



# Ecclesiastical Commissioners Act 1860

## 1860 CHAPTER 124 23 and 24 Vict

An Act further to amend the Acts relating to the Ecclesiastical Commissioners, and the Act concerning the Management of Episcopal and Capitular Estates in England. [28th August 1860]

Whereas it is expedient to amend the Acts relating to the Ecclesiastical Commissioners for England and the Act Concerning Management of Episcopal and Capitular Estates in England:

**Modifications etc. (not altering text)**

C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)

1 ..... F1

**Textual Amendments**

F1 S. 1 repealed by [Statute Law Revision Act 1892 \(c. 19\)](#) and [Statute Law Revision Act 1964 \(c. 79\)](#)

2—11. .... F2

**Textual Amendments**

F2 Ss. 2–11, 16–20, 22–41, 43 and 44 repealed by [Statute Law Revision Act 1964 \(c. 79\)](#)

12 Sect. 67 of 3 & 4 Vict. c. 113. extended to all lands.

..... F3 In making additional provision for the cure of souls under the recited enactment out of any lands or hereditaments whatsoever now vested or hereafter to be vested in the [F4 Church Commissioners] (except lands or hereditaments which may have been or may hereafter by bought or taken in exchange by the Commissioners, or

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any estate or interest in lands or hereditaments so bought or taken in exchange during the continuance of such estate or interest), or out of the rent and profits thereof (except as aforesaid), due consideration shall be had of the wants and circumstances of the places in which such lands or hereditaments may be situate or arise; and the same rule shall also be applicable, in case the Commissioners shall see fit, in favour of places in which lands or hereditaments now vested or heretofore vested in the Commissioners are situated, from which the Commissioners have heretofore derived any income.

#### Textual Amendments

**F3** Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

**F4** Words substituted by virtue of [Church Commissioners Measure 1947 \(No. 2\), s. 18\(2\)](#)

#### Modifications etc. (not altering text)

**C2** The “recited enactment” means the [Ecclesiastical Commissioners Act 1840 \(c. 113, SIF 21:8\), s. 67](#)

### 13 Provision concerning local claims to apply to tithes and lands of an Ecclesiastical Corporation having a revenue exceeding its statutory income

Where any ecclesiastical corporation sole is in the receipt of an income fixed by Act of Parliament, and the estates of such corporation yield an annual income greater than the income so fixed, it shall be incumbent on the [<sup>F5</sup>Church Commissioners] to make, out of any tithes, lands, or hereditaments whatsoever from which such annual income arises, or out of the rents and profits thereof, such provision as may seem to them needful for the cure of souls in the parish or place in which such tithes, lands, or hereditaments are situate or arise, in the same manner and to the same extent in and to which such provision might be made if the said tithes, lands, or hereditaments were actually vested in the Commissioners.

#### Textual Amendments

**F5** Words substituted by virtue of [Church Commissioners Measure 1947 \(No. 2\), s. 18\(2\)](#)

### 14 Preference may be given to places where contribution is made in aid of grant.

In making additional provision for the cure of souls under section sixty-seven of the <sup>M1</sup>Ecclesiastical Commissioners Act 1840, preference may be given, if the said Commissioners see fit, to those places in respect of which contributions from other sources are made in aid of grants out of the common fund; but this enactment shall not prejudice the proviso at the end of the said section, or the last two preceding sections of this Act.

#### Marginal Citations

**M1** [1840 c. 113.](#)

### 15 In mining districts Commissioners may make grants for cure of souls.

In districts in which large masses of population are collected for the purpose of working mines, it shall be lawful for the said Commissioners, by resolution of a general

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meeting, from time to time to make grants to meet benefactions for the purpose of making temporary provision for the cure of souls.

16— ..... F6  
20.

**Textual Amendments**

F6 Ss. 2–11, 16–20, 22–41, 43 and 44 repealed by [Statute Law Revision Act 1964 \(c. 79\)](#)

21 ..... F7

**Textual Amendments**

F7 S. 21 repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

22— ..... F8  
41.

**Textual Amendments**

F8 Ss. 2–11, 16–20, 22–41, 43 and 44 repealed by [Statute Law Revision Act 1964 \(c. 79\)](#)

42 ..... F9

**Textual Amendments**

F9 S. 42 repealed by [Patronage \(Benefices\) Measure 1986 \(No. 3, SIF 21:4\)](#), s. 41(2), **Sch. 5**

43, 44. .... F10

**Textual Amendments**

F10 Ss. 2–11, 16–20, 22–41, 43 and 44 repealed by [Statute Law Revision Act 1964 \(c. 79\)](#)

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