



# New Parishes Act 1843

## 1843 CHAPTER 37

An Act to make better Provision for the Spiritual Care of populous Parishes. [28th July 1843]

WHEREAS it is expedient to make better Provision for the Spiritual Care of populous Parishes, and to render the Estates and Revenues vested in " The Ecclesiastical Commissioners for *England*" and the Funds at the Disposal of " The Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy," applicable immediately to such Purpose:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

### **Queen Anne's Bounty Board may lend Ecclesiastical Commissioners for England a Sum of Stock.**

That the said Ecclesiastical Commissioners for *England* may, upon the Conditions herein-after mentioned, forthwith borrow, and the said Governors of the Bounty of Queen *Anne*, together with the Most Reverend *William Howley* Lord Archbishop of *Canterbury*, may, upon the Security herein-after mentioned, forthwith lend and transfer to the said Commissioners, the Capital Sum of Six hundred thousand Pounds Three Pounds *per Centum* Reduced Bank Annuities, Part of a certain Sum of such Stock now standing in the Names of the said Governors and of the said Archbishop in the Books of the Governor and Company of the Bank of *England*.

### **II Bounty Board may lend further Sums of Stock.**

And be it enacted, That at any Time and from Time to Time the said Commissioners may borrow, and the said Governors and the Archbishop of *Canterbury* for the Time being may, if they shall think fit, lend and transfer to the said Commissioners, in like Manner, and upon the like Security and Conditions, any further Capital Sum or Sums of Stock, being Part of the Stock so standing as aforesaid.

### **III Commissioners to pay Dividends half-yearly.**

And be it enacted, That the said Commissioners shall, upon the Transfer of any such Stock as aforesaid into their Names in the Books of the said Governor and Company, accept the same in such Books, and shall pay or cause to be paid to the said Governors, by half-yearly Payments on the Tenth Day of *April* and the Fourteenth Day of *October* in every Year, a Sum equal in Amount to the Amount of the Dividends which such Stock, or so much thereof as shall on such Days respectively remain unreplaced, would produce; and that it shall be lawful for the said Commissioners at any Time to replace the Whole or any Part of any such Sum of Stock.

### **IV The whole Property of the Commissioners under the Cathedral Acts to be Security for every such Loan.**

And be it enacted, That all the Monies from Time to Time accruing to the said Commissioners by reason of the Suspension of Canonries by or under the Provisions of an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, and of an Act passed in the Session of Parliament held in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act to explain and amend Two several Acts relating to the Ecclesiastical Commissioners for England*, and all the Lands, Tithes, Rent-charges, Tenements, and other Hereditaments vested or to be vested in them under the Provisions of the same Acts or of this Act, and the Rents and Profits thereof, shall be and the same are hereby charged and made chargeable with all such half-yearly Payments as aforesaid, and also with the Repayment and replacing of the whole Capital Stock so to be lent and transferred to them, if any such half-yearly Payment, or any Part thereof, shall remain unpaid for Twenty Days next after either of the Days upon which the same shall have become due and payable as aforesaid; and that upon any such Default as last mentioned the said Governors shall, by virtue of this Act, and upon Proof of such Default, have the same and the like Remedies at Law against the said Ecclesiastical Commissioners for *England*, and upon and over all the Monies, Lands, Tithes, Rent-charges, Tenements, and other Hereditaments in their Possession or Power under the Provisions of the said recited Acts, for the Recovery of such Capital Stock, or so much thereof as shall then remain unreplaced, together with all Arrears of half-yearly Payments due thereon as aforesaid, as if the said Commissioners had duly executed a Deed under their Common Seal, covenanting for Repayment to the said Governors of such Stock and for making such half-yearly Payment on the Day when such Default shall have become complete as aforesaid; and that such Transfer and Acceptance as aforesaid shall be sufficient Evidence of such Covenant.

### **V Bounty Board may require Repayment of Capital after Thirty Years.**

Provided also, and be it enacted, That it shall be lawful for the said Governors, if they shall see fit, at or after the Expiration of Thirty Years from the Date of the lending and transferring of the said Sum, and at or after the Expiration of a like Number of Years from and after the lending and transferring of any further Sum of such Stock as aforesaid, to give Notice to the said Commissioners, in Writing under their Corporate Seal, requiring them to replace, in the Names of the said Governors and of the Lord Archbishop of *Canterbury* for the Time being, the whole of such Sums of Stock respectively, or such Part thereof respectively as shall at the Date of such Notice remain unreplaced, and the said Commissioners shall proceed to replace the same accordingly,

by yearly Instalments, amounting at the least to One Twelfth Part of such Sums of Stock respectively, or of such remaining Part thereof as aforesaid, and upon default of their duly replacing any such Instalment the said Governors shall have the like Remedies for recovering the same, as for any Default in making any such half-yearly Payment as aforesaid.

**VI Commissioners to have full Rights of Ownership over the Lands, &c. vested in them, subject to certain Conditions.**

And be it enacted, That, notwithstanding the Charge by this Act created, all the same and the like Rights and Powers of Ownership, as are possessed and enjoyed respecting and over any Lands, Tithes, Rent-charges, Tenements, or other Hereditaments whatsoever, by any absolute Owner thereof, shall be enjoyed by the said Commissioners with respect to and over all or any Lands, Tithes, Rent-charges, Tenements, and other Hereditaments vested and liable to be vested in them by or under the Provisions of the said recited Acts, and may, subject to the Provisions of the same Acts and of this Act, be exercised by them, by proper Instruments in Writing duly executed according to Law, but in the Case of any such Lands, Tithes, Rent-charges, and other Hereditaments not actually in their Possession, with the Consent of the respective Holders thereof, testified by their being made Parties to such Instruments ; and that the Consent of the said Governors shall not be in any Case required to the Exercise by the said Commissioners of any such Rights and Powers as aforesaid, notwithstanding such Charge : Provided always, that every Sum of Money received as the Consideration or Purchase Money for the Sale, Transfer, or Conveyance by the said Commissioners of any of such Lands, Tithes, Tenements, or other Hereditaments, or of any Estate or Interest therein, and also every Sum of Money received by them as the Foregift or Fine for the granting or renewing of any Lease, shall, unless it be deemed expedient by the said Commissioners to apply any such Sum or any Part thereof in replacing any Stock so lent and transferred as aforesaid, which they are hereby empowered to do, be applied by them, so soon as conveniently may be after the Receipt thereof, in the Purchase of Lands, Tithes, Rent-charges, Tenements, or other Hereditaments, or of some Estate or Interest therein, and shall in the meantime be invested in some Government or Parliamentary Stock or other Public Securities in *England*, the said Commissioners being at liberty to apply the Interest and Dividends of such Stock or Securities, and the Rents and Profits of such Lands, Rent-charges, Tithes, Tenements, and other Hereditaments, to the Purposes of the said recited Acts or of this Act.

**VII Commissioners to have full Power over Stock.**

And be it enacted, That the said Commissioners shall, for the Purposes and subject to the Provisions of the said recited Acts and of this Act, have full Power and Right of Property over all the Stock so lent and transferred to them by the said Governors as aforesaid.

**VIII Stock not to be used, nor Lands sold, without Approval of Her Majesty in Council.**

Provided always, and be it enacted, That no Part of the Capital of such Stock shall be applied to such Purposes as aforesaid, nor shall any such Lands, Tithes, Tenements, or other Hereditaments as aforesaid be sold, transferred, or conveyed, except by the Authority in the said recited Acts provided; (that is to say,) by a Scheme prepared

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*Status: This is the original version (as it was originally enacted).*

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by the said Commissioners, and an Order issued by Her Majesty in Council ratifying such Scheme.

**IX Districts may be constituted for Spiritual Purposes ; and are to be endowed to a certain Amount at the least.**

And whereas there are divers Parishes, Chapelries, and Districts of great Extent, and containing a large Population, wherein or in Parts whereof the Provision for Public Worship and for Pastoral Superintendence is insufficient for the Spiritual Wants of the Inhabitants thereof; be it therefore enacted, That if at any Time it shall be made to appear to the said Ecclesiastical Commissioners for *England*, that it would promote the Interests of Religion that any Part or Parts of any such Parish or Parishes, Chapelry or Chapelries, District or Districts, or any Extra-parochial Place or Places, or any Part or Parts thereof, should be constituted a separate District for Spiritual Purposes, it shall be lawful, by the Authority aforesaid, with the Consent of the Bishop of the Diocese under his Hand and Seal, to set out by Metes and Bounds, and constitute a separate District accordingly, such District not then containing within its Limits any consecrated Church or Chapel in use for the Purposes of Divine Worship, and to fix and declare the Name of such District: Provided always, that the Draft of any Scheme for constituting any such District, proposed to be laid before Her Majesty in Council by the said Commissioners, shall be delivered or transmitted to the Incumbent and to the Patron or Patrons of the Church or Chapel of any Parish, Chapelry, or District out of which it is recommended that any such District or any Part thereof should be taken, in order that such Incumbent, Patron or Patrons, may have an Opportunity of offering or making, to the said Commissioners or to such Bishop, any Observations or Objections upon or to the constituting of such District; and that such Scheme shall not be laid before Her Majesty in Council, until after the Expiration of One Calendar Month next after such Copy shall have been so delivered or transmitted, unless such Incumbent and Patron or Patrons shall in the meantime consent to the same: Provided also, that in every Scheme for constituting any such District, the said Commissioners shall recommend to Her Majesty in Council, that the Minister of such District, when duly licensed as herein-after mentioned, shall be permanently endowed, under the Provisions herein-after contained, to an Amount of not less than the annual Value of One hundred Pounds; and also, if such Endowment be of less than the annual Value of One hundred and fifty Pounds, that the same shall be increased under the like Provisions to such last-mentioned Amount, at the least, so soon as such District shall have become a new Parish as herein-after provided.

**X Map of District to be annexed to Scheme, and registered.**

And be it enacted, That a Map or Plan, setting forth and describing such Metes and Bounds, shall be annexed to the Scheme for constituting such District, and transmitted therewith to Her Majesty in Council, and a Copy thereof shall be registered by the Registrar of the Diocese, together with any Order issued by Her Majesty in Council for ratifying such Scheme: Provided always, that it shall not be necessary to publish any such Map or Plan in the *London Gazette*.

**XI Minister to be nominated and licensed to District.**

And be it enacted, That upon any such District being so constituted, a Minister may and shall be nominated thereto in manner herein-after provided, and may thereupon be licensed thereto by the Bishop, and shall have Power to perform and shall perform

within such District all such Pastoral Duties appertaining to the Office of a Minister according to the Rites and Usages of the United Church of *England* and *Ireland* as shall be specified and set forth in his, Licence, and, when a Building shall be licensed within such District for Divine Worship in manner herein-after provided, shall also perform such Services and Offices as shall be specified and set forth in the same or any further Licence granted in that Behalf by the Bishop of the Diocese ; and such Minister shall perform such Pastoral Duties, Services, and Offices respectively, independently of the Incumbent or Minister of the Church of any Parish, Chapelry, or District out of which such new District or any Part thereof shall have been taken, and shall, so far as the Performance of the same may be authorized by such Licence or Licences, have the Cure of Souls in and over such new District: Provided always, that no Burials shall be performed in such licensed Building, and that nothing in this Act contained shall empower such Bishop to include in any such Licence the Solemnization of Marriages.

## **XII Style and Character of Minister ; and Power to hold Endowments.**

And be it enacted, That such Minister shall be styled "  
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**Minister of the District of** , "

according to the Name thereof so fixed as aforesaid, and shall be in all respects subject to the Jurisdiction of the Bishop and Archdeacon within whose Diocese and Archdeaconry such District shall be situate, and shall only be removeable from his Office of such Minister for the like Reasons and in the same Manner as any Perpetual Curate is now by Law removeable; and such Minister shall be a Body Politic and Corporate, and shall have perpetual Succession, as well by the Name and in the Character aforesaid, as by the Name and in the Character of Perpetual Curate herein-after mentioned and provided, as the Case may be; and such Minister and Perpetual Curate respectively may, in such Name and Character respectively, notwithstanding the Statutes of Mortmain, receive and take, to him and his Successors, as well every Grant of Endowment or Augmentation made or granted by the Authority aforesaid, as also any Real or Personal Estate or Effects whatsoever which any Person or Persons or Body Corporate may give or grant to him according to Law.

## **XIII Bishop may license a temporary Place of Worship.**

And be it declared and enacted, That it shall be lawful for the Bishop of the Diocese, at any Time after the constituting of any such District as aforesaid, to license any Building, within such District, which he may consider to be fit and proper for such Purpose, for the Performance of Divine Service by such Minister according to the Rites and Usages of such United Church; and such Minister may for any Churchings performed under any such Licence receive such Fees as shall be fixed and determined in manner herein-after provided; and all Laws now in force relating to the Registration of Baptisms shall apply to all Baptisms performed under any such Licence.

## **XIV Not to prevent Marriages and Burials in Mother Church, nor affect certain other Rights.**

Provided always, and be it enacted, That, until a Church or Chapel shall have been built or acquired within such District, and shall have been approved and consecrated as herein-after provided, nothing herein contained shall prejudice or affect the Right of any Incumbent of any other Church or Chapel, who before the constituting of such District possessed the entire Cure of Souls within the same or any Part thereof,

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to publish any Banns, solemnize any Marriages, or perform any Burials in his own Church or Chapel which he could have published, solemnized, or performed therein, or to receive any Fees, Dues, or Emoluments (except the Fees hereinbefore authorized to be received by the Minister of such District) which as such Incumbent he could have received if such District had not been constituted, nor any Right to attend Divine Service in any other Church or Chapel, which any Inhabitant of such District possessed before such District was constituted.

**XV District to become a new Parish upon a Church being consecrated.**

And be it enacted, That when any Church or Chapel shall be built, purchased, or acquired in any District constituted as aforesaid, and shall have been approved by the said Commissioners, by an Instrument in Writing under their Common Seal, and consecrated as the Church or Chapel of such District, for the Use and Service of the Minister and Inhabitants thereof, such District shall, from and after the Consecration of such Church or Chapel, be and be deemed to be a new Parish for Ecclesiastical Purposes, and shall be known as such by the Name of " **The new Parish of** \_\_\_\_\_ , " instead of " **The District of** \_\_\_\_\_ , " according to the Name so as aforesaid fixed for such District; and such Church or Chapel shall become and be the Church of such new Parish accordingly, and any Licence granted by the Bishop, licensing any Building for Divine Worship as aforesaid, shall thereupon become void ; and it shall be lawful to publish Banns of Matrimony in such Church, and according to the Laws and Canons in force in this Realm to solemnize therein Marriages, Baptisms, Churchings, and Burials, and to require and receive such Fees upon the Solemnization of such Offices or any of them as shall be fixed by the Chancellor of the Diocese in which such new Parish shall be situate, and which Fees, and also the Fees for Churchings to be received as aforesaid by the Minister of such District, such Chancellor is hereby empowered and required to fix accordingly; and the like *Easter Offerings* and Dues may be received within the Limits of such new Parish by the Perpetual Curate thereof as are and were, at and before the Time of the passing of this Act, payable to the Incumbent of the Church of the principal Parish of which such new Parish originally formed a Part; and the several Laws, Statutes, and Customs in force relating to the Publication of Banns of Matrimony, and to the Performance of Marriages, Baptisms, Churchings, and Burials, and the registering thereof respectively, and to the suing for and recovering of Fees, Oblations, or Offerings in respect thereof, shall apply to the Church of such new Parish, and to the Perpetual Curate thereof for the Time being: Provided always, that it shall not be lawful for any such Minister or Perpetual Curate to receive any Fee for the Performance of any Baptism, within his District or new Parish as the Case may be, or for the Registration thereof.

**XVI Minister to become Perpetual Curate of new Parish.**

And be it enacted, That upon any such District so becoming a new Parish, the Minister of such District, having been duly licensed, shall, without any further Process or Form in Law, become and be Perpetual Curate of such new Parish and of the Church thereof, and shall have exclusive Cure of Souls in and over such Parish; and shall be a Body Politic and Corporate, and have perpetual Succession; and that such Parish and Church shall be and be deemed to be a Perpetual Curacy, and a Benefice with Cure of Souls, to all Intents and Purposes.

## **XVII Churchwardens to be chosen.**

And be it enacted, That in every such Case of a District so becoming a new Parish Two fit and proper Persons, being Members of the United Church of *England* and *Ireland*, shall, within Twenty-one Days from the Consecration of the Church thereof, be chosen Churchwardens for such new Parish, one being chosen by the Perpetual Curate thereof, and the other by the Inhabitants, residing therein and having a similar Qualification to that which would entitle Inhabitants to vote at the Election of Churchwardens for the principal Parish as aforesaid, or the Majority of such Inhabitants, and such Election shall take place at a Meeting to be summoned in such Manner in all respects as such Perpetual Curate shall direct; and such Persons shall continue such Churchwardens until the next usual Period of appointing Parish Officers following their Appointment; and at the like Time in every Year Two such Persons shall thenceforward be chosen by the Perpetual Curate for the Time being and Inhabitants assembled as aforesaid; and every Person so chosen as aforesaid shall be duly admitted, and shall do all Things pertaining to the Office of Churchwarden as to Ecclesiastical Matters in the said new Parish: Provided always, that nothing herein contained shall render any such Churchwardens liable or competent to perform the Duties of Overseer of the Poor in respect of such their Office of Churchwardens.

## **XVIII Act not to affect Parochial Rights, &c. otherwise than as expressly provided.**

Provided always, and be it enacted, That, until Parliament shall otherwise determine, nothing herein contained shall be construed to affect or alter any Rights, Privileges, or Liabilities whatsoever, Ecclesiastical or Civil, of any Parish, Chapelry, or District, except as is herein expressly provided.

## **XIX Endowment of Minister. Compensation to Incumbent of Mother Church.**

And be it enacted, That the said recited Acts, so far as they apply to making better Provision for the Cure of Souls, shall extend to authorize the Endowment or Augmentation of the Income of such Ministers and Perpetual Curates as aforesaid, to such an Amount or in such Proportion, and in such Manner, as shall be deemed expedient, by the Authority aforesaid ; and also to authorize the assigning, at any Time and from Time to Time, to the Incumbent of any Church or Chapel, whose Fees, Dues, or other Emoluments shall be diminished by or in consequence of any Proceeding tinder the Provisions of this Act, and, if it be deemed fit by the like Authority, to his Successors also, of such an annual Sum as shall, upon due Inquiry, appear to be a just and reasonable Compensation for such Diminution.

## **XX Patronage may be conferred upon Contributors to Endowment or to a Church, or their Nominees.**

And be it enacted, any Law, Statute, or Canon to the contrary notwithstanding, That it shall be lawful, by the Authority aforesaid, at any Time, to assign the Right of Patronage of any such District or new Parish as aforesaid, and the Nomination of the Minister or Perpetual Curate thereof respectively, either in perpetuity or for One or more Nomination or Nominations, to any Ecclesiastical Corporation Aggregate or Sole, or to either of the Universities of *Oxford*, *Cambridge*, or *Durham*, or to any College therein respectively, or to any Person or Persons, or the Nominee or Nominees of such Person or Persons or Body respectively, upon Condition of such Corporation, University, College, Person or Persons contributing to the permanent Endowment of such Minister or Perpetual Curate, or towards providing a Church or Chapel for the

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Use of the Inhabitants of such District or new Parish, in such Proportion and in such Manner as shall be approved by the like Authority.

**XXI Remaining Patronage to be exercised alternately by Crown and Bishops.**

And be it enacted, That the Right of Patronage and Nomination of every such Minister and Perpetual Curate, unless or until such Right of Patronage and Nomination shall be otherwise wholly assigned, or except so far as the same shall be otherwise in part assigned, under the Provisions in that Behalf herein-before last contained, shall and may be exercised, alternately, by Her Majesty and Her Successors and the Bishop of the Diocese for the Time being in which the District or new Parish shall be situate; the first such Nomination being in each Case made by Her Majesty.

**XXII Powers of Bounty Board as to Endowment under 2 & 3 Ann. c.11 and 45 G.3 c.84 conferred upon Commissioners for the Purposes of this Act.**

And for the Encouragement of such Persons as shall be disposed to contribute towards the Purposes of this Act, and that their Charity may be rightly applied, be it enacted, That all and every Person or Persons, or Body Corporate, having in his or their own Right any Estate or Interest in Possession, Reversion, or Contingency of or in any Lands, Tithes, Tenements, or other Hereditaments, or any Property of or in any Goods or Chattels, shall have full Power, Licence, and Authority, at his and their Will and Pleasure, by Deed inrolled in such Manner and within such Time as is directed by the Statute made in the Twenty-seventh Year of the Reign of King *Henry* the Eighth, intituled *An Act concerning Enrolments of Bargains and Contracts of Lands and Tenements*, in the Case of any Lands, Tithes, Tenements, or other Hereditaments, (but without any Deed in the Case of any Goods or Chattels,) or by his or their Testament in Writing, duly executed according to Law, to give and grant to and vest in the said Ecclesiastical Commissioners for *England* and their Successors all such his or their Estate, Interest, or Property in such Lands, Tithes, Tenements, or other Hereditaments, Goods, and Chattels, or any Part or Parts thereof, for and towards the Endowment or Augmentation of the Income of such Ministers or Perpetual Curates as aforesaid, or for or towards providing any Church or Chapel for the Purposes and subject to the Provisions of this Act, and to be for such Purposes respectively applied, according to the Will of such Benefactors respectively, as in and by such Deed inrolled, or such Testament, executed as aforesaid, may be expressed, or, in the Case of no Deed or Testament, as may in some other Manner be directed, and in default of such Expression or Direction then in such Manner as shall be directed by the Authority herein-before mentioned; and such Commissioners and their Successors shall have full Capacity and Ability to purchase, receive, take, hold, and enjoy, for the Purposes aforesaid, as well from such Persons as shall be so charitably disposed to give the same, as from all other Persons who shall be willing to sell or aliene to the said Commissioners any Lands, Tithes, Tenements, or other Hereditaments, Goods, or Chattels, without any Licence or Writ of Act quod damnum, the Statute of Mortmain, or any other Statute or Law, to the contrary notwithstanding.

**XXIII Powers of 3 & 4 Vict. c.113 and 4 & 5 Vict. c.39 extended to this Act.**

And be it enacted, That all the Powers and Authorities vested in Her Majesty in Council and in the said Commissioners by the said recited Acts, with reference to the Matters therein contained, and all other the Provisions of the same Acts relating to Schemes and Orders prepared, made, and issued for the Purposes thereof, shall be

continued and extended and shall apply to Her Majesty in Council and to the said Commissioners, and to all Schemes and Orders prepared, made, and issued by them respectively, with reference to all Matters contained in this Act, as fully and effectually as if the said Powers, Authorities, and other Provisions were repeated herein ; and the Provisions contained in an Act passed in the Second Year of Her Majesty's Reign, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy*, respecting the Party or Parties to be deemed Patron or Patrons, for the Purposes of Notice to be served upon and Consent to be given by such Patron or Patrons, and also respecting the Manner in which and the Party by whom any such Consent is to be given, shall be construed to apply to the like Matters respectively under this Act.

#### **XXIV Church Building Commissioners may make Grants for Purposes of this Act.**

And whereas it may be expedient that Her Majesty's Commissioners for building new Churches should be able to apply a Portion of the Funds placed at their Disposal towards promoting the Purposes of this Act; be it enacted, That it shall be lawful for the said Commissioners to make any such Grant in aid of the Erection of any such new Church or Chapel as aforesaid as shall seem fit to them, if they are authorized so to do under the Church Building Acts, although the Right of Patronage of such Church or Chapel may not belong on the Consecration thereof to the Incumbent of the original Parish in which such Church or Chapel shall be situate, any thing in such Acts to the contrary notwithstanding.

#### **XXV So much of 17 Car. 2 c.3 as enables Impropriators to augment (repealed by 1 & 2 Vict. c.106 s.15) revived.**

And whereas an Act was passed in the Seventeenth Year of the Reign of King *Charles* the Second, intituled *An Act for uniting Churches in Cities and Towns Corporate*, which, besides the Provisions indicated by the Title of the said Act, contains Enactments enabling Impropriators to augment Parsonages or Vicarages in certain Cases, and Incumbents in certain Cases to receive Lands, Tithes, and other Hereditaments, without Licence in Mortmain : And whereas by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy*, the whole of the said Act of King *Charles* the Second was repealed, and more extensive Provisions were made for the uniting of Churches, but none for Augmentations or holding in Mortmain according to the same Act; and it is expedient that the last-mentioned Enactments should be revived : Be it therefore enacted, That so much of the said Act of King *Charles* the Second as enables any Owner or Proprietor of any Impropriation, Tithes or Portion of Tithes, to annex the same or any Part thereof unto the Parsonage, Vicarage, or Curacy of the Parish Church or Chapel where the same lie or arise, or to settle the same in Trust for the Benefit of such Parsonage, Vicarage, or Curacy, and authorizes Parsons, Vicars, or Incumbents to receive Lands, Tithes, or other Hereditaments without Licence of Mortmain, shall be and the same is hereby revived; and that all Augmentations and Grants at any Time heretofore made according to the said Act of King *Charles* the Second shall be as good and effectual as if the same had never been repealed.

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**XXVI Act not to extend to Scotland or Ireland.**

And be it enacted, That this Act shall extend only to *England* and *Wales*, the *Isle of Man*, the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark*, and the *Scilly Islands*.

**XXVII Act may be amended this Session.**

And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session Parliament.