



ANNO VICESIMO NONO & TRICESIMO

# VICTORIÆ REGINÆ.

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## Cap. 2.

An Act for the better Regulation of Doctor  
*Blythe's Benefaction to Clare College, Cambridge.*  
[23d July 1866.]

**W**HEREAS an Act (in this Act called the Act of 1763) was passed in the Third Year of *George the Third*, Chapter Thirty-five, intituled *An Act to enable the Master, Fellows, and Scholars of the College of Clare Hall in the University of Cambridge to alter and vary the Benefaction of Dr. Blythe, and to appropriate the same for the Benefit of the said College in the Augmentation of the Vicarages of Everton with Tetworth and Great Gransden in the Counties of Bedford and Huntingdon*: And whereas by the Preamble to the Act of 1763 it appears as follows:

3 G. 3. c. 35.  
(Priv.)

1. The College of *Clare Hall* in the University of *Cambridge* (in this Act called the College) consisted of a Master and Ten Fellows in the Part founded by *Elizabeth Countess of Clare*, called the Old Foundation, and Three Fellows and Eight Scholars in the Part founded by *Thomas Earl of Exeter*, called the Earl of *Exeter's* Foundation, and Two Fellows and Ten Scholars in the Part founded by *John Freeman Esquire*, and Two Fellows and Four Scholars in the Part founded by *Joseph Diggons Esquire*, and Two Fellows in the Part founded  
[Private.] e by

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by *Thomas Philpot* Esquire, and One Fellow in the Part founded by *John Borage* Esquire :

2. Long before the Year One thousand seven hundred and thirteen the College were seised of the Perpetual Advowsons of Five Rectories or Vicarages, Two whereof, (that is to say,) the Vicarages of *Everton* with *Tetworth* and *Great Gransden*, were of such small yearly Value as to be tenable with Fellowships, and Fellows of the College had on every Avoidance been presented to those Vicarages, and had always held them with their Fellowships :
3. *Samuel Blythe* otherwise *Blithe* otherwise *Blyth*, Doctor in Divinity, Master or Keeper of the College, by his Will dated the Eighteenth Day of *April* One thousand seven hundred and thirteen, gave unto the Master his immediate Successor, and all his Successors, and to the Fellows and Scholars and their Successors of the Old Foundation, the Profits of the Estates therein-after devised, in special Trust for ever to be by them and their Successors solely and only applied to the Uses therein-after mentioned, and after giving several Legacies, and an Annuity of Twelve Pounds, to several Persons therein named, to be paid at the several Times and upon the Contingencies therein mentioned, his Will was, that such Legacy or Legacies as should happen to cease, as therein above limited, should immediately remain and be vested in the College for ever, to the Use therein-after mentioned ; (that is to say,) to and for the Purchase of Perpetual Advowsons and Livings of the yearly Value of One hundred and fifty Pounds, or within Ten Pounds over or under such yearly Value, as near as could be done and performed, in the most wholesome and healthful Part of any Country or County in *England*, and such Advowsons, as often as they became void, should be only offered to some one or other of the Old Foundation, that thereby a Fellowship thereof might become vacant, and other Persons presented thereto, for the Benefit of Posterity ; and if it should happen that no Fellow of the Old Foundation should accept of such Presentation after it had become void, the Testator's Will then was, that One of the Earl of *Exeter's* Foundation should have the next Proffer thereof for that Time and Turn only, and so in any other like Case whenever it so happened or fell out ; and he gave and devised all his Real and Personal Estate whatsoever and wheresoever, in possession or reversion, after his Annuity, Funeral Charges, Debts, and Legacies were paid and satisfied, as also what he should give to his Executor therein-after named, unto the Master his Successor, and to all his Successors, and to the Fellows and Scholars of the College for ever, that the Income and Profits thereof might be by them from Time to Time laid out in the Purchase of such Perpetual Advowsons, and

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and Livings as were therein next above mentioned to be given and disposed of, as before therein was by him directed and expressed, and appointed his loving Brother Mr. *Richard Blythe* Executor of that his last Will, in trust to and for the Uses therein above mentioned :

4. After Doctor *Blythe's* Death, the College, before the Twenty-fourth Day of *June* One thousand seven hundred and thirty-six, the Commencement of the Act (in this Act called the Act of 1736) of the Ninth Year of *George* the Second, Chapter Thirty-six, intituled *An Act to restrain the Disposition of Lands whereby the same become unalienable*, purchased Ten Perpetual Advowsons or Rights of Presentation to Livings to the Value in the Will mentioned, upon trust that the Fellows of the College might be presented to the Livings from Time to Time on any Vacancy, pursuant to the Directions of the Will, which Livings, with the Five Livings whereof the College were seised before the Death of Doctor *Blythe*, made together Fifteen Livings belonging to the College:
5. The College, out of Monies arising from Doctor *Blythe's* Benefaction, also purchased Freehold and Leasehold Estates of the yearly Value of Two hundred Pounds or thereabouts, and One thousand five hundred Pounds Bank Stock:
6. The Fifteen Livings belonging to the College being more than equal in Number to One Moiety of the Fellows, the College were by the Act of 1736 disabled from purchasing any more Livings :

And whereas by the Act of 1763 Provision was made for the Purchase by the College, with Part of the Proceeds of the One thousand five hundred Pounds Bank Stock, of Freehold or Copyhold Estates, and for the Appropriation of the same, as well as the Estates devised by Doctor *Blythe*, and the Estates so purchased after his Death, for the perpetual Augmentation of the Two Vicarages of *Everton* with *Tetworth* and *Great Gransden* :

And whereas by the Act of the Forty-fifth Year of *George* the Third, Chapter One hundred and one, intituled *An Act to repeal so much of an Act passed in the Ninth Year of the Reign of His late Majesty King George the Second, intituled 'An Act to restrain the Disposition of Lands whereby the same become unalienable,' as restrains Colleges within the Two Universities of Oxford and Cambridge from purchasing or holding Advowsons, except as therein is provided*, the College were freed from their Disability under the Act of 1736 to purchase and hold Livings in addition to their Fifteen Livings :

45 G. 3. c. 101.  
(Pub.)

And whereas an Act (in this Act called the Act of 1825) was passed in the Sixth Year of *George* the Fourth, Chapter Seventy, intituled *An Act to repeal an Act passed in the Third Year of King George the Third, to enable the Master, Fellows, and Scholars of Clare Hall in the University of Cambridge to vary the Benefaction of Doctor Blythe,*

6 G. 4. c. 70.  
(Priv. n.p.)

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Blythe, and thereby the Act of 1763 was repealed, and Provision was made for the Presentation to the Vicarages of *Everton* with *Tetworth* and *Great Gransden* respectively of Fellows of the College, being of the Old Foundation, or of the Foundation of the Earl of *Exeter*, or of *John Freeman*, or of *Joseph Diggons*, and for the Vacation of the Fellowships of the Fellows so presented, and for the Payment by the College, out of the Income of the Estates and Trust Funds vested in them in respect of Dr. *Blythe's* Benefaction (in this Act called the *Blythe* Estates), to the Vicars of those Two Vicarages respectively, of such Sums as, with the Value of the Glebe Lands and Tithes of those Vicarages respectively, would make up Two hundred Pounds a Year, and for the Application of the Residue of the Income as directed by Doctor *Blythe's* Will :

And whereas since the passing of the Act of 1825 the College have purchased, out of the surplus Income of the *Blythe* Estates, the Advowsons of Two Livings, making, with their Fifteen Livings, a Total of Seventeen Livings now belonging to the College :

And whereas for many Years after Doctor *Blythe's* Death the Addition which from Time to Time was made to the Number of the College Livings not tenable with Fellowships fulfilled his Object of securing a more rapid Succession amongst the Fellows :

And whereas the College now consist of a Master and Eight Senior Fellows and Nine Junior Fellows, besides Scholars :

And whereas the College are apprehensive that by reason of the Increase from Five to Seventeen of the Number of the College Livings, and the Reduction from Twenty to Seventeen of the Number of Fellows, if the surplus Income of the *Blythe* Estates be applied for the Purchase of additional Livings the Consequences will be detrimental to the College, by producing too rapid a Succession amongst the Fellows :

And whereas the *Blythe* Estates now consist of the several Particulars which are specified in the First Schedule to this Act annexed :

And whereas the net yearly Income from the *Blythe* Estates and Accumulations of Income thereof is about Six hundred Pounds, whereof about One hundred Pounds is, in pursuance of the Act of 1825, applied for the Augmentation of the Vicarages of *Everton* with *Tetworth* and *Great Gransden* respectively, leaving about Five hundred Pounds a Year surplus Income applicable under that Act for the Purchase of additional Livings :

And whereas the College are the Impropiators of the Rectories of the Five Parishes which are specified in the Second Schedule to this Act annexed, and the Vicarages of those Parishes (in this Act called the Five Vicarages) are Five of the College Livings, and the yearly Value of the Vicarial and Rectorial Rentcharges in lieu of Tithe, and Glebe and Farms, of the Five Vicarages respectively, appears by that Schedule :

And

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And whereas it would be more advantageous to the College and to the Incumbents of the Five Vicarages that the surplus Income of the *Blythe* Estates, or Part thereof, should be applied for the Augmentation of the Five Vicarages respectively, than that the whole thereof should be applied for the Purchase of more Livings, and the Augmentation of the Five Vicarages would also be of advantage to the Parishioners, and the College are desirous and it is expedient that they be accordingly authorized to apply the Income of the *Blythe* Estates as by this Act provided :

And whereas the College are desirous and it is expedient that they be authorized to augment the Five Vicarages respectively by means of the Rectorial Rentcharges in lieu of Tithe, and Farms, specified in the Second Schedule to this Act annexed, the College receiving reasonable Compensation in respect thereof out of the Income of the *Blythe* Estates: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects, the Master, Fellows, and Scholars of *Clare College* in the University of *Cambridge*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows; (that is to say,)

1. This Act may for all Purposes be cited as "*Clare College* Short Title. "*(Blythe's Benefaction) Act, 1866.*"

2. Subject and without Prejudice to the Augmentation, in pursuance of the Act of 1825, of the Vicarages of *Everton* with *Tetworth* and *Great Gransden* respectively, the College, from Time to Time when and as they think fit, may apply the yearly Income of the *Blythe* Estates, and the present and future Accumulations of the Income, for all or any of the Purposes following; (that is to say,)

Application  
of Income  
from Blythe  
Estates.

(a) The Payment of all Costs, Charges, and Expenses of and incident to the preparing and applying for and the obtaining and passing of this Act:

(b) The perpetual Augmentation of all or any of the Five Vicarages:

(c) The making to the College of Compensation, in accordance with this Act, in respect of such Parts as the College from Time to Time appropriate for the perpetual Augmentation of the Five Vicarages or any of them, of the Rentcharges in lieu of Tithe, and Farms, specified in the Second Schedule to this Act annexed:

(d) In accordance with Doctor *Blythe's* Will.

[*Private.*]

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3. The

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Augmenta-  
tion of the  
Five Vicar-  
ages.

3. The College from Time to Time, if and when they think fit, may augment any of the Five Vicarages by the Appropriation for the perpetual Augmentation thereof of all or any Part of the Rectorial Rentcharge in lieu of Tithe, and Farms, of the respective Parish which are specified in the Second Schedule to this Act annexed.

Grants of  
Rectorial  
Tithe Rent-  
charge and  
Farms in  
augmenta-  
tion of the  
Five Vicar-  
ages.

4. If and whenever the College make any such Appropriation of Part only of the Rectorial Rentcharge in lieu of Tithes, and Farms, of the respective Parish, they may and shall, by Deed under their Common Seal, and inrolled in the High Court of Chancery within Six Months after the Day of the Date thereof, grant the Part thereof so appropriated unto the then Incumbent of the respective Vicarage, and his Successors in the Incumbency for ever, to the Intent and so that the same may be for the perpetual Augmentation of the Vicarage, and may be enjoyed accordingly, and the Grants so made shall not be within the Act of 1736.

Reunion of  
Vicarages  
with Rec-  
tories.

5. With respect to each of the Five Vicarages, if and when the College appropriate for the perpetual Augmentation of the Vicarage the whole or the then Residue of the Rectorial Tithe Rentcharge, and Farms, in the Parish, which are specified in the Second Schedule to this Act annexed, they shall thereupon present the then Vicar to the Rectory of the respective Parish Church and Parish, to the Intent and so that the Vicarage may for ever thereafter be reunited with the Rectory, and the College may for ever thereafter be the true and rightful Patron of the Rectory, and the Vicarage shall be re-united with the Rectory, and the College shall be Patron accordingly, and from Time to Time the College may present Fellows to the Rectory, in accordance with this Act.

Compensa-  
tion to Col-  
lege for  
Augmenta-  
tion of the  
Five Vicar-  
ages.

6. If and when the College make any Augmentation of any of the Five Vicarages, by the Appropriation for the Purpose of any of the Rectorial Rentcharges in lieu of Tithe, or Farms, the College, if they so think fit, may make to themselves Compensation in that Behalf, by appropriating and taking to their own Use a competent Portion of the Income or Accumulations of Income arising from the *Blythe Estates*.

Amount of  
Compensa-  
tion to be  
determined  
by Ecclesias-  
tical Com-  
missioners.

7. If and whenever the College purpose to make any such Augmentation, and to have Compensation to themselves in respect thereof, they shall apply to the Ecclesiastical Commissioners for *England* and *Wales* to determine the Amount of Compensation to be so made to the College in respect thereof, and the Compensation may be any Sum which the College think fit, not exceeding the Sum so determined.

8. With

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8. With respect to each of the Vicarages of *Everton* with *Tetworth* and *Great Gransden*, if and when the respective Vicarage is perpetually augmented under this Act so as to be of the full yearly Value of Two hundred Pounds or upwards, the Provisions of the Act of 1825 with respect to the Augmentation thereof shall cease, and if and when both of those Vicarages are perpetually augmented under this Act to that Amount then that Act is by this Act repealed.

Eventual  
Repeal of  
Act of 1825.

9. Provided that the Repeal of the Act of 1825 shall not prejudice any Act, Deed, Matter, or Thing whatsoever done or executed under or by virtue of that Act or the Act of 1763, and shall not have any other retroactive Operation.

Repeal of  
Act of 1825  
not retro-  
active.

10. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to every other Person and Body Politic and Corporate, and their respective Heirs, Successors, Executors, Administrators, and Assigns, (other than and except only the several Persons who by this Act are expressly excepted out of this General Saving,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, in, to, upon, and with respect to the *Blythe* Estates and the Income and Accumulations of Income thereof, and any and every Part thereof, as they, every or any of them, respectively, had before the passing of this Act, or could or might have or enjoy in case this Act were not passed.

General  
Saving.

11. Provided that the Persons following, and their respective Heirs, Executors, Administrators, and Assigns, are excepted out of the General Saving in this Act contained, and accordingly are the only Persons bound by this Act; that is to say,

Persons  
bound by  
Act.

1. The Master, Fellows, and Scholars of *Clare College* in the University of *Cambridge*;
2. The Vicars from Time to Time of the Five Vicarages respectively, and the Rectors from Time to Time of the Rectories with which those Vicarages respectively are from Time to Time reunited.

12. This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

Act as  
printed by  
Queen's  
Printers, to  
be Evidence.

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The FIRST SCHEDULE to which the foregoing Act refers.

## THE BLYTHE ESTATES.

	Fixed Deductions.			Gross Rental and Fixed Deductions.			Net Rents.		
	£	s.	d.	£	s.	d.	£	s.	d.
A Farm at Caldecot. J. Chapman, Tenant	-	-	-	102	0	0			
Land Tax - - - -	7	8	0						
Income Tax (at 6d. in the Pound)	2	7	3						
Tithes (commuted annual Value)	24	10	3						
Repairs (Average of 10 Years)	5	15	6						
				40	1	0			
							61	19	0
A Farm at Caldecot. J. Travis, Tenant	-	-	-	170	0	0			
Land Tax - - - -	6	18	0						
Income Tax (6d. in the Pound)	4	1	6						
Tithes (commuted annual Value)	33	2	6						
Chief Rent - - - -	0	2	6						
Repairs (Average of 10 Years)	30	3	6						
				74	8	0			
							95	12	0
Cottages at Caldecot. 10 Years Average of gross Receipts	-	-	-	18	9	2			
Repairs (Average 10 Years)	1	5	9						
Payments for Rates, Income Tax, &c. (Average of 10 Years)	3	5	0						
				4	10	9			
							13	18	5
A Farm at Gamlingay. J. U. Paine, Tenant	-	-	-	216	0	0			
Land Tax - - - -	8	9	0						
Income Tax (6d. in the Pound)	5	3	9						
Tithes (Average of 7 Years)	43	7	0						
Repairs (Average of 10 Years)	12	7	10						
				69	7	7			
							146	12	5
A Farm at Freckenham. N. Rumbelow, Tenant	-	-	-	136	0	0			
Quitrent - - - -	3	1	4						
Income Tax (6d. in the Pound)	3	6	10						
Repairs (Average of 10 Years)	0	6	7						
				6	14	9			
							129	5	3
Carried forward	-	-	-	-	-	-	£447	7	1



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	Fixed Deductions.			Gross Rental and Fixed Deductions.			Net Rents.		
	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward - - -	-	-	-	-	-	-	447	7	1
A Shop in Cambridge. J. Palmer, Butcher, Tenant - - -	-	-	-	36	0	0			
Income Tax (6d. in the Pound) - -	0	18	0	0	18	0			
							35	2	0
146l. 10s. 7d. Bank Stock, an old Investment -	-	-	-	-	-	-	14	0	0
385l. 13s. 6d. Consols being the Investment of Money received for Land purchased by the Bedford and Cambridge Railway Company -	-	-	-	11	11	4			
Income Tax - - -	-	-	-	0	5	7			
							11	5	9
Accumulations of Income {	1,344l. 14s. 1d. Consols - - -	-	-	40	6	8			
	Income Tax - - -	-	-	1	0	2			
							39	6	6
Income {	2,762l. 6s. 2d. lent to the College at 4 per Cent. - - -	-	-	110	10	0			
	Income Tax - - -	-	-	2	15	3			
							107	14	9
	768l. 18s. 8d., Cash in hand at Michaelmas 1865.								
							654	16	1
Deduct for Insurance - - -	4	15	0						
Legal Expenses and other Expenses of Management (7 Years Average) - - -	8	13	3						
							13	8	3
							£641	7	10

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## The SECOND SCHEDULE to which

## THE FIVE

Parishes.	RECTORIAL TITHES, GLEBE, AND FARMS.				
	Source of Income.	Gross annual Receipts.	Deductions.	Net annual Receipts.	
		£ s. d.	£ s. d.	£ s. d.	
LITTLINGTON in Cambridgeshire.	Rectorial Tithes -	561 0 0	Poor and Highway Rates on Tithes -	64 11 7	
	Rectory Glebe -	76 0 0	Expenses of Collection of ditto at 2½ per Cent. -	14 0 6	
			Tithes on Glebe -	13 0 0	
			Vicar's Stipend -	10 0 0	
			Repair of Chancel -	0 6 5	
		637 0 0		101 18 6	535 1 6
DUXFORD in Cambridgeshire.	Rectorial Tithes -	354 0 0	Poor and Highway Rates on Tithes -	33 12 6	
	Rectorial Glebe -	21 3 0	Expenses of Collection at 2½ per Cent. -	8 17 0	
			Land Tax on Tithes -	14 16 0	
			Repairs on Glebe -	0 8 7	
			Repairs of Chancel -	0 3 7	
		375 3 0		57 17 8	317 5 4
WRAWBY-CUM-BRIGG in Lincolnshire.	Rectory Farm (1)	585 0 0	Repairs on Farms -	102 3 8	
	Rectory Farm (2)	160 0 0	Repairs of Chancel -	-	
	Rectory Farm (3)	8 0 0			
		753 0 0		102 3 8	650 16 4
EVERTON-CUM-TETWORTH in the Counties of Bedford, Huntingdon, and Cambridge.	Rectorial Tithes -	205 0 0	Land Tax on Tithes -	5 14 0	
	Rectory Farm -	250 0 0	Poor and Highway Rates on Tithes -	21 12 4	
			Expenses of Collection at 2½ per Cent. -	5 2 6	
			Land Tax on Farm -	10 18 2	
			Repairs on Farm -	10 5 2	
			Repairs of Chancel -	0 6 11	
		455 0 0		53 19 1	401 0 11
GREAT GRANSDEN in Huntingdonshire.	Rectorial Tithes -	484 5 6	Land Tax on Tithes -	36 6 8	
	Rectory Farm -	107 10 0	Poor and Highway Rates on Tithes -	71 12 3	
			Expenses of Collection at 2½ per Cent. -	12 2 2	
			Rectory Tithes on Farm -	22 10 6	
			Ditto on Wood -	1 10 7	
			Land Tax on Farm -	2 12 0	
			Repairs on Farm -	84 4 0	
			Bishop's Pensions, &c. -	1 15 4	
			Repairs of Chancel -	-	
		606 15 6		232 13 6	374 2 0

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the foregoing Act refers.

## VICARAGES.

## VICARIAL TITHES AND GLEBE.

Source of Income.	Gross annual Receipts.		Deductions.		Net annual Receipts.		
	£	s. d.		£	s. d.	£	s. d.
Vicarial Tithes -	230	0 0					
Vicarial Glebe -	18	0 0					
Vicar's Stipend paid by College -	10	0 0					
	258	0 0		(Together about)	25	0 0	233 0 0
Vicarial Tithes -	146	0 0	Poor and Highway Rates on Tithes, &c. -	19	3 8		
Vicarial Glebe -	76	10 0	Expenses of Collection of Tithes at 2½ per Cent. -	3	13 0		
			Yearly Tenths, Pensions to See of Ely, &c. -	1	7 0		
			Mortgage on Living to Queen Anne's Bounty -	18	7 0		
	222	10 0		42	10 8		179 19 4
Vicarial Glebe -	269	9 4	Poor and Highway Rates -	2	13 10		
			Land Tax -	2	9 6		
			Mortgage to Queen Anne's Bounty -	15	11 6		
			Mortgage for draining Lands -	12	18 2		
	269	9 4		33	13 0		235 16 4
Vicarial Tithes -	70	0 0	Poor and Highway Rates on Tithes -	7	1 0		
Vicarial Glebe -	187	10 0	Land Tax on Tithes -	1	19 6		
			Cost of Collection of Tithes at 2½ per Cent. -	1	15 0		
			Land Tax on Glebe -	11	16 4		
			Repairs on Glebe -	4	10 2		
	257	10 0		27	2 0		230 8 0
Vicarial Tithes -	102	10 0	Land Tax on Tithes -	7	5 4		
Vicarial Glebe -	42	10 0	Poor and Highway Rates on Tithes -	14	6 5		
			Cost of Collection at 2½ per Cent. -	2	11 3		
			Repairs on Glebe -	28	9 4		
	145	0 0		52	12 4		92 7 8

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