



Church Building Act 1822

1822 CHAPTER 72

XXX Commissioners may transfer the Endowments, &c. of existing Churches, &c. to those Churches built in lieu thereof, upon certain Conditions.

And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by any Instrument under Seal, with the Consent of the Ordinary and of the Patron and Incumbent of any Parish or Place in which any new Church or Chapel shall have been built, or shall be built, acquired; or appropriated for the Use of such Parish or Place, instead of the old Church or Chapel of such Parish or Place, under the Provisions of the said recited Acts or this Act, to authorize and direct the Transfer of the Endowments, Emoluments, or Rights of or belonging to. the old or existing Church or Chapel of such Parish or Place, or to the Minister for the Time being thereof, to any such new Church or Chapel so built, acquired, or appropriated in such Parish or Place, and to the Minister thereof for the Time being and his Successors; and it shall be lawful in every such Case for any Trustees of any Chapel, or of any Rights, Emoluments, or Endowments of or belonging to any Church or Chapel, or to the Incumbent of any Church or Chapel for the Time, and they are hereby required, to transfer all such Rights, Emoluments, and Endowments according to the Direction Of the said Commissioners as aforesaid; Provided always, that in every such Case the Inhabitants of the Parish or Place in which such new Church or Chapel shall be built, shall raise and pay to the said Commissioners towards the Expellees of such new Church or Chapel, either by Subscription or Rate, such Sum at the least as would have been necessary for the Repair of the old Church or Chapel, in case such new Church or Chapel had not been built, and such further Sum as the Inhabitants of such Parish or Place would have been liable to raise in such Parish or Place, for any Purposes relating to the effectual and sufficient Reparation of and maintaining such Old Church or Chapel, or the Cemetery thereof, or any other Expencc incident thereto, or to which such Parish or Place would have been liable in respect thereof, in case such new Church or Chapel had not been built; and immediately from and after any such Transfer as aforesaid, all Tithes or Tenths, Moduses or other Compositions for Tithes or Tenths, and all Emoluments, Dues, Fees, Offerings, Oblations, Obventions, and other Profits and Advantages, and all Messuages, Glebe and other Lands, Tenements or Hereditaments, Rents, Sums of Money, or Real or Personal Chattels whatsoever, and all Rights and Privileges wheresoever, and of what Nature or Kind soever, wherewith any such old or existing Church or Chapel then is, or at any Time theretofore had

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or ought to have been, or at the Time of such Substitution of such new Church or Chapel for any such old or existing Church or Chapel, may be endowed, or to which the Minister thereof then is, or at any Time theretofore was or ought to be entitled, with all the respective Rights, Privileges, Members, Easements, and Appurtenances thereto belonging, or in anywise appertaining, or to or with the same, or any Part, thereof, had, held, used or enjoyed, or accepted, reputed, deemed, taken, or known as Part, Parcel, or Member thereof, or as belonging to such Minister ; and the same, together with all Reversion and Reversions, Remainder and Remainders, yearly and other Rents, Issues, Estates, Rights, Interests, Dividends, Emoluments and Profits, of all and-singular any such Messuages, Lands, Hereditaments, Rents, or Sums of Money, shall severally and respectively become and be vested in the Parson or Minister for the Time being of the new Church or Chapel, and his Successors for ever, in as full and ample a Manner as the Parson or Minister of the old or existing Church or Chapel might or could have had, received, and enjoyed the same, in case such, Substitution or Transfer had not been made and passed ; and every such Substitution and Transfer shall be registered in the Registry of the Diocese within which the Place shall be locally situate, and enrolled in the High Court of Chancery; and all Acts of Parliament, Laws, and Customs relating to the publishing of Banns of Marriage,; and Celebration of Marriages, Christenings, Churchings and Burials, and the respective registering thereof, aha to all Ecclesiastical Fees, Oblations and Offerings, shall apply to every such new Church, in like Manner in any respect as to the old Church of the Parish or Place.