



Pluralities Act 1838

1838 CHAPTER 106

XVII Glebe Lands, &c. may in certain Cases be excepted out of any United Benefice to augment the Provision for any other adjoining poor Benefice by an Exchange in such Manner that the Augmentation shall be situate within the Limits of such other Benefice.

And be it enacted, That when it shall further appear to the Archbishop of the Province, with respect to his own Diocese, or it shall be further represented to him by the Bishop of any other Diocese, that the total Income of any Benefice or Benefices, Sinecure Rectory or Rectories, Vicarage or Vicarages, proposed to be united as aforesaid, would be larger than sufficient for the due Maintenance and Support of the Incumbent of the Benefice when united, and that the Whole or some specified Part or Parts of the Glebe Lands, Tithes, Rent-charges, Tenements, and Hereditaments belonging to the Benefice or Benefices, Sinecure Rectory or Rectories, Vicarage or Vicarages proposed to be united, or any of them, might and could, with Advantage to the Interests of Religion, be excepted out of such Union, and be exchanged for certain other Lands, Tithes, Tenements, and Hereditaments, or any of them, in some other specified Benefice situate in the same Diocese, and having no competent Provision belonging thereto, and that the Lands, Tithes, Tenements, or Hereditaments proposed to be given in exchange for such excepted Lands, Tithes, Rent-charges, Tenements, or Hereditaments might with like Advantage be granted, conveyed, and assured as a further perpetual Endowment for the Incumbent of such last-mentioned Benefice, and that the Patron or Patrons of the said Benefice or Benefices, Sinecure Rectory or Rectories, Vicarage or Vicarages respectively, and the Incumbent or Incumbents for the Time being thereof respectively, or of such thereof as shall not be then vacant, and the Owner or Owners, Impropiator or Impropiators of such Lands, Tithes, Tenements, or Hereditaments respectively so proposed to be given in exchange is or are consenting thereto, such Consent to be signified in Writing under their respective Hands, it shall be lawful for the said Archbishop, after inquiring into such further Matter, to certify in like Manner as aforesaid such further Circumstances to Her Majesty in Council, and thereupon it shall be lawful for Her Majesty, in and by such Order as aforesaid, or any other Order or Orders, to direct that such first-mentioned Lands, Tithes, Rent-charges, Tenements, and Hereditaments shall be excepted out of such united Benefice, and be granted, conveyed, and assured unto such Owner or Owners, Impropiator or Impropiators as aforesaid, in exchange for

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an equal Value of Lands, Tithes, Tenements, or other Hereditaments situate or arising within the Limits of such Benefice, to be by such Owner or Owners, Impropiator or Impropiators, granted, conveyed, and assured for the further Endowment of such other Benefice ; and such Order or Orders shall be registered in the Register of the Diocese to which such united Benefice and other Benefice shall belong, and which Order or Orders the Registrar of such Diocese, immediately on the Receipt thereof, is hereby required to register accordingly, and such Order or Orders shall thenceforth be binding on all Parties whatsoever; and such Lands, Tithes, Tenements, and Hereditaments, so directed to be granted, conveyed, and assured to such Owner or Owners, Impropiator or Impropiators as aforesaid, shall, immediately upon and after the Execution and Inrolment in manner herein-after directed of the Deed or Deeds, Instrument or Instruments herein-after mentioned, be for ever freed and discharged of and from all Estate, Right, Title, and Interest whatsoever of all and every the Incumbent or Incumbents for the Time being of the said Benefices, Sinecure Rectory or Rectories, Vicarage or Vicarages so to be united, and become and be subject and liable in every respect to all and singular the Uses, Trusts, Estates, and Charges of or to which the Lands, Tithes, Rent-charges, Tenements, or other Hereditaments so granted, conveyed, or assured by such Owner or Owners, Impropiator or Impropiators, for such further Endowment as aforesaid, may at the Time of such Execution have been subject or liable ; and that such last-mentioned Lands, Tithes, Rent-charges, Tenements, or other Hereditaments, so granted, conveyed, and assured by such Owner or Owners, Impropiator or Impropiators, for such further Endowment as aforesaid, shall in like Manner become and be for ever annexed to such other Benefice for the further Endowment of which the same shall be so granted, conveyed, and assured, and be held and enjoyed for ever by the Incumbent for the Time being thereof, as Part of the Endowment thereof, freed and discharged of and from all Uses, Trusts, Estates, and Charges whatsoever to which the same respectively or any Part thereof were or was before subject or liable.