

ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

CAP. XXV.

An Act for the Relief of certain Spiritual Persons, and Patrons of Ecclesiastical Preferments, from certain Penalties; and rendering valid certain Bonds, Covenants, or other Assurances for the Resignation of Ecclesiastical Preferments.

[14th *June* 1827.]

WHEREAS by an Act made and passed in the Thirty-first Year of the Reign of Her late Majesty Queen *Elizabeth*, intituled *An Act against Abuses in Elections of Scholars and Presentations to Benefices*, it is enacted in the Words or to the Effect following; to wit, "For the avoiding of Simony and Corruption in Presentations, Collations, and Donations of and to Benefices, Dignities, Prebends, and other Livings and Promotions Ecclesiastical, and in Admissions, Institutions, and Inductions to the same, be it further enacted by the Authority aforesaid, that if any Person or Persons, Bodies Politic and Corporate, shall or do at any Time after the End of Forty Days next after the End of this Session of Parliament, for any Sum of Money, Reward, Gift, Profit, or Benefit, directly or indirectly, or for or by reason of any Promise, Agreement, Grant, Bond, Covenant, or other Assurance, of or for any Sum of Money, Reward, Gift, Profit, or Benefit whatsoever, directly or indirectly present or collate any Person to any Benefice with Cure of Souls, Dignity, Prebend, or Living Ecclesiastical, 31 Eliz. c. 6.

or give or bestow the same for or in respect of any such corrupt Cause or Consideration, that then every such Presentation, Collation, Gift, and Bestowing, and every Admission, Institution, Investiture, and Induction thereupon, shall be utterly void, frustrate, and of none Effect in Law; and that it shall and may be lawful to and for the Queen's Majesty, Her Heirs and Successors, to present, collate unto, or give or bestow every such Benefice, Dignity, Prebend, and Living Ecclesiastical, for that One Time or Turn only; and that all and every Person or Persons, Bodies Politic and Corporate, that from thenceforth shall give or take any such Sum of Money, Reward, Gift, or Benefit, directly or indirectly, or that shall take or make any such Promise, Grant, Bond, Covenant, or other Assurance, shall forfeit and lose the double Value of One Year's Profit of every such Benefice, Dignity, Prebend, and Living Ecclesiastical; and the Person so corruptly taking, procuring, seeking, or accepting any such Benefice, Dignity, Prebend, or Living, shall thereupon and from thenceforth be adjudged a disabled Person in Law to have or enjoy the same Benefice, Dignity, Prebend, or Living Ecclesiastical:" And whereas since the passing of the said Act many Spiritual Persons, or others, before or after the Presentation or Collation, or Appointment by Donation, of Spiritual Persons to Spiritual Offices, being Benefices with Cure of Souls, Dignities, Prebends, or Livings Ecclesiastical, have made, given, or entered into certain Engagements by Promise, Agreement, Grant, Bond, Covenant, or other Assurance, to or with the Patron or Patrons of such Spiritual Offices, or to or with some other Person or Persons, for the Resignation of such Spiritual Offices, to the Intent or Purpose that some Person specially named or described in such Engagement, or One of Two Persons so specially named or described, should be presented, collated, or nominated to such Spiritual Offices respectively, or that the same should be given or bestowed to or upon him, or for the Resignation thereof upon Notice or Request, or otherwise, when a Person, or One of Two Persons, so specially named or described, should become qualified by Age or otherwise to accept and take the same: And whereas it has lately been adjudged and determined at Law that such Engagements as aforesaid come within the Intent and Meaning of the said recited Act: And whereas the Spiritual Persons and Patrons, and other Persons, who have been Parties to such Engagements, will suffer great Hardship and Detriment unless they be relieved from the Pains, Penalties, Forfeitures, Loss, or Disabilities to which they have erroneously, but without having wilfully acted in contravention of the said recited Act, rendered themselves liable, by reason of having given or entered into, or accepted or taken, such Engagements: For remedy thereof 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 no Presentation, Collation, Gift, or Bestowing of any such Spiritual Office to or upon any Spiritual Person, before the Ninth Day of *April* in the present Year of our Lord One thousand eight hundred and twenty-seven, nor any Admission, Institution, Investiture, or Induction thereupon, shall be void, frustrate, or of no Effect in Law, for or by reason of any such Engagement made, given, or entered into by such Spiritual

No Presentation to any Spiritual Office, made before 9th April 1827, shall be void on account of any Agree-

Person, or any other Person or Persons, to or with the Patron or Patrons of such Spiritual Office, or to or with any other Person or Persons, for the Resignation of the same, to the Intent or Purpose manifested by the Terms of such Engagement, that some Person specially named or described therein, or One of Two Persons so specially named or described, should be presented, collated, or nominated to such Spiritual Office, or that the same should be given or bestowed to or upon him, or for the Resignation thereof upon Notice or Request, or otherwise, when a Person, or One of Two Persons, so specially named or described, should become qualified, by Age or otherwise, to accept and take the same; and that it shall not be lawful for the King's most Excellent Majesty, His Heirs or Successors, for or by reason of such Engagement as aforesaid, to present or collate unto, or give or bestow such Spiritual Office; and that such Spiritual Person, and Patron or Patrons, or other Person or Persons respectively, shall not be liable to any Pains, Penalty, Forfeiture, Loss, or Disability, nor to any Prosecution or other Proceeding, Civil, Criminal, or Penal, in any Court Ecclesiastical or Temporal, for or by reason of his, her, or their having made, given, or entered into, or accepted or taken, such Engagement as aforesaid; and that every such Presentation or Collation, or Gift or Bestowing, before the said Ninth Day of *April* in the present Year of our Lord One thousand eight hundred and twenty-seven, and every Admission, Institution, Investiture, and Induction thereupon, shall be as valid and effectual in the Law, to all Intents and Purposes whatsoever, as if such Engagement had not been made, given, or entered into, or accepted or taken; any thing in the said recited Act, or in any other Act, Statute, or Canon, or any Law to the contrary in anywise notwithstanding.

ment to resign when another Person, specially named, shall become qualified to take the same.

Persons making any such Agreement, not subject to any Penalty on account thereof.

II. And be it further enacted, That every such Engagement which hath been made, given, or entered into at any Time before the said Ninth Day of *April* in the present Year of our Lord One thousand eight hundred and twenty-seven, for the Resignation of any Benefice with Cure of Souls, Dignity, Prebend, or Living Ecclesiastical, to the Intent or Purpose, manifested by the Terms of such Engagement, that some Person specially named or described therein, or One of Two Persons so specially named or described, should be presented, collated, or nominated to such Spiritual Office, or that the same should be given or bestowed to or upon him, or for the Resignation thereof upon Notice or Request or otherwise, when a Person, or One of Two Persons, so specially named or described, should become qualified, by Age or otherwise, to accept and take the same, shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever; any thing in the said recited Act, or in any other Act, Statute, or Canon, or any Law to the contrary in anywise notwithstanding.

All such Engagements entered into before 9th April 1827, valid and effectual in Law.

III. Provided always, That nothing in this Act contained shall extend or be construed to extend to the Case of any Engagement which shall not have been made, given, or entered into really and *bonâ fide* to the Intent or Purpose aforesaid, and no other: Provided also, that nothing herein contained shall be deemed compulsory upon the Ordinary to accept the Resignation.

Engagements not bonâ fide made with such Intent.

IV. Pro-

If the Person so specially named be not presented to such Spiritual Office within Six Months, the Resignation shall be void.

IV. Provided always, and be it further enacted, That in every Case where any such Spiritual Office shall after the passing of this Act be resigned pursuant to any such Engagement, and the Person, or One of the Two Persons, so specially named or described therein shall not be presented, collated, nominated, or appointed by Donation to such Spiritual Office within Six Calendar Months next after such Resignation, the Resignation which shall so have been made pursuant to such Engagement shall to all Intents and Purposes be void and of no Effect; and the Spiritual Person who shall so have resigned shall, without any Act or Form, and as if such Resignation had not been made, be deemed and taken to all Intents and Purposes to be and to have continued the Incumbent actually in Possession of such Spiritual Office, notwithstanding such Resignation, and although within the said Six Months any other Person may have been presented, collated, nominated, instituted, or inducted thereto, or received Investiture thereof, provided such Person so resigning shall not by reason of any other Act or Thing have become disqualified to hold the same.

Proviso for Proceedings already commenced.

V. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the Case of any such Engagement, upon or with respect to which any Action, Suit, Bill, Plaint, or Information shall have been brought, sued out, or commenced and prosecuted before the Ninth Day of *April* in this present Year.

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