



ANNO SEXTO

# GEORGIIV. REGIS.

\*\*\*\*\*

## Cap. cxxii.

An Act for building Two Chapels in the Town of *Brighthelmston* in the County of *Sussex*.

[10th June 1825.]

**W**HEREAS the Town of *Brighthelmston* in the County of *Sussex* hath of late considerably increased in Extent of Buildings, and hath also greatly increased in Population: And whereas the present Parish Church and Chapels of Ease in the said Town are inadequate to the Accommodation of the Inhabitants; and it would be of great Convenience to the said Inhabitants if Two additional Chapels were erected in the said Town, for the Performance of Divine Service according to the Rites and Ceremonies of the Church of *England*: And whereas *Barnard Gregory* Esquire has partly erected and built a Chapel at his own Expence, on a Piece of his own Freehold Ground situate in *Saint Margaret's Place, Cannon Place*, in the Western Part of *Brighthelmston* aforesaid; and is willing to erect and build another Chapel at his own Expence on another Piece of his own Freehold Ground situate in *Saint James's Street*, in the Eastern Part of *Brighthelmston* aforesaid; and also that the said Two Chapels when completed and built shall be appropriated as Chapels of Ease to the said Parish Church, upon such Conditions and under such Regulations as are herein-after contained: And whereas the said Parish Church of *Brighthelmston* is a Vicarage within the Diocese of *Chichester*, and the Lord Bishop of the said

[Local.]

36 B

Diocese

Diocese for the Time being, in Right of his Bishopric, is the Patron thereof, and the Reverend *Henry Michell Wagner* Master of Arts is the Vicar of the said Vicarage: And whereas the said Lord Bishop and the said *Henry Michell Wagner* approve of such intended Chapels being erected and built, and the Right of Nomination and Presentation thereto being vested in the said *Barnard Gregory*, his Heirs and Assigns, for Forty Years, in manner herein-after mentioned, and upon such Conditions and under such Regulations as are herein-after contained; but as these Objects cannot be effected without the Aid and Authority of Parliament, May it please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act it shall and may be lawful to and for the said *Barnard Gregory*, his Heirs and Assigns, at his and their own proper Costs and Charges, to erect, build, and complete, or cause to be erected, built, and completed, Two Chapels, with all convenient Appurtenances thereto, to be for ever thereafter used and appropriated and kept by him and them as and for Chapels of Ease to the Parish Church of the said Town of *Brighthelmston*, and for no other Purpose whatsoever, in such Manner and subject to such Provisions as are herein-after expressed.

Chapels to be erected.

Chapels to be consecrated.

One to be called Saint Margaret's Chapel, and the other Saint Mary's Chapel.

II. And be it further enacted, That when and so soon as the said Chapels, or either of them, shall be erected, completed, and fitted up and furnished with all Things necessary for the Purposes of Celebration of Divine Service, and the Administration of the Sacraments therein, and Provision shall be made for the Curates for the Time being of the said Chapels respectively in manner herein-after directed, it shall and may be lawful to and for the Bishop of *Chichester* for the Time being, and he is hereby authorized and empowered to consecrate the said Chapels, or either of them, to be for ever thereafter Chapels of Ease to the Parish Church of *Brighthelmston*, one thereof by the Name of *Saint Margaret's Chapel*, and the other by the Name of *Saint Mary's Chapel*, and Divine Service shall from Time to Time for ever afterwards be performed therein according to the Rites and Ceremonies of the Church of *England* as by Law established, by Perpetual Curates, to be nominated and appointed in manner herein-after directed; and the said Chapels, and the Perpetual Curates thereof, shall for ever thereafter be subject to the ordinary Jurisdiction and Visitation of the Lord Bishop of *Chichester* for the Time being.

Curates to be nominated by Mr. Gregory, his Heirs and Assigns, for Forty Years.

III. And be it further enacted, That after the said Chapels shall have been completed and consecrated in manner aforesaid, the said *Barnard Gregory*, his Heirs and Assigns, shall and may, and he and they is and are hereby empowered and required to nominate, under his or their Hands and Seals, to the Lord Bishop of *Chichester* for the Time being, fit Persons, being in Priests Orders, and each of whom shall have taken a Degree in One of the Three Universities of *Oxford*, *Cambridge*, or *Dublin*, to be licensed to the Perpetual Curacies of the said Chapels respectively, but so as the Persons who shall

from Time to Time, be nominated and presented as aforesaid be duly approved by the Lord Bishop of *Chichester*, and the Vicar of *Brighthelmston* aforesaid, for the Time being; and on Occasion of every Vacancy in either of the said Chapels during the Period of Forty Years, the said *Barnard Gregory*, his Heirs and Assigns, shall and may in like Manner nominate and shall have the Right of nominating some fit and proper Person, to be approved and qualified as aforesaid, and all subsequent Nominations shall be in the Vicar of *Brighthelmston* and his Successors, to be licensed as aforesaid; and on Failure of such Nomination, or any or either of them, for the Space of Six Months after each Vacancy, or of the Refusal of such Nomination, as the Case may be, the Right of Nomination for that Turn shall lapse to the Lord Bishop of *Chichester*, and to the Metropolitan, and to the Crown successively, in the Order and according to the Course of Law in like Cases of Presentative Benefices; and the Right of Advowson, Patronage, and Nomination to the said Chapels may be sued for and recovered, and the Incumbency thereof shall cease and be determined in like Manner as if the Curacies of the said Chapels, or either of them, were Presentative Benefices, but under the Value of Six Pounds Thirteen Shillings and Fourpence in the King's Books.

IV. And be it further enacted, That the Curates, Ministers, or Chaplains, for the Time being, of the said Chapels respectively, shall on every *Sunday* Morning read in the said Chapels the Morning Prayers and other Service prescribed in the Book of Common Prayer or Public Liturgy of the Church of *England*, and the Afternoon or Evening of every *Sunday* in like Manner read therein the Evening Prayers and other Service prescribed in the said Book of Common Prayer; and shall on every *Sunday* throughout the Year, as well in the Morning as in the Evening, and on every *Christmas Day* and *Good Friday*, and in the Forenoon of any other Day to be set apart by His Majesty's Proclamation to be observed as a Day of Fasting or Thanksgiving, deliver or preach a Sermon in each of the said Chapels, and shall also administer the Holy Sacrament of the Lord's Supper therein, when and so often as by the Ecclesiastical Laws of the Realm is required to be done in a Parochial Church; provided that nothing herein contained shall extend to authorize the Solemnization of any Marriage, or the Burial of any Corpse, or the Baptism of any Person or Persons, or the Churching of any Woman or Women, in or within the Site of the said Chapels.

Curates  
Duty.

V. And be it further enacted, That as soon as conveniently may be after the Erection and before the Consecration of the said Chapels, the said *Barnard Gregory*, his Heirs or Assigns, shall, together with the Vicar for the Time being of *Brighthelmston* aforesaid, set apart a Pew contiguous to the Pulpits of each of the said Two Chapels, and sufficient to hold Six Persons at the least, for the Use of the respective Curates for the Time being of the said Chapels, and their respective Families, and shall also select fairly and indifferently from all the Pews or Seats in the said Chapels respectively, such Number thereof as shall in the Estimation of the said *Barnard Gregory*, his Heirs or Assigns, and of the then Vicar of *Brighthelmston* aforesaid, be

Pews to be  
set apart for  
Curates, &c.

be deemed sufficient to produce One hundred and fifty Pounds *per Annum*, and on such Selection being made, the said Seats or Pews so selected shall be marked with the Letter (C.) painted on the Outsides thereof, and shall for ever thereafter remain and be perpetually vested in and transmissible to the Curates for the Time being of the said Chapels respectively, and they are hereby respectively authorized and empowered to let the same for any Space of Time not exceeding One Year from the Time of letting thereof, so as the Rent payable in respect thereof be the best and most improved yearly Rent that can be obtained for the same, and be made payable by equal Half-yearly Payments on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* annually; and there shall also be set apart a Number of Pews, Seats, or Benches sufficient for the Accommodation of Two hundred Persons in the aforesaid Chapel of *Saint Margaret*, and Two hundred and forty Persons in the aforesaid Chapel of *Saint Mary*, to be distinguished from the other Pews and Seats by the Words "Free Seats" to be marked thereon, and no Rent or Payment shall be demanded or taken from any Persons for the Right or Liberty of sitting in such free Pews, Seats, or Benches.

Curates to provide Bread and Wine for Communion, and pay Salaries of Clerks.

VI. And be it further enacted, That out of the Rents and Profits arising from letting the said Pews or Seats so to be vested in the said respective Curates as aforesaid, the said Curates for the Time being shall respectively find and provide Bread and Wine for the Holy Communion, and pay the Salaries or Wages of their respective Clerks for the Time being of the said Chapels respectively, and shall retain the Residue of such Rents, Issues, and Profits for their own respective Maintenance.

Chapels, Pews, &c. vested in Mr. Gregory.

VII. And be it further enacted, That the said Chapels, and the several Pews and Seats within the same, (except such of them as shall be vested in the said respective Curates by virtue of this Act, and the free Seats herein-before mentioned), and the Rents, Profits, and Proceeds thereof, shall be, and the same are hereby declared to be vested in and at the absolute Disposal of the said *Barnard Gregory*, his Heirs and Assigns, to hold to him, his Heirs and Assigns, for ever.

Clerks to be appointed by Curates.

VIII. And be it further enacted, That from and after the Consecration of the said Chapels there shall from Time to Time be appointed by the Curates for the Time being of the said Chapels respectively, Clerks of the said Chapels; and in case the said Curates, or either of them, for the Time being, shall at any Time or Times after the Consecration of the said Chapels refuse or neglect to appoint Clerks of the said Chapels, or either of them, for the Space of One Calendar Month next after such Consecration, or after any future Vacancy of the Situation of Clerk to either of the said Chapels, then and in such Case, and as often as the same shall happen, and from and after the Expiration of the said One Calendar Month, it shall and may be lawful to and for the Vicar for the Time being of the said Parish of *Bright-helmston* to appoint a Clerk or Clerks to the said Chapel or Chapels, and such Clerk or Clerks shall be liable to Ecclesiastical Censures and Jurisdiction, and be removable by the said Curates respectively, in the same Manner as the Clerk of the Parish Church of *Bright-helmston* afore-

aforesaid is liable, or is removable by the said Vicar; and the said Curates for the Time being shall respectively, out of the Rents and Profits arising from the said Pews or Seats vested in them by virtue of this Act respectively, pay to the Clerk such Salary or Wages as may be agreed on between them; and in case the Salary or Wages of the said Clerks respectively shall be unpaid, either in the Whole or in Part, by the Space of Fourteen Days after a personal Demand made to the Curates respectively from whom the same may be due, or Notice in Writing left at his usual Place of Abode, it shall be lawful for the Lord Bishop of *Chichester* for the Time being to sequester all or any of the Pews or Seats vested in the Curates respectively of the said Chapels for the Time being by this Act, and the Rents thereof, and the Sequestrators shall thereupon enter into and upon the said Pews and Seats so sequestered, and receive the Rents and Profits thereof until such Salary or Wages, and the Costs and Charges of such Sequestration, shall be duly satisfied and paid; or such Clerk or Clerks may, if he or they think fit, sue for such Salary or Wages so remaining unpaid, by Action of Assumpsit, Debt, or on the Case, against the said Curates respectively, in any of His Majesty's Courts of Record at *Westminster*, and shall, if he or they obtain a Verdict in such Action, be entitled to Double Costs of Suit.

IX. And be it further enacted, That after the said Chapels shall be fitted for Divine Service, and consecrated by the Bishop, the same, and the Walls, Roofs, Doors, and every other Part thereof, and the Fittings up and Furniture thereof, shall be supported and kept in proper Repair by and at the Expence of the said *Barnard Gregory*, his Heirs and Assigns; for ever, and he and they shall be liable to Ecclesiastical Censures and Remedies for any Neglect in this respect.

Repairs of  
Chapels.

X. And be it further enacted, That neither the said Pieces of Ground upon which the said Chapels are intended to be completed, erected, and built as aforesaid, nor the said Chapels, or either of them, nor the Pews and Seats therein, nor the Rents, Profits, and Proceeds thereof, nor any Person or Persons in respect thereof, or of any yearly Salary, Profits, or other Sum payable to or derivable by such Person or Persons under or by Authority of this Act, shall be subject or liable to be assessed to the Relief of the Poor, or to any Parochial or other Charge, Rate, or Assessment whatsoever, made or to be made, from the Time of Divine Service having been performed in the said Chapels, or either of them; any Law, Statute, or Usage to the contrary notwithstanding.

Chapels not  
to be rated.

XI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, impeach, or defeat any Right, Title, Interest, Claim, or Demand of the Vicar of the said Parish of *Brighthelmston* aforesaid, or his Successors, to any Tithes, Offerings, Surplice Fees, Oblations, Obventions, or other Ecclesiastical Rights, Dues, Fees, Duties, Benefits, or Advantages arising within the said Parish, and belonging to the said Vicar for the Time being; but the said Tithes, Offerings, Surplice Fees, Oblations, Obventions, and other Ecclesiastical Rights, Dues, Fees, Duties, Benefits, and Advan-

Saving the  
Rights of the  
Vicar of  
Brighthelm-  
ston.

tages, shall remain in full Force, and be paid and payable in the same Manner as they were respectively before the passing of this Act, or would or ought to have been in case the same had not been made; any thing in this Act contained to the contrary notwithstanding; save and except as to any Right or Rights of Nomination and Presentation to the said new Chapels, or either of them, as aforesaid.

Saving the  
Rights of the  
Bishop of  
Chichester.

XII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, impeach, or defeat any Right, Title, Interest, Property, Privilege, or Jurisdiction of the Lord Bishop of *Chichester* for the Time being, in the said Bishopric of *Chichester*.

General  
Saving.

XIII. Saving always to the King's most Excellent Majesty, and to His Heirs and Successors, and to all and every other Person or Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, all such Estates, Rights, Titles, and Interests (other than those which are meant and intended to be barred and destroyed by this Act), which they, every or any of them, had and enjoyed before the passing of this Act, or might or could have had and enjoyed in case this Act had not been made.

Public Act.

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

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1825.