of the Year in which such Exchequer Bills shall become payable; and in case the Monies arising from such Supplies shall not at the Time be sufficient for that Purpose, then all the Exchequer Bills remaining undischarged, with the Interest and Charges incident to the same, shall be charged upon such Monies as at any Time after any such Deficiencies shall happen shall be in the Bank of *England* to the Credit of the Consolidated Fund of *Great Britain* and *Ireland*, except such Monies of the said Consolidated Fund as may be or may have been appropriated to any particular Use or Uses by any Act or Acts in that Behalf: Provided always, that whatever Monies shall be so issued out of the Consolidated Fund shall from Time to Time be replaced out of the first Supplies to be thereafter granted in Parliament, and whatever Monies shall thereafter be paid into the Bank of *England* on account of the Repayments to be made by virtue of the said Act shall be applied towards replacing the Monies before issued out of the said Supplies or Consolidated Fund, as the Case may be.

CAP. LXXXVIII.

An Act for the Completion of a Parochial Church in the Parish of *Saint Michael* in the City of *Limerick*, and for securing the Nomination of a Perpetual Curate thereto. [22d *August* 1843.]

'WHEREAS the Parish of *Saint Michael* in the County of the City of *Limerick* hath from Time immemorial been united to the Parishes of *Ardagh* and *Kildimo*, which Union forms the Archdeaconry of *Limerick*, but there is no Parish Church in the said Parish of *Saint Michael*: And whereas by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable the Lord Bishop of* Limerick *to sell and dispose of* Saint George's *Chapel in the City of* Limerick, *and the Land on which the same is built* (*heretofore Part of the Estate of the Earl of* Limerick), *and to apply the Proceeds of such Sale in the Erection of a new Chapel*, after reciting, that by an Indenture bearing Date the Twenty-sixth Day of *January* One thousand eight hundred and four, and made between *Edmond Sexton Pery* late Viscount *Pery*, since deceased, of the First Part, *Anthony Lefroy* of the City of *Limerick*, Esquire, of the Second Part, and the Right Reverend Father in God *Thomas* Lord Bishop of *Limerick* of the Third Part, a Chapel and the Ground upon which the same stood situate at the Corner of *George's Street* and *Mallow Street* in the said City of *Limerick*, and also a small Piece of Ground adjoining the same, were conveyed or intended to have been conveyed by the said *Edmond Sexton Pery* Viscount *Pery* unto the said *Thomas* Lord Bishop of *Limerick* and his Successors Bishops of *Limerick*, upon Trust for permitting the said Chapel to be used as a Chapel for ever;

3 & 4 W. 4. c. 29. (Pr.)

'ever; and reciting, that since the Decease of the said *Edmond Sexton* Viscount *Pery* the said Chapel had been used by the Protestant Inhabitants of the Neighbourhood for Religious Worship, but the said Chapel was far too small for the Accommodation of the Protestant Inhabitants of the Neighbourhood; and reciting, that by an Indenture of Release bearing Date the Twenty-fourth Day of *December* One thousand eight hundred and thirty-two, grounded on a Lease for a Year bearing Date the Twenty-third Day of the same Month, and made between the said *Edmond Henry* Earl of *Limerick* of the one Part, and the Churchwardens of the said Parish of *Saint Michael* of the other Part, after reciting therein an Act passed in the Parliament held in *Ireland* in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for reviving and amending* 33 G. 2. (I.) *an Act passed in the Twenty-third Year of His then present Majesty's Reign, intituled 'An Act for amending, continuing, and 'making more effectual the several Acts now in force in this 'Kingdom for the more easy Recovery of Tithes and other 'Ecclesiastical Dues of small Value; and also for the more easy 'providing a Maintenance for Parish Clerks; and to encourage 'the building of new Churches;'* and also reciting, that the said *Edmond Henry* Earl of *Limerick* was then seised of the Plot, Piece, or Parcel of Land or Ground therein-after described and thereby granted, and released or otherwise assured or intended so to be for his Life, with immediate Remainder over to his own Issue; and also reciting, that it was desirable and expedient that a new Church should be built for the Accommodation of the Protestant Inhabitants of the said Parish of *Saint Michael*, it was by the said Indenture witnessed that the said *Edmond Henry* Earl of *Limerick*, by virtue and in execution of the Power and Authority given to him by the said recited Act, and of all other Powers and Authorities in anywise enabling him in that Behalf, did give, grant, release, and confirm unto the Churchwardens of said Parish of *Saint Michael*, and their Successors for ever, all that Plot, Piece, or Parcel of Ground situate in the Centre of the new Street intended to be opened from the West End of *Pery Square* in the City of *Limerick* to the Lands of *Ballinacurra* in the said City, containing in Length One hundred and ten Feet and in Breadth Sixty-six Feet, to hold the same unto and to the Use of the said Churchwardens and their Successors for ever as and for a Site for said intended new Church for the Use of the Parishioners of the said Parish, and reciting, that the better to effect the Erection of such new Church or Chapel it was expedient that the said Chapel, Ground, and Premises comprised in the said recited Indenture of the Twenty-sixth Day of *January* One thousand eight hundred and four should be sold, and that the Money to arise from the Sale thereof should be applied for the Purposes and in manner therein-after expressed and declared concerning

'the same, it was by the said Act now in recital enacted, that 'it should be lawful for the Right Reverend *John* Lord Bishop 'of *Limerick*, or the Lord Bishop of *Limerick* for the Time 'being, to make sale and dispose of the said Chapel, Ground, 'and Premises comprised in the said therein-before recited 'Indenture of the Twenty-sixth *January* One thousand eight 'hundred and four to any Person or Persons whomsoever, '(with Liberty to sell the said Chapel and other the Buildings 'as Building Materials,) and either by public Sale or private 'Contract, and for the Purpose of effectuating any such Sale to 'convey and assure the same Premises to the Purchaser or 'Purchasers thereof, and also upon Payment of the Monies to 'arise from such Sale or Sales to give effectual Discharges for 'the Purchase Money in manner in the said Act mentioned; 'and it was by the said Act now in recital further enacted, 'that the said *John* Lord Bishop of *Limerick*, or the Lord 'Bishop of *Limerick* for the Time being, should be possessed 'of the Money to arise from such Sale or Sales as aforesaid, 'upon Trust, after defraying the Costs and Expences incident 'to obtaining the said Act now in recital, and also the Expences 'attending the Conveyance of the Chapel, Land, and Premises 'thereby authorized to be sold, to pay and apply the Residue 'of the said Purchase Money towards the erecting, completing, 'and finishing the said Chapel so intended to be erected and 'built as aforesaid: And whereas the said Chapel, Ground, 'and Premises were afterwards sold, pursuant to the said Act 'of Parliament passed in the Third and Fourth Years of the 'Reign of His late Majesty King *William* the Fourth, and 'the Purchase Monies arising from such Sale have been applied 'towards the Erection of the said Church or Chapel in the said 'recited Act of Parliament mentioned as intended to be built 'as aforesaid, and which has been in part built upon the said 'Plot or Piece of Ground so conveyed to the Churchwardens 'of said Parish of *Saint Michael* by the said recited Indenture 'of the Twenty-fourth *December* One thousand eight hundred 'and thirty-two for that Purpose as aforesaid, but the said 'Church or Chapel is not yet sufficiently completed for the 'Celebration of Divine Service: And whereas by reason of 'the great Increase of the new Town of the City of *Limerick* 'within the present Century there is a large Protestant Popu-'lation in the said Parish of *Saint Michael* destitute of suffi-'cient Church Accommodation within the said Parish, and it 'is expedient to provide for the Celebration of Divine Service 'at a convenient Distance for the Resort of the Inhabitants of 'said Parish, and the said new Church when completed will 'be convenient for that Purpose, and it is expedient, for the 'Purposes of this Act, to make the said Parish of *Saint Michael* 'a distinct Parish:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this pre-

sent Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Parish of *Saint Michael* shall be deemed and reputed a several and distinct Parish for the Purposes in this Act mentioned, and that the said new Church, now partly erected, shall be deemed the Parish Church of the said Parish of *Saint Michael*, and shall be called "the Church of *Saint Michael*," and shall (subject as herein-after mentioned) be deemed a Perpetual Cure; and that the Perpetual Curate thereof, when duly nominated or licensed, shall be capable of receiving any Endowment or Augmentation from any Person or Persons, Body or Bodies Politic or Corporate, in such Manner as any Curate of any impropriate or appropriate Parish is by the Laws now in being qualified to take the same; and such Curate is hereby declared to be a Body Politic and Corporate, and shall have perpetual Succession by the Name of "the Perpetual Curate of *Saint Michael's* Church," and made capable to receive any such Endowments or any such Augmentation as may be granted to him or his Successors; and the said Parish of *Saint Michael* shall have all parochial Rights by Law appertaining to any Parish set out or described under the Provisions of an Act passed in the Session of the Parliament of *Ireland* held in the Eleventh and Twelfth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for erecting Parochial Chapels of Ease in Parishes of large Extent, and making such Chapels and those that are already erected Perpetual Cures; and making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same, and also in like Manner for making appropriate Parishes Perpetual Cures;* saving, nevertheless, to the Archdeacon of *Limerick*, and his Successors Rectors of the said Parish of *Saint Michael*, all his and their now existing Rights, Powers, Jurisdictions, Privileges, Perquisites, Benefits, Charges, Fees, Dues, and Emoluments in respect of the said Church and Parish, or Perpetual Curate, as Rectors or Incumbents thereof, fully and effectually to all Intents and Purposes, and so as such Perpetual Curate shall not have or exercise any independent Power or Authority, or be entitled to any Privileges, Perquisites, Charges, Fees, Dues, Emoluments, Jurisdictions, or Powers, in said Church or Parish to the Prejudice of such Rights of the Rector of said Parish as aforesaid, save such as are hereby expressly granted.

Saint Michael's Parish to be a distinct Parish, and the new Church to be the Parish Church thereof, &c.

11 & 12 G. 3. (I.)

II. And be it enacted, That all the Grants, Gifts, Conveyances, and Endowments of Lands, Tithes, Rent-charge in lieu of Tithes, Profits, or other Emoluments heretofore made and granted by the late *Edmond Sexton* Viscount *Pery* and by the said *Edmond Henry* Earl of *Limerick*, or either of them, to the Reverend *Pryce Peacock* as Minister of the Chapel of *Saint George*, or granted by them or either of them for the Use of the Minister of such Chapel, or in Trust for him, comprising the unsold Portion of the Plot or Piece of Ground in *Saint George's Street* and the Plot or Piece of Ground in *Mallow Street* in the City of *Limerick*, and also of the Rectorial Tithes or Rent-

All Grants and Endowments heretofore made by Ld. Pery or Ld. Limerick to be continued in Perpetuity for the Use of the Perpetual Curate.

Rent-charge in lieu of Tithes in the Parish of *Ballinlough* in the County of *Limerick*, granted as aforesaid, are hereby granted, conveyed, and confirmed to the said *Pryce Peacock* as first Perpetual Curate of the said Church, and to his Successors for ever, being Perpetual Curates thereof duly nominated under this Act, and shall be deemed and considered Part or Portion of a perpetual Endowment of the said Church for the Maintenance of such Perpetual Curate and his Successors for ever.

Earl of Limerick to be Patron and Rev. Pryce Peacock first Perpetual Curate of St. Michael's Church.

III. And be it enacted, That from and after the passing of this Act the said *Edmond Henry* Earl of *Limerick* and his Heirs shall be and be esteemed in Law to be the true Patron or Patrons of the said Perpetual Curacy of the said new Church of *Saint Michael*, and the sole Right of Presentation or Nomination thereto of such Perpetual Curate, but subject as aforesaid and without Prejudice to the Rights of the Rector therein as aforesaid, shall be for ever hereafter vested in the said *Edmond Henry* Earl of *Limerick* and his Heirs; and that the Reverend *Pryce Peacock* be the first Perpetual Curate thereof from and after the passing of this Act, subject as aforesaid.

Perpetual Curacy of St. Michael subject to Provisions of 6 & 7 W. 4. c. 31.

IV. And be it enacted, That the said Perpetual Curacy of *Saint Michael* and the Patronage thereof shall be subject to the same Laws in respect of the Lapse of the Presentation or Nomination thereto, and in respect of the Residence of the Curate thereof, and the Visitation and Jurisdiction of the Bishop of the Diocese, as are in and by an Act passed in the Session of Parliament held in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, intituled *An Act to amend an Act of His late Majesty King* George *the Second, for the Encouragement of building of Chapels of Ease in* Ireland, enacted and declared of and concerning Cures and Benefices endowed by virtue of the Powers given by the said Act: Provided always, that this Act be not construed so as to discharge the said Archdeacon of *Limerick*, or his Successors Rectors of the said Parish of *Saint Michael*, from the Cure of Souls or any other parochial Duties in the said Parish and in the said new Church, but such Cure of Souls and parochial Duties in the said Parish and said Church shall remain in him and them as if no such Perpetual Curate was appointed thereto: Provided always, that nothing herein contained shall be deemed or construed to impose on the said *Pryce Peacock*, as the first Perpetual Curate of the said Church under this Act, any Duties other than such as he was liable to as Chaplain or Minister of the said Church called *Saint George*'s Church previous to the passing of this Act, save so far as the Bishops of the Diocese or Archbishop of the Province may in the lawful Exercise of their Jurisdiction think proper to direct: Provided also, that nothing herein contained shall be deemed or taken to entitle the Perpetual Curate of the said Perpetual Cure of *Saint Michael* to the Payment of any Stipend, Salary, or Maintenance by the Archdeacon of *Limerick*, or his Successors Rectors of said Parish, nor to sever or dissolve in any Manner howsoever the Corps of the said Archdeaconry, further or otherwise than is for the Purposes of this Act enacted and

and declared; saving and reserving unto the said Reverend *Pryce Peacock*, first Perpetual Curate appointed under this Act as aforesaid, all such Rights, Privileges, and Enjoyments, Profits and Emoluments, as he heretofore enjoyed and now hath or was or is entitled unto as Chaplain or Minister of *Saint George*'s Church as aforesaid, together with all other Rights and Privileges in the said Church of *Saint Michael* which to a Perpetual Curate by Law appertain, any thing in this Act to the contrary notwithstanding.

Free Sittings, to the Extent of One Fourth, to be reserved.

V. And be it enacted, That Pews or Sittings in the said Church to be marked with the Words "Free Sittings," amounting in the whole to not less than One Fourth Part of the whole of the Sittings in such Church, shall be appropriated and set apart for the Use of poor Persons resorting thereto, and for which Pews or Sittings no Rent or Assessment whatsoever shall be at any Time charged or imposed; and that the Pews or Sittings in the said Church, save and except the Pews or Sittings so to be set apart for the Use of poor Persons, and save and except the Pews set apart or to be set apart for the Use of the Rector, Curate, or officiating Minister of the said Church for the Time being, or for their Families, shall be for ever charged and chargeable in the several and respective yearly Rents or Sums to be set opposite to the Figures or Numbers to be marked upon each of the said Pews or Sittings, as they shall be particularly numbered or set down in the Lists or Schedules to be signed by the Perpetual Curate of the said Church of *Saint Michael* and the Bishop of the Diocese for the Time being.

Recovery of Pew Rents.

VI. And be it enacted, That in case the Rent of any such Pew or Sitting, or any Part thereof, shall happen to be behind and unpaid by the Space of Six Months next after the same shall become due, and Notice in Writing demanding Payment thereof shall have been given to the Owner or Occupier of such Pew or Sitting, then the said Perpetual Curate of the said Church of *Saint Michael* for the Time being may enter upon and hold such Pew or Sitting, and let the same to any other Person or Persons in such Manner as he shall think proper; and it shall be lawful for the said Perpetual Curate for the Time being to recover the said Rent so in arrear by Action of Debt or upon the Case for the Use and Occupation of such Pew or Seat, to be brought against the Owners or Occupiers thereof in the Name of the said Perpetual Curate for the Time being.

No Interments.

VII. And be it enacted, That it shall not be lawful to use any of the Vaults of the said Church, or any of the Precincts thereof, for the Purposes of Interment.

Ecclesiastical Commissioners may make Payments for completing St. Michael's Church. 3 & 4 W. 4. c. 37.

VIII. 'And whereas by an Act passed in the Session of 'Parliament held in the Third and Fourth Years of the Reign 'of His late Majesty King *William* the Fourth, intituled *An* '*Act to alter and amend the Laws relating to the Temporalities of* '*the Church in* Ireland, it was enacted, amongst other things, 'that all and every the Monies and Funds therein mentioned 'which should under and by virtue of that Act be at the

'Disposal

'Disposal of the Commissioners under the said Act and their 'Successors (commonly called the Ecclesiastical Commissioners 'for *Ireland*), should (save as is therein excepted) be applicable, 'amongst other Purposes, for defraying such Expences of 'building, rebuilding, enlarging, or repairing any Church or 'Chapel as had been theretofore defrayed by Vestry Assess-'ment in *Ireland*: And whereas the said Ecclesiastical Com-'missioners for *Ireland* undertook and agreed to grant the 'Sum of One thousand Pounds Sterling in aid of the Monies 'produced by the said Sale of the said Chapel in *George Street*, 'herein-before mentioned, towards the Completion of the said 'new Church of *Saint Michael*, and the Erection thereof was 'continued by the Contractor therefore on the Faith of the 'said Undertaking or Agreement so entered into by the said 'Ecclesiastical Commissioners, but Doubts have since been 'entertained by them whether under the said Act of the Third 'and Fourth Years of King *William* the Fourth the said 'Ecclesiastical Commissioners had Power to enter into such 'Agreement, or would now be authorized to make a Grant 'pursuant thereto;' be it therefore declared and enacted, That it shall and may be lawful to and for the said Ecclesiastical Commissioners for *Ireland* to pay over to the said Lord Bishop of *Limerick* or his Successors the said Sum of One thousand Pounds so agreed to be granted as herein-before mentioned, to be applied by the said Lord Bishop of *Limerick* or his Successors towards discharging the Expences incurred in the Erection of said Church.

Ecclesiastical Commissioners may grant Lands, &c. as an additional Endowment, &c. of St. Michael's Church.

IX. And be it enacted, That from and after the passing of this Act it shall be lawful for the said Ecclesiastical Commissioners for *Ireland* to grant any Lands, Tenements, or Property whatsoever, Real or Personal, vested in him or them, or any Sum of Money out of the Funds vested in the said Commissioners, for the Purchase of any Lands, Tenements, or Hereditaments as an additional Endowment for the said Parish Church of *Saint Michael*, and also for defraying the Expences of rebuilding, enlarging, or repairing the same Church; and that the said Ecclesiastical Commissioners may exercise all such Powers and Authorities in favour of the Perpetual Curate of the said Parish Church as they are empowered to do in favour of any Ecclesiastical Incumbent whatsoever by any Law now in being; and that all Laws and Statutes now in force in that Part of the United Kingdom called *Ireland* for and in relation to the Purchase, procuring, building, and improving any Glebe and Glebe Lands to be held, provided, and enjoyed by Ecclesiastical Incumbents shall be and are hereby enacted to extend to the Perpetual Curate for the Time being of the said Church of *Saint Michael*, and the Lands, Houses, and Improvements to belong to and to be made, erected, and procured by the Perpetual Curate thereof for the Time being: Provided always, that nothing herein contained shall extend or be construed to render the said Parish of *Saint Michael*, or any of the Parishioners or Inhabitants thereof, liable to be charged with the Payment

Payment of any Sum or Sums of Money under and by virtue of the Provisions of an Act passed in the Parliament of *Ireland* held in the Seventeenth and Eighteenth Years of the Reign of King *Charles* the Second, intituled *An Act for Provision of Ministers in Cities and Corporate Towns, and making the Church of* Saint Andrew's *in the Suburbs of the City of* Dublin *presentative for ever*, or to any Charge in the Nature of Minister's Money, or to any other Ecclesiastical or Parochial Charge, or to any Payment or Charge whatsoever to which the said Parish or the Parishioners or Inhabitants thereof was not or were not subject before the passing of this Act; nor shall any thing in this Act entitle or authorize said Parish or the Parishioners or Inhabitants thereof to be exempt or discharged from the Payment of any Sum or Sums under said recited or any other Act, or any Charge in the Nature of Minister's Money, or any other Ecclesiastical or Parochial Charge, or any Payment or Charge whatsoever to which said Parish or the Parishioners or Inhabitants thereof was or were subject or liable before the passing of this Act; and this Act shall not be deemed or taken in any Manner to impose or create any Charge upon the said Parish or Parishioners, or to recognize or evidence the Existence of any such Charge, or to discharge said Parish or Parishioners from any Charge, or to negative or disprove the Existence of any such Charge, but the Rights, Perquisites, Revenues, and Fees, Charges, and Emoluments of the said Archdeacon of *Limerick* and his Successors Rectors of the said Parish of *Saint Michael* shall be and continue in as full Force and Effect in respect of said Perpetual Curate and his Successors, and said Parish and the Parishioners and Inhabitants thereof, as if this Act had not been passed, any thing herein contained to the contrary notwithstanding. 17 & 18 C. 2. (I.)

X. And be it enacted, That this Act shall be deemed and taken to be a Public Act. Public Act.

CAP. LXXXIX.

An Act to amend the Act for the Regulation of Municipal Corporations in *England* and *Wales*.

[24th *August* 1843.]

'WHEREAS by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, Provisions were made for the Election of Corporate Officers in certain Boroughs, and for determining the Times and Manner of such Election; but the Provisions in the said Act have not in all Cases been duly complied with: And whereas by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend an Act for the Regulation of Municipal Corporations in* England *and* Wales, it was among other things declared, 5 & 6 W. 4. c. 76. 1 Vict. c. 78.