

ANNO NONO

GEORGII IV. REGIS.

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CAP. XLII.

An Act to abolish Church Briefs, and to provide for the better Collection and Application of voluntary Contributions for the Purpose of enlarging and building Churches and Chapels. [15th *July* 1828.]

WHEREAS an Act was passed in the Fourth Year of the Reign of Queen *Anne*, intituled *An Act for the better collecting Charity Money on Briefs by Letters Patent, and preventing Abuses in relation to such Charities;* and it is expedient to repeal the said Act, and to provide for the better Collection and Application of voluntary Contributions for enlarging, building, rebuilding, and repairing Churches and Chapels in *England* and *Wales:* And whereas in the Year One thousand eight hundred and eighteen a Society was instituted, by the Name of "The Society for promoting the Enlargement and Building of Churches and Chapels," consisting of Persons who had contributed or should contribute Twenty Guineas in One Donation, or Two Guineas annually; which Society, governed under certain Rules and Regulations, has tended greatly to promote the good and laudable Objects for which it was instituted, and would be enabled to promote the same still more effectually if the said Society were incorporated, with such Powers and Privileges as are herein-after mentioned: Be it therefore 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assembled, and by the Authority of the same, That the said Act of Queen *Anne* shall be and the same is hereby repealed, except as to such Briefs issued before the passing of this Act as are now in progress, with respect to which the said Act shall remain in force. 4 Ann. c. 14. Repeal of recited Act, except as to Briefs in progress.

II. And be it enacted, That from and after the passing of this Act all such Persons as now are or hereafter may become Members of the said The Church-building Society to be incorporated.

said Society shall be and are hereby declared to be a Body Corporate, by the Name of "The Incorporated Society for promoting the Enlargement, Building, and Repairing of Churches and Chapels."

Presidency, &c. of the Society.

III. And be it enacted, That the Archbishop of *Canterbury* for the Time being shall be the President of the said Society, and that the Archbishop of *York* for the Time being, and the Bishops of the Two Provinces for the Time being, shall be Vice Presidents thereof, together with such Lay Peers and Commoners, being Twenty-five in Number, as now are Vice Presidents of the said Society; and that all Vacancies which shall from Time to Time occur in that Number of the Vice Presidents shall be filled up from the Lay Members of the Society by the Committee thereof.

Constitution of the Committee.

IV. And be it enacted, That the said Society shall be governed by a Committee, which shall consist of the President, Vice Presidents, and Treasurer, who shall be Members thereof in virtue of their several Offices, and of Thirty-six Members elected from the Society, One Half at least of whom shall be Laymen; and the Treasurer, together with One Fourth of the Thirty-six elected Members of the Committee in rotation, shall vacate their Offices at the Annual General Court, but shall be capable of immediate Re-election: Provided always, that all such Persons as before the passing of this Act shall have been elected to and are now filling the respective Stations of Treasurer, or of Members of the Committee of the said Society, shall continue to fill the same, without any fresh Election, until vacated as aforesaid.

Qualification for Members of the Society.

V. And be it enacted, That all Persons who shall contribute Ten Guineas in One Donation, or One Guinea annually, shall be Members of the said Society, and have a Right to vote at General Courts, and be eligible to the Committee, provided such Annual Subscriptions shall not then be in arrear.

General Court, when to be holden; Business to be there transacted.

VI. And be it enacted, That a General Court shall be holden annually in *May*, and oftener if the Committee shall think it expedient; and that at the General Court Three Auditors shall be appointed for the Year ensuing, a Treasurer elected, and the Vacancies in the Committee filled up from a Double List prepared by the President and Vice Presidents, and that all such Elections and Appointments shall be by Ballot.

Number of the acting Committee; their Powers and Duties.

VII. And be it enacted, That every Order to be made and Act to be done by the Committee for the Time being of the said Society shall be made and done with the Consent of the Majority of the Members present at any Meeting of the Committee, such Meeting to consist of not less than Five; and the Committee, or the major Part of them at any such Meeting, shall have full Power and Authority to make all such Laws and Regulations, not being repugnant to the Laws of this Kingdom, or to the express Provisions of this Act, as to them shall from Time to Time seem expedient, for the Management and Government of the said Society, and for carrying its Designs into Effect; and shall have the sole Management, Controul, and Disposition of the Estates, Funds, Revenues, and other Property which now or may hereafter belong to the said Society; and shall have the

the Power of affixing the Common Seal of the said Society, or directing it to be affixed, to such Instruments as the said Committee or such major Part of them shall think fit; and shall have the sole Controul over and Appointment of all Officers, Agents, or Servants whom it may be thought expedient to employ in the Service of the said Society, or in any of the Concerns relating thereto: Provided always, that such Laws and Regulations so to be made as aforesaid shall not be of any Force or Effect unless the same shall be confirmed by the Members of the Committee, or the major Part of them, who shall be present at the next Meeting of the said Committee after the same shall have been first made, such next Meeting to consist of not less than Five.

Proviso as to Bye Laws.

VIII. Provided always, and be it enacted, That the Committee of the said Society, in the Selection of Parishes and Extraparochial Places to which they shall grant any Part of their Funds towards the enlarging or building of any Churches or Chapels, shall have regard to the Amount of the Population, and also to the Disproportion between the Number of Inhabitants and the present Accommodation for Attendance upon Divine Service according to the Rites of the United Church of *England* and *Ireland*; and in giving Preference among such Parishes and Extraparochial Places, shall have regard to the Proportion of the Expence which shall be offered to be contributed or raised by such respective Parishes or Places, towards the Enlargement or Building of Churches or Chapels therein, and to the pecuniary Ability of the Inhabitants thereof.

Rules to be observed by the Society in selecting Parishes for Grants, &c.

IX. Provided also, and be it enacted, That in granting Aid towards the Repairs of Churches and Chapels which have fallen into a State of great Dilapidation without Neglect or Fault of the existing Parishioners, and the entire Expence of repairing which the Parishioners shall be proved, to the Satisfaction of the Committee of the said Society, to be unable to defray, Reference shall be had to the Amount of Money raised by the Parishioners by Rates or Subscription, and to the Improvement which it may be proposed to effect in the Accommodation for the Poor.

Further Rules for the like Purpose.

X. And be it enacted, That as often as His Majesty shall be graciously pleased to issue his Royal Letters, directed respectively to the Archbishops of *Canterbury* and *York*, authorizing the Collection of voluntary Contributions within their several Provinces, for the Purpose of aiding the enlarging, building, rebuilding, or repairing of Churches and Chapels in *England* and *Wales*, or in any Part thereof, in every such Case all the Contributions so collected shall be paid over to the Treasurer of the said Society, or his Order, and shall be employed by the said Society in carrying its Designs into Effect.

All Sums collected under Royal Letters for aiding the building, &c. of Churches, shall be applied by the Society.

XI. And be it enacted, That Accounts shall annually be presented to His Majesty, of the Progress made by the said Society in the Execution of its Designs, stating the Number of Churches or Chapels enlarged, built, rebuilt, or repaired, or in the Course of being so, the Money expended, and for what Purposes, and all such other Particulars as shall be necessary for explaining the Progress made by the said Society, together with a List of all Officers, Agents, and Servants employed

Accounts of the Society to be laid annually before Parliament.

employed by the said Society, and a Statement of their respective Salaries.

Society may send and receive Letters free of Postage.

XII. And be it enacted, That the said Society may receive and send all Letters and Packets relating to the Execution of the Powers and Trusts of this Act free from the Duty of Postage, provided that such Letters and Packets as shall be sent to the said Society by the Post shall be directed to "The Incorporated Society for promoting the Enlargement, Building, and Repairing of Churches and Chapels;" and that all such Letters and Packets as shall be sent by the said Society shall be dated from their Office, and shall be signed on the Outside by such Person as the said Society shall appoint, with the Consent of the Commissioners of His Majesty's Treasury, or any Three or more of them, under such Restrictions and Regulations as the said Commissioners shall think proper and direct.

Balances in the Hands of the Undertaker of Briefs to be transferred to the Society.

XIII. And whereas there is a certain Sum of Money remaining in the Hands of *John Stevenson Salt* Esquire, the Undertaker of Briefs, arising from Balances of Monies collected upon Briefs which have not been wanted or required for the Purposes for which the same were collected; be it therefore enacted, That such Sum shall be transferred to the said Society, and that upon such Transfer being made the said *John Stevenson Salt* shall be released and discharged from all Claims and Demands in respect of such Sum, or of any Part thereof.

Compensation to be made to the Clerk of the Briefs.

XIV. And whereas *George Humphrys* is seised to himself, his Heirs and Assigns, of the Office of Clerk of the Briefs, for the Lives of himself and of *Josiah Humphrys* his Son, by virtue of certain Letters Patent, and the Profits of the said Office will be extinguished by the Repeal of the said Act of Queen *Anne*, and Compensation should therefore be granted to the said *George Humphrys* for the Loss of such Profits; be it therefore enacted, That the said Society shall, out of the Sum so to be transferred to them as aforesaid, grant such Compensation to the said *George Humphrys*, for his Interest under the said Letters Patent, as shall be a full Equivalent for the Loss of the Net Profits of the said Office, such Net Profits to be calculated upon an Average of the last Seven Years.

Secretary of State to make Order as to the Disposal of Briefs on Hand.

XV. And whereas there is a large Number of Briefs now in the Possession of the said *John Stevenson Salt*, which have been returned to him after the Collections made thereon; be it therefore enacted, That it shall be lawful for any one of His Majesty's Principal Secretaries of State to make such Order as he shall think fit, respecting the Manner of disposing of the said Briefs.

Public Act.

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

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