



ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 216.

An Act for establishing a Chapel of Ease at *Tremadoc* in the Chapelry of *Ynyscynhaiarn*, in the County of *Carnarvon*. [21st June 1810.]

WHEREAS the Chapel of *Ynyscynhaiarn* in the County of *Carnarvon*, is at present a Chapel of Ease to the Rectory of the Parish Church of *Cricketb*, and together with the Chapel of *Trefllys*, form One Benefice in the Diocese of *Bangor*, and the Right Reverend Father in God *Henry William* Lord Bishop of the said Diocese, in Right of his Bishopric is the Patron thereof and entitled to collate thereto, and the Reverend *William Evans* Clerk is Rector of the said Rectory: And whereas the said Chapelry of *Ynyscynhaiarn*, by reason of great Undertakings and Improvements carrying on, in and about the Town of *Tremadoc* in the said Chapelry, is of late become more populous, and the present Chapel is at an inconvenient Distance from the said Town of *Tremadoc*, and is not only very difficult of Access and much out of Repair, but is not sufficiently large and commodious to contain the Inhabitants therein: And whereas *William Alexander Madocks* of *Tanyralt*, in the said Chapelry of *Ynyscynhaiarn*, Esquire, has lately at his own Costs and Charges erected a Building intended as and for a New Church or Chapel at the Town of *Tremadoc* aforesaid, in the said Chapelry of *Ynyscynhaiarn*, and nearly completed and furnished the same, and has also set apart a certain Piece or Parcel of Land, upon a Part of which the said Church or Chapel stands, to be used as a Church or Chapel Yard, or Cemetery to the said intended Church or Chapel, and has fenced in the same with a Wall: And whereas the said *Henry William* Lord Bishop of *Bangor*, for the Considerations herein mentioned, and for the better providing the Inhabitants of the said Chapelry of *Ynyscynhaiarn* with Conveniences for hearing the Word of God, and more frequently joining in publick Devotion, has con-

[*Loc. & Per.*] 530 sented

Right of Patronage of New Chapel vested in W. A. Madocks Esq. in Fee.

sented (as far as in him lays) that the Right of Patronage or Presentation of or in the said new intended Chapel, shall be secured to and vested in the said *William Alexander Madocks*, his Heirs and Assigns for ever: And whereas the said *William Alexander Madocks* is desirous of endowing the said intended Chapel with a Messuage or Tenement, Lands, Hereditaments and Premises of the yearly Value of Thirty Pounds of lawful Money of *Great Britain*: And whereas the Right of Patronage or Presentation of or to the said New intended Chapel, cannot be secured to and vested in the said *William Alexander Madocks*, his Heirs and Assigns, nor can the same be endowed by him in Manner aforesaid, without the Aid and Authority of Parliament, May it therefore 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 the Advowson, Right of Patronage, free Disposition, Nomination and Presentation of, in and to the said New Church or Chapel, shall, immediately after the Deeds hereinafter mentioned shall be executed in Manner hereinafter directed, appertain to, and the same are hereby vested in and settled upon the said *William Alexander Madocks*, his Heirs and Assigns for ever, freed and absolutely acquitted and released from and against all Estates, Interests, Claims and Demands whatsoever, of the said Lord Bishop of *Bangor* and his Successors, and the said *William Evans* now Rector of the said Parish, and all Persons claiming or to claim, by, from or under them, or of their Successors, or any or either of them.

New Chapel from henceforth to be set apart for Divine Worship according to the Rites of the Church of England.

II. And be it further enacted, That the said Chapel so erected and built by the said *William Alexander Madocks* as aforesaid, shall from henceforth be set apart and dedicated to and for the Service of Almighty God, as and for a Place of Divine Worship, according to the Rites and Ceremonies of the Church of *England* for ever, (the same being first consecrated according to the Usage of the Church of *England*;) and shall and is hereby declared to be a separate and distinct perpetual Cure and Benefice, and shall be called by the name of the Church or Chapel of *Tremadoc*, and that every Minister of the said Church or Chapel shall be thereto admitted and licensed by the Bishop of *Bangor* for the Time being, and shall be deemed and taken by virtue of this Act to be incorporated and made a Body Politick and Corporate by the Name of the Minister or Chaplain of the Church or Chapel of *Tremadoc* in the Chapelry of *Ynyscynbaiarn*, in the Parish of *Cricieth* in the County of *Carnarvon*, and shall have perpetual Succession and be enabled to sue and be sued by that Name in all Courts of this Realm, and the said Church or Chapel and Yard or Cemetery inclosed or to be inclosed and belonging to the same, shall for ever be vested in the Minister or Chaplain and his Successors for the Time being of the said Church or Chapel, and the said Minister or Chaplain for the Time being of the said Church or Chapel shall have Capacity, and he is hereby authorized and enabled to purchase and take in Perpetuity to him and his Successors, any Lands, Tenements or Hereditaments, not exceeding in the whole (including the aforesaid Messuage or Tenement) the yearly Value of One hundred and fifty Pounds, as well for further endowing the said Church or Chapel as for erecting and building a Parsonage House thereto, as also for enlarging the said Yard or Cemetery; and the said Church or Chapel and the Minister thereof, and also the Person or

Persons

Persons who shall act as or in the Nature of a Church or Chapel Warden thereof respectively for the Time being, to be appointed as herein is directed, shall be under and subject to the Order and Jurisdiction of the Bishop of *Bangor* and his Successors, and shall be visited as other Churches or Chapels in the Diocese of *Bangor* are visited.

Power to the Patron to nominate in case of remaining void.

III. And be it further enacted, That in case the said Office or Place of Minister or Chaplain of the said Church or Chapel, shall, at any Time or Times hereafter, be suffered to remain void for the Space of Six Calendar Months, without any Nomination or Presentation thereto by the said *William Alexander Madocks*, his Heirs or Assigns, by virtue of this Act, then and in such case it shall and may be lawful for the said Lord Bishop of *Bangor* and his Successors, to nominate and present a fit and proper Person duly qualified to be Minister or Chaplain of the said Church or Chapel, and that every such Person after such Nomination, and a Licence obtained from the Bishop of *Bangor* for the Time being, shall be deemed and taken to be the Minister or Chaplain of the said Church or Chapel, to all Intents and Purposes whatsoever, in the same Manner as if such Person had been nominated and presented by the said *William Alexander Madocks*, his Heirs or Assigns; and in case the said Lord Bishop of *Bangor* for the Time being, shall not nominate and present a Minister or Chaplain to the said Church or Chapel within Three Calendar Months next after he is hereby authorized and empowered so to do, then and in every such case the Nomination or Presentation of a Minister or Chaplain shall lapse to the Metropolitan, and from the Metropolitan to the Crown, according to the Course of Law in presentative Livings or Benefices, and the Right of Nomination of a Minister to the said Church or Chapel shall or may be recovered, and the Office or Place of Minister or Chaplain thereof shall and may cease and be determined in like Manner as the Presentation or Incumbency in any presentative Benefice may now cease or be recovered.

IV. And be it further enacted, That the Minister or Chaplain for the Time being, or his Curate or other Minister in Holy Orders, shall on every *Sunday* Morning read in the said Church or Chapel the Morning Prayers, and other Service prescribed in the Book of Common Prayer or Publick Liturgy of the Church of *England*, and (unless the Bishop of the Diocese of *Bangor* for the Time being, shall in his Discretion think the Stipend not adequate to the Duty), in the Afternoon 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*, *Good Friday*, and on Days to be appointed by Authority for Publick Fasts and Thanksgivings, in the Morning after Divine Service, deliver or preach a Sermon in the said Church or Chapel, and shall also on every *Easter-Sunday*, *Whit-sunday* and *Christmay-day*, and also upon the Second *Sunday* in every Month, (except in the Month of *December*, and the Months in which *Easter-day* and *Whit-sunday*, shall happen), administer the Holy Sacrament in the said Church or Chapel, according to the Rites and Ceremonies of the Church of *England*; and it shall be lawful for the Minister or Chaplain to perform the Office of Christening, Churching, and Burying at the said Church or Chapel.

Minister's Duty.

V. And

Appointment
of Clerk and
Sexton.

V. And be it further enacted, That it shall be lawful for the said *William Alexander Madocks*, his Heirs or Assigns, to nominate or appoint such Person or Persons from Time to Time as he shall think fit to officiate as Clerk or Sexton in the said Church or Chapel; and also from Time to Time to displace and remove such Clerk or Sexton, as the said *William Alexander Madocks*, his Heirs or Assigns, shall see Cause.

Lands to be
conveyed to
endow Cha-
pel.

VI. And be it further enacted, That the said *William Alexander Madocks* his Heirs or Assigns, shall, previous to the Consecration of the said New Church or Chapel by good and sufficient Conveyances and Assurances in the Law, well and sufficiently convey and assure unto the said Lord Bishop of *Bangor*, and his Successors, in Trust for the Minister or Chaplain for the Time being of the said Church or Chapel, certain Lands, Tenements and Hereditaments situate in the Diocese of *Bangor*, and as near as may be to the said New Church or Chapel, as shall be of the yearly Value of Thirty Pounds at the least; and such Deeds and Conveyances, when duly executed, shall be delivered to and deposited with the Registrar of the Consistory Court of the Bishop of *Bangor* aforesaid.

Marriages
may be so-
lemnized.

VII. And be it further enacted, That after the Consecration of the said New Church or Chapel, Banns of Matrimony may be published, and Marriages celebrated within the said New Church or Chapel, provided the same be published and celebrated according to the Laws and Canons now in force within this Realm in that Behalf, and all such Banns, and also all and every such Marriage or Marriages as shall be published and celebrated in the said New Church or Chapel, shall, from and after the Time aforesaid, be as good, valid and effectual to all Intents and Purposes, as if the same were published and celebrated in the Church of *Ynyscynhaiarn* aforesaid, or in the Mother Church of *Cricieth*, provided the same be made and published in Manner aforesaid.

Graves to
be made.

VIII. And be it further enacted, That Graves or Burying Places shall be made or allowed within or under the said New Church or Chapel, and within or under the Church or Chapel Yard or Cemetery annexed to the same; and that all Christenings, Burials and Marriages had and solemnized within the said New Church or Chapel, shall be registered in public Registers to be provided and kept for that Purpose, and that such Registers shall be received in all Courts of Law and Equity as Evidence of such Christenings, Burials and Marriages, in the same Manner as Registers of Marriages solemnized in Churches and public Chapels in which Banns were usually published before the passing of an Act in the Twenty-sixth Year of His late Majesty King *George* the Second, intituled, *An Act for the better preventing of Clandestine Marriages*, or Copies thereof, are received in Evidence.

Pews vested
in W. A.
Madocks,
Esquire.

IX. And be it further enacted, That all the Pews, Seats and Benches in the said Church or Chapel (except those in the Gallery thereof) shall and they are hereby reserved to and settled upon the said *William Alexander Madocks*, his Heirs and Assigns, for ever.

Repairs of
Chapel, &c.
to be provided
by the Pa-
trons.

X. And be it further enacted, That the Costs and Charges of supporting and keeping in Repair the said New Church or Chapel, and the Walls and Fences thereof, and the said Yard or Cemetery, and of finding and providing

providing all necessary Utensils and Vestments, and Bread and Wine for the Celebration of the Holy Communion, and Books and Surplices for the Minister or Chaplain, and all other incidental Costs, Charges and Expences thereof, shall be defrayed, paid and borne by the Owner or Owners, Proprietor or Proprietors for the Time being, of the Advowson, Right of Patronage, Nomination and Presentation of, in and to the said New Church or Chapel; and in case the Proprietor or Proprietors of the said Advowson shall, at any Time or Times hereafter, neglect or refuse well and truly to repair the said New Church or Chapel in Manner aforesaid, it shall and may be lawful to and for the said *Henry William* Lord Bishop of *Bangor*, and his Successors, and the Minister or Chaplain of the said New Church or Chapel for the Time being, or either of them, to cause an Estimate of the Costs and Charges of making such Repairs to be made, and to recover the Amount of such Estimate, (so as the Costs and Charges of such Repairs, and all other Costs and Charges attending the same, do not exceed the Sum of Ten Pounds *per Annum*), by Action of Debt in any of His Majesty's Courts of Record in *Great Britain*.

XI. And be it further enacted, That there shall be paid to and into the Hands of the Minister or Chaplain of the said New Church or Chapel for the Time being, for the Performance of the several and respective Offices of Minister or Chaplain, Clerk and Sexton there, Double the Fees, Dues and Perquisites, which are usually and of Right ought to be paid; and are actually paid and received in the Mother Church of *Criccieth*, for every Marriage, Churching, Burying and opening the Ground for Graves in the Church or Chapel Yard or Cemetery, at the said Church or Chapel, and that the Minister or Chaplain of the said Church or Chapel, shall from Time to Time collect and receive such Double Fees, Dues and Perquisites, and account for and pay, by equal Half Yearly Payments in every Year, on every Twenty-fourth Day of *June* and Twenty-fifth Day of *December*, One Half Part thereof to and into the Hands of the Rector of the said Rectory of *Cricketb* for the Time being, and that the remaining Moiety shall, on the said Half Yearly Days, be divided between the Minister or Chaplain, Clerk and Sexton of the said New Church or Chapel, in such Shares and Proportions as Fees of the like Nature and for the like Services are usually or of Right ought to be divided among the Rector, Clerk and Sexton, and are actually received by the Rector of *Criccieth* aforesaid, the first of which Payments shall begin and be made at and upon such of the said Half Yearly Days as shall first happen after the Consecration of the said New Church or Chapel; and in case of Non-payment thereof at any Time or Times, within Thirty Days after either of the said Half Yearly Days, one Moiety of such Fees, Dues and Perquisites, shall and may be sued for and recovered from the Minister of the said New Church or Chapel for the Time being, from Time to Time, by and in the Name of the Rector of the Rectory of *Cricketb*, by Action for Monies had and received for his Use, in any of the Courts hereinbefore mentioned.

Double Fees
to be paid to
the Minister.

XII. And be it further enacted, That the Owner or Owners of the Advowson of the said New Church or Chapel, and the Rector of *Cricketb* for the Time being, shall and they are hereby authorized and empowered jointly to appoint in each Year, by Writing under their Hands, at the most usual and accustomed Times for appointing Wardens in the County

Appointment
of Chapel
Warden.

of *Carnarvon* aforesaid, one fit and proper Person of the Chapelry of *Ynyscynhaiarn* aforesaid, whose common and usual Place of Residence shall not exceed one Mile from the said New Church or Chapel, to be Warden of the said Church or Chapel, the first of such Wardens to be appointed as soon as conveniently may be after the Consecration of the said Church or Chapel.

This Act not to extend to create a new Parish, and Parishioners of *Ynyscynhaiarn* not to be liable to Repairs.

XIII. Provided always, and be it further enacted, That Nothing in this Act contained shall extend to erect or make any new Parish, or to affect or alter any Payments or Assessments either Parliamentary or Parochial, within the said Chapelry of *Ynyscynhaiarn*, or Rectory of *Criecieth*, and that none of the Parishioners thereof shall be subject or liable to the Repairs of the said New Church or Chapel, or to any Charge, Rate or Assessment on account of such Repairs.

Church to be kept in Repair by *W. A. Madocks Esq.*

XIV. And be it further enacted, That after the said new intended Church or Chapel shall be fitted for divine Service, and consecrated as aforesaid, the said Church or Chapel, and Area, and the Walls and Fences thereof, and the Avenues leading to the said Church or Chapel, shall be supported and kept in Repair by the said *William Alexander Madocks*, his Heirs and Assigns for ever.

Limitation of Actions.

XV. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at the Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act, and if it shall appear to have been so done, the Jury shall find for the Defendant or Defendants, or if the Plaintiff shall be nonsuited or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendants have in other Cases, by Law.

General Saving of Rights.

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

Publick Act.

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