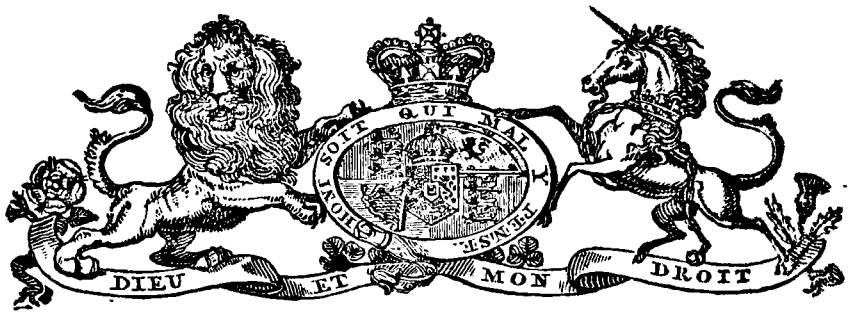


ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

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CAP. XLIII.

An Act to consolidate and amend the Laws in force in *Ireland* for Unions and Divisions of Parishes, and for uniting or disappropriating Appropriate Parishes or Parts of Parishes; and to make further Provision with respect to the erecting Chapels of Ease, and making Perpetual Cures.

[23d *June* 1827.]

WHEREAS several Acts have been passed in the Parliament of *Ireland* for Unions and Divisions of Parishes, and for uniting or disappropriating Appropriate Parishes or Parts of Parishes; and it is desirable that the Provisions contained in such Acts of Parliament should be consolidated and amended: 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 from and after the passing of this Act the several Acts herein-after mentioned, or so much of such Acts as is herein-after specified or referred to, shall be repealed; that is to say, so much and such Part only of an Act passed in the Second Year of the Reign of King *George* the First, intituled *An Act for real Union and Division of Parishes*, as relates to the real Union and Division of Parishes; and also so much of an Act passed in the Eighth Year of

Certain Irish Acts or Parts of Acts repealed; viz.

2 G. 1. c. 14. in part.

8 G. 1. c. 12. in part. of the Reign of the said King, intituled *An Act for the better enabling the Clergy having Cure of Souls to reside upon their respective Benefices, and for the Encouragement of Protestant Schools within this Kingdom of* Ireland, as relates to the endowing of Churches with Glebes in the Case of Unions of Parishes; and also so much of an Act passed in the Tenth Year of the Reign of the said King,

10 G. 1. c. 7. in part. intituled *An Act for confirming the several Grants made by Her late Majesty of the First Fruits and Twentieth Parts payable out of Ecclesiastical Benefices in this Kingdom, and also for giving the Archbishops and other Ecclesiastical Persons Four Years Time for the Payment of First Fruits, and for incorporating the Trustees and Commissioners of the said First Fruits,* as relates to the Payment of First Fruits by divided Parishes; and also so much of an Act passed in the Seventh

7 G. 2. c. 7. in part. Year of the Reign of King *George* the Second, intituled *An Act for continuing several temporary Statutes, and for other Purposes therein mentioned,* as relates to the separating or uniting Glebes belonging

9 G. 2. c. 12. to Parishes; and also the whole of an Act passed in the Ninth Year of the Reign of the said King *George* the Second, for explaining and amending the said first-recited Act of the Second Year of

7 G. 3. c. 9. in part. King *George* the First; and also so much of an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Third, for explaining and amending the said first-recited Act of the Second Year of King *George* the First, and for other Purposes, as relates to the Payment of Money for Buildings or Improvements made in Glebes in the Case of real Union and Division of Parishes; and also so much of an Act passed in the Eleventh and Twelfth

11 & 12 G. 3. c. 16. in part. Years of the Reign of His said late Majesty, intituled *An Act for erecting Parochial Chapels of Ease in Parishes of large Extent, and making such Chapels, and those that are already erected, Perpetual Cures, and for making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same; and also in like Manner for making Appropriate Parishes Perpetual Cures,* as relates to the uniting or disappropriating Appropriate Parishes; and also so much of an Act passed in the Thirteenth and Fourteenth Years of His

13 & 14 G. 3. c. 27. in part. said late Majesty, intituled *An Act to amend an Act passed in the Eighth Year of His present Majesty, intituled 'An Act for erecting 'Two Chapels of Ease in the Parish of* Armagh, *and making such 'Chapels, and those that are already in said Parish, Perpetual Cures,' and for making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same, and for other Purposes,* as relates to the uniting or disappropriating Appropriate Parishes; and also so much of an Act passed in the Twenty-third and Twenty-fourth

23 & 24 G. 3. c. 49. in part. Years of King *George* the Third, intituled *An Act for making Appropriate Parishes belonging to Archbishops and Bishops Perpetual Cures, and the better to enable such Archbishops and Bishops to endow and augment the Endowment of Vicarages and Curacies to them respectively appertaining; and to render more effectual the several Acts now in force to enable the Clergy having Cure of Souls to reside on their respective Benefices, and to build on their respective Glebe Lands,* as relates to the uniting or disappropriating of Appropriate Parishes; and the said several Acts and Parts of Acts as aforesaid are hereby respectively repealed accordingly.

II. And

II. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, with the Assent of the major Part of His Majesty's Privy Council in *Ireland* in Council assembled, Six at least consenting, and with the Advice and Approbation of the Archbishop of the Province and the Bishop of the Diocese, certified under their Hands and Archiepiscopal and Episcopal Seals, with the Consent of the respective Patrons, certified under their Hands and Seals, attested by Two or more credible Witnesses subscribing thereunto, to divide old Parishes, or to separate any Parish or Part of a Parish heretofore united, in whatever Manner such Union may have been effected, and to unite Parishes one to another, or any Part of a Parish to another Parish, or Part of a Parish in perpetuity, and to erect such divided or united Parishes or Parts of Parishes into new Parishes, with all Parochial Rights. Lord Lieutenant, with Assent of the Privy Council, Bishop, Patrons, &c. may divide or unite Parishes.

III. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, with such Advice and Approbation and in such Manner as are herein-before mentioned, to divide and separate or to unite the Glebe belonging to any Parishes so divided and separated or united, and to annex such Glebe, or any Part or Proportion thereof, to such divided or united Parish or Parishes or Parts thereof, which shall be erected into new Parishes or united to others; and that all such Divisions and Separations or Unions of Glebes shall be good, firm, and valid in Law; and that such Glebe, or such Part thereof as shall be so annexed, shall be always deemed and taken to be the Glebe or Glebes of such newly-erected or united Parish or Parishes; and that the Incumbents of any such newly-erected or united Parish or Parishes shall hold and enjoy such divided and separated or united Part of such Glebe, annexed to such newly-erected or united Parish, in as full and ample Manner to all Intents and Purposes as if such newly-erected or united Parish had been an old Parish, and as if such Proportion of Glebe had been always held with and enjoyed as the Glebe belonging to such newly-erected or united Parish or Parishes, any Law or Usage to the contrary notwithstanding. Lord Lieutenant, &c. may in like Manner separate or unite Glebes, and annex the same to Parishes.

IV. And be it further enacted, That where One or more Parish or Parishes, or Part of One or more Parish or Parishes, shall be united to another Parish or Parishes, or to a Part of any Parish or Parishes, in pursuance of this Act, and the Incumbent of any the said united Parishes, or of the Parish or Parishes whereof Part only shall be so united to any other Parish or Parishes, shall die, resign, or be removed, then the next Incumbent or Person succeeding in the Place of him so dying, resigning, or being removed, shall be chargeable with and shall accordingly pay the First Fruits of such Parish or Parishes, or Part of Parish or Parishes, so united, as if he were legally collated or instituted and inducted to the same; and to the end that such Incumbent may be charged with such First Fruits, the Archbishops and Bishops of *Ireland* are hereby respectively required, each in his own Diocese, to make and return to the First Fruits Office a Certificate of the Death, Removal, or Resignation of such Incumbent Where Parishes, &c. are so united, Incumbent, &c. succeeding shall pay First-Fruits.

or

on Incumbents of any such Parish or Parishes, or Part of Parish or Parishes, so united, and the Name of the next Incumbent or Person succeeding in the Place of him so dying, resigning, or being removed as aforesaid, together with the several and particular Denominations of each divided and united Parish or Parishes, within such Time and in such and the same Manner as Certificates are or usually have been made and returned upon the Institution or Collation of Incumbents to Livings or Benefices in *Ireland*.

The Bishop, on Application of any Incumbent of divided or united Parishes, shall inquire the Value and settle the Proportion of First Fruits, &c.;

V. And in order to prevent any Disputes which might arise upon the apportioning the First Fruits, Crown Rents, Port Corn Rents, Pensions, Procurations, Synodals, and Salaries payable to the Schoolmasters of the Diocesan Schools by the several Incumbents of such divided or united Parishes, be it enacted, That upon the Application of any Incumbent of any such divided or united Parish or Parishes to the Bishop of the Diocese in which such divided or united Parish lies, it shall be lawful for such Bishop, and he is hereby empowered and directed, to inquire into the Value of such Parishes or Parts of Parishes as are separated and divided from the old Parish, and erected into the new Parish, and to settle and adjust the Proportion of First Fruits, Crown Rents, Port Corn Rents, Pensions, Procurations, and Synodals, and the Salaries of the said Schoolmasters, which the Incumbent of such old divided Parish and newly-erected Parish is to pay; which Adjudication, being in Writing, and signed and sealed by the said Bishop, and registered in the Register Book of the said Bishop, shall be the Proportion which the Incumbent of such newly-erected Parish is to pay, and shall be binding and conclusive upon the several Incumbents of such divided and united Parish and Parishes, and their Successors; any Law to the contrary notwithstanding.

and return into the Exchequer a Certificate of such Proportions, by which the Parishes shall be charged in Process.

VI. And be it further enacted, That such Adjudication being made by the Bishop of the Diocese in manner as aforesaid, a Certificate of so much thereof as relates to the Proportion of First Fruits, Crown Rent, and Port Corn Rent, wherewith the said old divided Parishes and new erected Parishes are to be charged by the said Adjudication, shall be returned by the Bishop of the Diocese under his Episcopal Seal into His Majesty's Court of Exchequer, there to be filed of Record; and such old divided Parishes and newly-erected Parishes shall be charged in all Process to be issued out of the said Court for First Fruits, Crown Rent, and Port Corn Rent, according to the Proportion certified as aforesaid, and not otherwise; any Law or Usage to the contrary notwithstanding.

For Election of Parish Officers in such Parts of the Union as are vacant.

VII. And be it further enacted, That after Presentation and Institution or Collation, and also Induction of any Clerk or Incumbent to any such united Parish, such Clerk or Incumbent, with the Parishioners and Inhabitants of such Parish or Parts of a Parish which shall be then vacant and become Part of such united Parish, shall proceed to the Election and Appointment of Churchwardens and other Parish Officers, as by Law they might have done if the other Parts of such united Parish had become void; which Churchwardens and other Parish Officers shall from Time to Time be elected and appointed in manner required by Law, as Churchwardens and other

Parish Officers are in other Parishes elected and appointed, till the other Parts of such united Parish shall become void; and after such Avoidance the Election and Appointment of such Churchwardens and other Parish Officers of such united Parish shall be in the same Manner, and at the same Time, and by the same Persons, as is required by Law in the other Parishes of the Diocese in which such united or newly-erected Parish lies and is situated.

Incumbent of divided Parish shall receive from his Successor, a Proportion of Amount of such Improvements, although exceeding Two Years Income.

VIII. And be it further enacted, That where any large Parish shall be divided in manner as in this Act is mentioned, and that the Incumbent of any such divided Parish shall be entitled to receive any Sum of Money from his next Successor in any such Parish, in case the same had not been divided, on account of any Purchase of Glebe or Addition to the Glebe, or of any Buildings or Improvements made on the Glebe of such Parish, or any Money paid by him to his Predecessor on such Account, according to the Laws in force for that Purpose, such Incumbent shall have and be entitled to receive from his next Successor in that Part of such divided Parish within which such additional Glebe shall be situate, or on which such Buildings and Improvements shall have been made, the same Sum as he would have been entitled to receive if the said Parish had not been divided, although the Sum so to be received should exceed Two Years Income of that Part of the Parish; and such Incumbent, having paid such Proportion of the said Money, shall be entitled to receive such Proportion of the Money so to be paid from his Successors, according to the Laws in force for that Purpose, in such Manner as he ought in case such Parish had not been divided.

On Death or Removal of Incumbent of any newly-erected Parish, the Patron entitled to the first Avoidance may present to such new Parish.

IX. And be it further enacted, That where any such Union or Unions shall be made by virtue of this Act, and a new Parish erected, and it shall happen that any Incumbent enjoying any Parish or Part of a Parish so united to any other Parish or Part of a Parish constituting the newly-erected Parish shall die or be removed, whereby the Parish or Part of a Parish which such Incumbent so dying or removed held and enjoyed is no longer an old Parish or Part of an old Parish, but is become Part of the united and newly-erected Parish, it shall and may be lawful, from and after the Death or Removal of such Incumbent, to and for the Patron or Patrons of such united and newly-erected Parish, who by Law is or are entitled to present or collate to the First Turn upon the Avoidance of such newly-erected Parish, to present or collate his Clerk to such newly-erected Parish by the Name or Description which such newly-erected Parish is distinguished or called by in the Act of Council establishing such Union and erecting such Parish, as if all the Incumbents of such united and newly-erected Parish were then dead or removed, and as if such united and newly-erected Parish were then entirely void; and upon such Presentation, and Institution thereupon, or Collation, the Clerk so presented and instituted or collated shall be entitled to Induction to the said united and newly-erected Parish, as if all the Incumbents were dead or removed, and may be inducted into the Parish or Part of a Parish which shall be then void, without waiting for the Death or Removal of the other Incumbent or Incumbents, and may perform all Matters and Things for the qualifying or entitling

Clerk so presented may be inducted;

and may qualify in any

Church in the vacant Part, or in the old Parish Church, and enter on the Cure of Souls, &c.

entitling himself, as by Law is required, to the said united Parish, in any Church, if any such there be in that Parish or Part of a Parish then become vacant, and in case there be no Church upon such Parish or Part of a Parish so vacant, then in the old Parish Church of the Parish from whence such Part of a Parish is taken; and such Clerk so presented and instituted or collated, and also inducted, shall then enter upon the Cure of Souls, and take and receive all such Tithes, Duties, or other Profits, in such vacant Parish or Part of a Parish, in as large and ample a Manner as the old and former Incumbent so dying or removed was by Law entitled to have, take, and receive in such Parish or Part of a Parish before it became void.

On Death or Removal of the other Incumbents, the Clerk so presented shall be the full Incumbent of the whole new Parish, without further Presentation.

X. And be it further enacted, That such Clerk so presented and instituted or collated, and so inducted, in pursuance of this Act, into such united or newly-erected Parish, upon the Death or Removal of the other Incumbent or Incumbents of the other Parishes or Parts of a Parish constituting such Union, and erected into the said new Parish, as they respectively become void, shall and may enter upon the Cure of Souls, and take and receive such Tithes, Duties, and other Profits, as the said former Incumbent or Incumbents so dying or removed was or were by Law entitled to in such Parish or Part of a Parish then become Part of the said united or newly-erected Parish; and such Clerk so presented and instituted or collated, and inducted, in pursuance of this Act, to such united Parish, and having performed all other Matters and Things which by Law he was required to do and perform, shall, upon the Death or Removal of every such other Incumbent, be full and lawful Incumbent of all the said united and newly-erected Parish, without any new Presentation and Institution, Collation or Induction, to all Intents and Purposes whatsoever, and shall have the same Right, Title, and Interest in and to the said united and newly-erected Parish, and to all Tithes, Duties, Profits, and Perquisites thereunto belonging or appertaining, in as large and ample Manner as he could or might have had if such Clerk had been separately presented and instituted, or collated and inducted, into every of the said Parishes or Parts of Parishes, as they respectively became void, and as the old and former Incumbents, or any of them, were by Law entitled to have and receive the same.

In case of Death, &c. of Clerk so presented, the Patron next in Turn may present, &c., until the Union is complete.

XI. And be it further enacted, That in case of the Death or Removal of such Clerk, instituted or collated and inducted in pursuance of this Act, before the other Parish or Parts of a Parish completing the said united or newly-erected Parish shall become void by the Death or Removal of the Incumbent or Incumbents thereof, the Patron or Patrons of such united or newly-erected Parish whose Turn it shall be then to institute and present, or collate and induct, may in like Manner institute and present, or collate and induct, to the said united or newly-erected Parish, and such Clerk so presented and instituted or collated, and also inducted, shall hold and enjoy the said united or newly-erected Parish, or such Parts of it as are then vacant, or which shall thereafter become vacant by the Death or Removal of the other Incumbent or Incumbents, in the same and as large and ample Manner as the former

Incumbents

Incumbents presented and instituted, or collated and inducted, by virtue of this Act, did, might, or could have held and enjoyed the same, and in like Manner, so often as any Part of such united and newly-erected Parish shall become void by the Death or Removal of any such Incumbent or Incumbents, and until all the several Parishes or Parts of Parishes so united shall become void, and fallen into the said united and newly-erected Parish, so as to render the said Union complete and perfect: Saving to the other Incumbents of the Parishes or Parts of Parishes so united and made Part of the said newly-erected Parish, until the same shall become void, their several Rights, Titles, and Interests in and to their respective Parishes, or Part or Parts of Parishes, during their respective Incumbrances, as though no Clerk had been presented and instituted, or collated and inducted, to such united and newly-erected Parish, in pursuance of this Act.

Saving Rights of other existing Incumbents.

XII. And be it further enacted, That in case it shall happen that there shall not be any Church upon any such Parish or Part of a Parish so becoming vacant, then the Person duly authorized to give Induction shall and may deliver a Sod or Turf to such Clerk, in the Name of Seisin and Possession of such united and newly-erected Parish; which is hereby declared to be a good and valid Induction to all Intents and Purposes whatsoever.

When no Church exists, Seisin of the Parish may be given by Delivery of a Sod.

XIII. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, with the Assent, Approbation, and Consent of such Persons, and in such Manner as in this Act is herein-before required, mentioned, and directed, concerning the uniting or dividing of Parishes or Parts of Parishes, to unite Appropriate Parishes, and to disappropriate Appropriate Parishes or Part of such Parishes, and to unite such Disappropriate Parishes or Part of such Parishes to another Parish, and to erect such divided and united Parishes into new Parishes with all parochial Rights.

Lord Lieutenant, &c. may unite Appropriate Parishes, or Part thereof, into new Parishes.

XIV. Provided always, and be it enacted, That where the Assent of the King's Majesty, His Heirs or Successors, is to be given to the making any Unions or Divisions of Parishes or Parts of Parishes, or of Appropriate Parishes or of Parts of such Parishes, or for establishing Perpetual Curacies and Chapels of Ease within Districts to be respectively formed from contiguous Portions of Two or more adjoining Parishes by virtue of this Act, the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, under his and their Hands and Seals, to such Unions and Divisions, or Establishment of Perpetual Curacies and Chapels of Ease, shall to all Intents and Purposes be as good and valid in Law as if the Consent of His Majesty, His Heirs or Successors, was thereunto signified by Letters Patent under the Great Seal of *Ireland*; provided always, that such Consent of the Lord Lieutenant, or other Chief Governor or Governors as aforesaid, be inrolled in the Rolls Office of the High Court of Chancery of *Ireland* within Six Calendar Months after the Date thereof; for the Inrolment whereof Three Shillings and Four-pence and no more shall be

Assent of the King, being Patron, may be signified by the Lord Lieutenant.

be paid over and above the Expences usually paid to the Ingrossing Clerk for the same,

Consent of Dean and Chapter, or Archdeacon and Clergy, required to Disappropriations.

XV. And be it further enacted, That any Disappropriation of Approriate Parishes, in the Manner herein-before mentioned, shall not be made in any Diocese, unless with the Consent of the Dean and Chapter, under their Corporate Seal, Two Thirds at least of the Members of such Chapter being present and consenting; or where there is not any Dean and Chapter, with the Consent of the Archdeacon and major Part of the Beneficed Clergy of such Diocese, to be testified in Writing under their respective Hands and Seals.

Archbishop, &c., with Consent of Dean and Chapter, &c. may unite Appropriate Parishes, not exceeding 100*l.* a Year.

XVI. And be it further enacted, That when any Parish or Parishes Appropriate belong to and are annexed to any Archbishopric or Bishopric in *Ireland*, it shall and may be lawful for any Archbishop, with the Consent of the Dean and Chapter of the Diocese, and where there is not any Dean and Chapter, then with the Consent of the major Part of the Beneficed Clergy of the Diocese, and also of the Archbishop of the Province and Patron of such Parish, under their Hands and Seals, to unite Two or more of such Appropriate Parishes into One Perpetual Cure, and to unite One or more such Appropriate Parish or Parishes to any One Benefice or Benefices contiguous thereto, provided the entire Value of each of such respective Unions do not exceed One hundred Pounds by the Year.

Persons who before Union were obliged to repair Chancels, shall after Union contribute rateably, to be settled by Consent, or by Order of Lord Chancellor.

XVII. And whereas in the Union of the several Parishes which may hereafter be united by virtue of this Act there may be several Appropriate Rectories, and no Vicarage within the same; and the Rectorial Tithes and other Profits arising within such respective Rectories are to remain, notwithstanding such Union, payable to the Appropriators or Impropriators thereof, and who by reason thereof might by Law be obliged to repair the respective Chancels belonging to such Rectories, and to find a sufficient Curate or Curates for the Performance of Divine Service and for the Cure of Souls within the same, before such Union; be it enacted, That wherever it shall happen in any Union to be made by virtue of this Act, that there shall be an Impropriate or Appropriate Rectory within the same, the Rector, Impropriator, or Possessor of which was, before the making of such Union, by Law obliged to repair the Chancel belonging to the Parish Church of the said Rectory, such Rector, Impropriator, or Possessor respectively, his Heirs, Successors, and Assigns, shall, from and after such Union so made by virtue of this Act, during the Continuance of such Union, be discharged from repairing of such Chancel respectively, and shall, in lieu and instead of repairing the Chancel of such Rectory, be obliged to contribute a rateable Share or Proportion, according to the Value of the Profits arising out of such Rectories, to and for the Repair of the new Chancel of the said united Parishes; and such rateable Share or Proportion shall be settled and adjusted by Consent of all Parties concerned in Interest before such Union be made; or in case of any Failure of such Consent, then such Share or Proportion shall be ascertained by a Decree or Order of the Court of

Chancery in *Ireland*, on proper Application thereto; and if any other Person was obliged to repair the Chancel of any of the other Parish Churches so united before such Union, every such Person and his Successors shall be obliged to pay a rateable Share towards the Repair of the new Chancel.

Impropriators liable to provide Curates shall after Union contribute rateably.

XVIII. And whereas in some Impropriate Parishes the Impropriators or Possessors of the Tithes of such Parishes are obliged by Law to find a Curate to serve the Cure of the said Parishes; be it therefore enacted, That in case such Parishes so Appropriate or Impropriate shall be united pursuant to this Act to any other Parish or Parishes, such Impropriator or Possessor shall be discharged of and from finding a Curate for such Parishes so united, and shall be only obliged to contribute his Proportion rateably with the other Parishes to which such Impropriate or Appropriate Parish shall be united, for the Maintenance and Support of the Curate or Minister of such united Parishes, and which rateable Share or Proportion shall be settled and adjusted in like Manner as is herein-before directed with respect to the Repair of Chancels.

Lord Lieutenant, &c. shall divide the Patronage by Turns; the King, where entitled to any Presentation, shall have the first Turn.

XIX. And be it further enacted, That when Two or more Churches or Parishes shall be united into One in pursuance of this Act, having formerly had distinct Patrons, in such Cases the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and Council as aforesaid, with the Advice and Approbation of the respective Archbishop and Bishop in whose Province and Diocese the said Churches were situate, shall divide the Patronage by Turns among the Patrons, giving to each of them a Right to present oftener and seldomer, according to the true yearly Value of the respective Parish or Parishes whereof they are Patrons, the Consent of each Patron being first had and entered in the Instrument for erecting the said Union; and such Settlement or Settlements as aforesaid shall be final and binding to all Patrons, whether Ecclesiastical or Lay Patrons, and to all Parties, for ever; reserving always unto every Archbishop and Bishop, Registrars and Schoolmasters, their respective Dues payable out of every such Parish so united: Provided always, that where the King's Majesty, His Heirs and Successors, is or shall be entitled to the Presentation of any of the said Parish Churches so to be united, He and they shall, from and immediately after such Union, upon the then first Vacancy, have the first Presentation of an Incumbent unto such united Church, and afterwards, upon the then next Vacancy, the other respective Patrons severally, as the Lord Lieutenant or other Chief Governor or Governors and Council aforesaid, with the Advice and Approbation aforesaid, shall direct and appoint, regard being had to the respective Values of the several Parishes so to be united as aforesaid; and so in course respectively in manner aforesaid.

Owner of Rectory Impropriate, shall not, by presenting to Union, disappropriate

XX. And be it further enacted, That no Owner or Proprietor of any Rectory Impropriate, having the Patronage of the Vicarage of the Church, shall, by only presenting in his Turn a Clerk to any Union made by virtue of this Act, be judged in Law to disappropriate his Rectory, unless such Person making such Presentation shall, by express

his Rectory by Implication.

express Words contained therein, plainly signify his Design and Intent to make such Disappropriation, and that such Presentation be under the Hand and Seal of the Patron so presenting, attested by Two or more credible Persons; any former Law or Usage to the contrary notwithstanding.

Unions of Parishes shall not be made by Bishops without Consent of the Lord Lieutenant in Council.

XXI. And be it further enacted, That from and after the passing of this Act any Archbishop or Bishop of any Diocese in *Ireland* who shall unite any Two or more Benefices or Parishes together, shall, within Fourteen Days after making the Order of such Union, report the same, together with the Reasons for making such Union, to the Lord Lieutenant in Council; and if such Union be not disapproved by the Lord Lieutenant in Council within Six Weeks from the Date of such Order being received at the Council Office in *Dublin Castle*, such Union shall be valid and effectual to all Intents and Purposes whatsoever; but that all and every Archiepiscopal or Episcopal Union of Benefices or Parishes which shall not be so reported, or which shall be within such Period as aforesaid disapproved by the Lord Lieutenant in Council, shall be null and void, without any Suit, Judgment, or Process of Law.

Unions, &c. shall be inrolled in Chancery within Six Months; Fee 3*s.* 4*d.*

XXII. And be it further enacted, That all real Unions and Divisions to be made by virtue of this Act shall be inrolled in the Rolls Office of the High Court of Chancery in *Ireland* within Six Calendar Months after the making thereof, for the Inrolment whereof respectively the Fee of Three Shillings and Four-pence and no more shall be paid, over and above the Expence usually paid to the Ingrossing Clerk for the same; and every Instrument under the Hands of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and Council, testifying such Union or Division, shall contain in it a Clause or Proviso that the same shall be inrolled in Six Calendar Months after the Date thereof, or else to be void and of no effect.

Irish Act, 11 & 12 G. 3. c. 16.

XXIII. And whereas by the said Act passed in the Parliament of *Ireland* in the Eleventh and Twelfth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for erecting Parochial Chapels of Ease in Parishes of large Extent, and making such Chapels, and those that are already erected, Perpetual Cures; and for making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same, and also in like Manner for making Appropriate Parishes Perpetual Cures*, it is enacted, that it shall and may be lawful to and for the several Archbishops and Bishops of *Ireland*, and their Successors, to erect or cause to be erected new Churches or Chapels in convenient Places within such Parishes, as to the said Archbishops and Bishops respectively shall seem proper: And whereas many Parishes in *Ireland* are not sufficiently large, severally and separately, to support Chapels of Ease; be it enacted, That from and after the passing of this Act it shall and may be lawful for the several Archbishops and Bishops of *Ireland*, and their Successors, within their respective Dioceses, to erect or cause to be erected new Churches or Chapels in convenient Places within Districts to be respectively formed from contiguous Portions of Two or more adjoining Parishes, as to the said Archbishops and Bishops respectively,

Churches or Chapels may be erected by Archbishops or Bishops in Districts consisting of contiguous Portions of Parishes.

tively, and to their Successors, shall seem proper, in manner hereinafter directed.

Districts shall be ascertained by an Instrument under the Episcopal Seal; subject to Approval by Lord Lieutenant.

XXIV. And be it further enacted, That before any such Church or Chapel shall be erected in or for any District, the Bounds for such District shall be ascertained by an Instrument in manner following; that is to say, the Archbishop or Bishop of the Diocese, by Writing under his Hand and Archiepiscopal or Episcopal Seal, shall and may set out and describe the Bounds of such District, and the several Townlands which shall be comprised within any such District respectively; and a Copy of such Instrument shall, within Fourteen Days from the Date thereof, be transmitted to each of the several Incumbents of the Parishes from which such District shall be formed, and also to the Lord Lieutenant in Council; and the Lord Lieutenant in Council shall hear and determine any Objections which may be made by or on behalf of any such Incumbents, and shall confirm or alter the Bounds of the District so set out and described in such Instrument, as the Circumstances of the Case may appear to require, and shall order such Instrument to be altered accordingly: Provided always, that such Instrument so altered by any such Order, or if no Order shall be made thereupon by the Lord Lieutenant in Council within Six Weeks after the Date of the Transmission of the Copy of such Instrument to the Council Office in *Dublin Castle*, then such Instrument, as originally transmitted, shall be entered in the Registry of the Diocese, for which Entry the Sum of Thirteen Shillings and Four-pence, and no more, shall be paid to the Registrar, and shall also be inrolled in the Rolls Office of the Court of Chancery in *Ireland*, for which Inrolment the Sum of Thirteen Shillings and Four-pence, and no more, shall be paid, over and above the Expences usually paid to the Ingrossing Clerk for the same.

Such Districts to be distinct, and the Churches or Chapels to be deemed Perpetual Cures.

Curates thereof shall be capable of receiving Emoluments, &c.

XXV. And be it further enacted, That upon and after the Registry and Inrolment of any such Instrument, the District therein set out and described shall be deemed and reputed to be a several and distinct District or Parish for the Purposes of this Act, and shall be called and known by such Name as shall be given thereto by such Instrument; and every Church or Chapel to be erected in such District shall be deemed a Perpetual Cure; and the Curate of every such Church or Chapel respectively, when duly nominated and licensed, and his Successors, shall be and become Bodies Politic and Corporate, and shall be capable of receiving any Endowment from any Archbishop or Bishop respectively, or their Successors, or from the Rectors or Incumbents of such adjoining Parishes, or their Successors, or any other Bodies Corporate or Politic, or any other Person or Persons, and to take and receive Augmentations from the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, in such Manner as any Curate of any Impropriate or Appropriate Parish, or Chapel of Ease or Perpetual Cure, is by any Laws in force in *Ireland* qualified to take the same; and from and after the Time when any of the said Cures shall be endowed with sufficient Quantity of Glebe, it shall and may be lawful for any such Curate, with the Approbation of the Archbishop or Bishop of the Diocese, to make such Buildings and Improvements on such Glebe, and

Curate may build on Glebe, and receive his Proportion from Successors.

and he shall be entitled to receive such Proportion of the Money expended in making or building the same from his next Successor, as any Curate of any Impropriate or Appropriate Parish, or Chapel of Ease or Perpetual Cure, is or shall be entitled unto for Buildings on the Glebe of his Curacy; and all other Provisions for encouraging the making Buildings and Improvements on Glebes belonging to the Curates of Impropriate or Appropriate Parishes, or Chapels of Ease or Perpetual Cures, shall extend to Curates of Perpetual Cures under this Act respectively, in the same Manner as they now do to the Curates of Impropriate or Appropriate Parishes, or Chapels of Ease or Perpetual Cures.

All Provisions for building on Glebes extended to such Curates.

Vestries shall be held, and Churchwardens chosen, and Assessments made, in such Districts, as in the Case of Chapels of Ease, &c.

XXVI. And be it further enacted, That from and after the Execution, Registry, and Inrolment of any such Instrument, as before directed, it shall and may be lawful for the Archbishop or Bishop of the Diocese to appoint Vestries to be held for any and every such intended District, as a separate Parish, and Two Churchwardens to be chosen, and Sums of Money to be assessed, in the same Manner and subject to the same Provisions as Vestries are directed to be held, and Churchwardens chosen, and Sums assessed for Chapels of Ease or Perpetual Cures, under the Directions of the said recited Acts of the Eleventh and Twelfth Years of King *George* the Third; and that every such District or new Parish shall be subject to all the same Provisions with regard to Vestries, Elections of Churchwardens and other Parochial Officers, Church Rates, Assessments and Applotments, and Salaries for Parish Clerks and Sextons, as other Impropriate or Appropriate Curacies, or Chapels of Ease or Perpetual Cures, are now subject by the said Act, or by any other Act or Acts in force in *Ireland*.

Bishop shall ascertain the Rate and Proportion of Salary to be paid to Curates by Incumbents, and their Turns of Nomination.

XXVII. And be it further enacted, That it shall and may be lawful for the Archbishop or Bishop of the Diocese in which any such District or new Parish shall be formed, and he is hereby required to determine, in and by such Instrument as aforesaid, the Rates and Proportions of Salary which each of the Incumbents of the adjoining Parishes out of which such District shall be formed shall pay to the Curate of such District or Parish, and to regulate the Manner in which each of such Incumbents shall, on Vacancies of the said Curacy, nominate to the said Archbishop or Bishop, or their Successors, a sufficient Curate, and also to appoint which of the Incumbents shall first nominate, and the Order in which the several Incumbents of all such adjoining Parishes shall in their Turn nominate such Curate; and so soon as any such Church or Chapel shall be erected and set apart for Divine Worship, the Rector or Incumbent of One of the said adjoining Parishes, whose Turn it shall be, shall nominate to the said Archbishop or Bishop of the Diocese a sufficient Curate for such Church or Chapel; and such Curate shall be approved of and licensed by such Archbishop or Bishop, in such Manner as other Curates are by Law to be licensed and approved of; and upon every Vacancy of any such Cure, by the Death or Removal of such Curate, or by his Acceptance of any other Cure, or of any Benefice with Cure of Souls, another Curate shall be nominated by the Rector or Incumbent of such of the said adjoining Parishes whose Turn it shall

When the Church is erected, the Curate to be nominated.

Nomination on Vacancies.

shall be so to nominate, in manner aforesaid; and in case the Rector or Incumbent of any such adjoining Parish for the Time being, whose Turn it shall be so to nominate, shall fail or neglect to nominate a Curate for the Space of Two Months next after any such Church or Chapel shall be erected and set apart, or next after any such Vacancy shall happen, such Incumbent shall forfeit and lose his Turn for that Time, and it shall and may be lawful for the Archbishop or Bishop respectively to appoint and license a Curate for the District where such Failure shall happen; and such Archbishop or Bishop shall in all Cases allocate such Salary for every such Curate, so to be nominated and appointed and licensed for any of the said Cures, as such Archbishop or Bishop is enabled to do by the Laws in force in *Ireland* in other Cases of Perpetual Cures.

If any Incumbent neglect to nominate in his Turn, the Nomination shall lapse to the Bishop.

Allocation of Salary.

XXVIII. And be it further enacted, That if the Rector or Incumbent of any of such adjoining Parishes shall by Deed in Writing, with the Consent of the Archbishop or Bishop of the Diocese, and of the Patron, and the Dean and Chapter of the said Diocese where there is a Dean and Chapter, or in any Diocese where there is no Dean and Chapter, then by the Consent of the major Part of the Beneficed Clergy at their respective Visitations, testified by their being Parties to and affixing their Hands and Seals to such Writing, endow any such Cure with a competent Portion of Glebe or Tithes for or towards the Maintenance of the Curate, such Rector or Incumbent, and his Successors, shall from thenceforth be discharged from the Payment of the Proportion of the Salary of the Curate so endowed; and such Writing shall be registered in the Registry of the Diocese, and inrolled in the Rolls Office of the Chancery of *Ireland*, for which Inrolment the same Fee as is herein-before specified, and no more, shall be paid.

Incumbent endowing Curacy with any Glebe or Tithes, discharged from paying Salary to Curate.

XXIX. And be it further enacted, That every such District or new Parish, to be formed under the Authority of this Act, shall have all Parochial Rights by Law appertaining to any Parish, for the Purposes in this Act mentioned as aforesaid, and for all other Purposes whatsoever, in like Manner to all Intents and Purposes as other Parishes may by Law be entitled unto; and that every such District or new Parish shall be discharged and exempted from all Claims and Charges whatsoever, as Part of any former Parish or Parishes; saving nevertheless to the Rectors or Incumbents of the several adjoining Parishes, and their Successors, all their Rights as Rectors or Incumbents of the respective Portions of such Districts.

Districts under this Act shall have all Parochial Rights.

XXX. Provided always, and be it enacted, That this Act shall not be construed so as to discharge any Rector or Incumbent of any such adjoining Parish, or his Successors, from the Cure of Souls, or any other parochial Duties within the Portions of their respective Parishes which shall make Part of such intended District, but such Cure of Souls and Duties shall remain in them respectively as before the passing of this Act.

Cure of Souls shall remain in Incumbents of former Parishes.

XXXI. And be it further enacted, That if it shall appear proper to any Archbishop or Bishop in *Ireland*, in the Manner and under the Regulations

Where Church or Chapel is al-

ready erected, the District may be formed, the Bounds ascertained, and Church made a Perpetual Cure.

Regulations prescribed in the said Act of the Eleventh and Twelfth Years of His late Majesty *George* the Third, or of this Act, to form any District from a Portion of any Parish, or from any contiguous Portions of Two or more adjoining Parishes, and if in any such Portion of a Parish a Church or Chapel shall have been previously erected for the Accommodation of the Inhabitants of such Parish who may live at a Distance from the Parish Church, it shall and may be lawful for such Archbishop or Bishop to form such District, and to ascertain the Bounds thereof in the Manner required by Law, and to make the Church or Chapel within such District a Perpetual Cure, although such Church or Chapel may have been erected before the Formation of such District, or the Ascertainment of the Bounds thereof; any thing in the said Act of the Eleventh and Twelfth Years of His late Majesty, or of this Act, to the contrary notwithstanding.

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