be committed.

Penalties may be mitigated.

Provided always, That it shall and may be lawful to and for the said Mayor and Justices of the Peace for the time being, or any Two of them, from time to time, where they see Cause, to mitigate, compound, or lessen any of the Penalties or Forfeitures aforesaid, as they in their Discretion shall think fit; so as such Mitigation or Composition do not extend to remit One Moiety of the Penalty or Forfeiture inflicted and directed to be levied by this Act; and every such Mitigation or Composition shall be a sufficient Discharge for the Persons offending respectively,

ſpectively, for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo mitigated, leſſened, or remitted.

Perſons aggrieved by the Judgement of the Mayor, or Juſtices, or by any Rate, may appeal to the Quarter Seſſions.

Provided alſo, That if any Perſons ſhall find him or themſelves aggrieved, or remain unſatisfied, in the Judgement of the ſaid Mayor and Juſtices, or by any Rate or Aſſeſſment made in purſuance of this Act; then ſuch Perſon or Perſons ſhall and may, by virtue of this Act, complain or appeal to the Juſtices of the Peace at the next Quarter Seſſions to be held for the ſaid Borough of Liverpoole, or to any Adjournment of the ſaid Quarter Seſſions, or to the next Quarter Seſſions to be held at Ormſkirk for the County Palatine of Lancaſter, at the Election of the Party aggrieved, who are hereby impowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the Matter of ſuch Complaint or Appeal; and, in caſe of Conviction, to iſſue a Warrant or Warrants for the levying and enforcing the Payment of the ſaid Penalties and Forfeitures by the Ways and Means aforementioned, together with ſuch Coſts and Charges to the Party in whoſe Favour ſuch Appeal ſhall be determined, as the Juſtices in their ſaid Seſſions ſhall order and direct; which Order and Determination ſhall be final and concluſive unto all Parties, and ſhall not be removed or removeable by any Writ of Certiorari, or otherwiſe, into any of His Majeſty's Courts of Record at Weſtminſter or elſewhere.

Determination of the Quarter Seſſions to be final.

Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That no Order or other Proceedings to be made or had by or before any Juſtice of the Peace, in relation to the Premiſſes, ſhall be quaſhed or vacated for want of Form only; and that it ſhall and may be ſufficient for ſuch Juſtice or Juſtices to draw up the Conviction of any ſuch Offender or Offenders againſt this preſent Act, in the following Form, or Words to the ſame Effect:

No Order, or other Proceedings before a Juſtice, may be quaſhed for want of Form.

To wit. } Borough of in the County of

Form of Conviction.

BE it remembered, That on the Day of in the Year of His Majeſty's Reign, *A. B.* is convicted before of His Majeſty's Juſtices of the Peace for the Borough aforeſaid, of [*ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe ſhall be*]. Given under Hand and Seal, or Hands and Seals, the Day and Year aforeſaid.

The Mayor, or ſenior Juſtice preſent, to preſide at all Meetings.

Provided alſo, and be it further enacted, That at every Meeting of the Commiſſioners, by virtue of this Act, the Mayor

Mayor or Recorder of the ſaid Borough for the time being, if preſent, or, in their Abſence, the ſenior Juſtice of the Peace of the ſaid Town then preſent, ſhall preſide.

Limitation of Actions. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Matter or Thing done in purſuance of this Act, then, and in every ſuch Caſe, the Action or Suit ſhall be brought within Six Months next after the Cauſe of Action ſhall ariſe, and not afterwards; and ſhall be laid and brought in the County of Lancaſter, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and

General Iſſue. may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, on any Trial to be had thereupon: And if it ſhall appear to be done in purſuance of this Act, or that ſuch Action or Suit ſhall be brought after the Time herein before limited in that Behalf, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and, upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be Nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant ſhall have appeared, or upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or De-

Coſts of Suit. fendants ſhall and may recover his, her, or their Coſts of Suit, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

Reſervation of Rights to the Corporation. Provided always, That nothing in this Act contained, ſhall extend, or be conſtrued to extend, to alter, prejudice, leſſen, impeach, or defeat, the Rights, Powers, and Privileges of the ſaid Corporation of Liverpoole.

And it is hereby further enacted and declared, That this Act ſhall be taken and allowed, in all Courts of Juſtice

Publick Act. within this Kingdom, as a Publick Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

FINIS.