

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LIX.

An Act for endowing the Parish Church of *Newborough* in the County of *Northampton*, and Three Chapels, called *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel, situate in the Parish of *Saint Mary-le-bone* in the County of *Middlesex*, and also a Chapel erected on *Sunk Island* in the River *Humber*. [23d *July* 1830.]

WHEREAS by an Act passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for draining, inclosing, and improving the Lands called* Borough Fen Common, *and the* Four Hundred Acre Common, *in the County of* Northampton, *and for forming the same into a Parish to be called* Newborough, *and for building and endowing a Church for such Parish*, it was amongst other Things enacted, that when and so soon as the Commissioners therein named should have ascertained the Rights and Interests of the several Persons, Bodies Politic, Corporate, and Collegiate, interested in the said Common and Waste Lands thereby authorized to be drained and inclosed, the said Common and Waste Lands should be formed into and be made and become a Parish, to be called the Parish of *Newborough*, in the County of *Northampton* and in the Diocese of *Peterborough* and Archdeaconry of *Northampton*; and it was by the said Act (amongst other Things) further enacted, that in case the Right to Tithes 52G.3.c.143.

 therein-

therein-before referred to should not be established by the King's most Excellent Majesty, or by any Person or Persons claiming Tithes, as therein-before mentioned, then the Commissioners of the said Act should set out, allot, and award unto and for the Lord Bishop of *Peterborough* certain Parts of the said Common and Waste Lands, for the Purposes of erecting a Church and Parsonage House, and for a Churchyard and Burial Ground, and certain other Parts of the said Common and Waste Lands for the Benefit of the Officiating Minister for the Time being to be appointed to the said Church, and certain other Parts of the said Common and Waste Lands the Rents and Profits of which were to be taken by the Parish Clerk to be appointed to the said Church: And whereas by the Verdict of a Jury given at the Assizes held at *Northampton* in the Month of *July* One thousand eight hundred and fourteen, His late Majesty was found to be entitled to the Tithes of the said Commons and Waste Lands, and His present Majesty is seised of the said Tithes, to Him, His Heirs and Successors, in Right of His Crown: And whereas soon after the passing of the said Act the Commissioners appointed for carrying the same into execution ascertained the Rights and Interests of the several Persons, Bodies Politic, Corporate, and Collegiate, interested in the said Common and Waste Lands; whereupon the said Common and Waste Lands was formed into and is now become a Parish, under the Provision for that Purpose contained in the said Act, and is now called the Parish of *Newborough*: And whereas in consequence of the Crown having established its Right and Claim to the aforesaid Tithes no Allotments were made under the said Act for the Purpose of erecting such Church and other Buildings as aforesaid, or for the Purpose of making such Endowment as aforesaid: And whereas His Majesty having been desirous that a Parish Church, to be called the Parish Church of *Newborough*, should be erected for the Purposes of Divine Worship, the Commissioners of His Majesty's Woods, Forests, and Land Revenues have applied the Sum of One thousand two hundred and five Pounds in building and finishing a Parish Church, and in fitting up and furnishing the same with a Pulpit, Seats, Pews, Galleries, Bells, and other necessary Appurtenances, upon One Acre of Land situate in the said Parish of *Newborough*, lying on the North-west Corner of a Piece of Land belonging to His Majesty called the *Forty Acres*, bounded on the West by *Gunter's Road*, on the North by *Crown Road*, and on the East and South by other Part of the said *Forty Acres*; and such Part of the said Piece of Land containing One Acre as does not form the Site of the said Parish Church has been inclosed or partly inclosed as a Churchyard and Burial Ground: And whereas it would be greatly for the Benefit and Advantage of the Inhabitants for the Time being of the said Parish of *Newborough* that the said Church should be consecrated and set apart as a Place of Divine Worship, and that an annual Stipend should be provided for the Officiating Minister for the Time being of the said Parish Church, and that other Provisions should be made concerning the same: May it therefore please Your Majesty that it may be enacted; and 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

Authority of the same, That the said Church so erected and built as aforesaid shall be called "The Parish Church of *Newborough*, in the Diocese of *Peterborough*, in the Archdeaconry of *Northampton* and County of *Northampton*;" and that so much of the said Piece of Land containing One Acre or thereabouts as does not form the Site of the said Church so erected as aforesaid shall be for ever hereafter used as a Churchyard and Burial Ground to the said Church; and that the said Church shall be kept in repair, and the Pulpit, Seats, Pews, Galleries, Bells, and other Furniture and Chattels in or belonging to the said Church, shall be repaired or renewed from Time to Time, and the Churchyard kept in repair, at the Costs and Charges of the Inhabitants of the said Parish; and that the East and South Sides of the said Churchyard shall forthwith, at the Costs and Charges of the said Inhabitants, be fenced with a good Ditch not less than Three Feet and a Half in perpendicular Depth, and that a double Row of Whitethorn Quick shall be planted on the Side thereof next the Churchyard; and that the Fences that have been made or set up on the North and West Sides of the said Churchyard, and the Ditch and Fences so to be made or set up on the East and South Sides of the said Churchyard, shall be kept in good Repair and Condition at the Costs and Charges of the said Inhabitants; and that the Amount of all such Costs and Charges as aforesaid shall be paid by the Inhabitants of the said Parish for the Time being according to an annual Assessment to be made upon them by the Churchwardens for the Time being, and shall be recovered by such and the same Means as any other Parochial Charge is by Law authorized to be recovered.

The Church to be called the Parish Church of Newborough, and Part of the Ground to be used as a Church yard and Burial Ground.

II. And be it further enacted, That the said Church shall be endowed and the same is hereby endowed with all and singular the Privileges, Rights, Profits, and Advantages thereunto belonging or appertaining, according to and for the Purposes of this Act, and shall be set apart and dedicated to and for the Service of Almighty God as and for a Place of Divine Worship according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, for ever, (the same being first duly consecrated according to the Usage of the Church of *England*,) and shall and is hereby declared to be a separate and distinct Perpetual Cure and Benefice, and shall be called by the Name of "The Church of *Newborough*;" and that every Minister of the said Church shall be deemed and taken by virtue of this Act to be incorporated and made a Body Politic and Corporate by the Name of "The Officiating Minister of the Church of *Newborough* in the County of *Northampton*," and shall have perpetual Succession, and be enabled to sue by that Name in all Courts of this Realm; and the said Church, and Churchyard or Burial Place belonging thereto, shall be vested in the said Minister and his Successors for the Time being for ever; and the said Church, and the Minister thereof, and also the Person or Persons who shall act as or in the Nature of a Churchwarden thereof, for the Time being, shall be under and subject to the Order and Jurisdiction of the said Lord Bishop of *Peterborough* and Archdeacon of *Northampton* and their Successors for the Time being, and shall be visited as other Churches or Chapels within the said Diocese and Archdeaconry are visited.

The Church to be endowed as a Place of Worship.

The Minister to be incorporated.

III. And

The Advowson to the Church vested in His Majesty.

III. And be it further enacted, That the Advowson, Right of Patronage, free Disposition, and Nomination of, in, and to the said Church shall from and immediately after the passing of this Act appertain to and the same are hereby vested in the King's most Excellent Majesty, His Heirs and Successors, for ever, freed and absolutely acquitted and released from and against all Estates, Interests, Claims, and Demands whatsoever of any Person or Persons whomsoever, except as Ordinary of the said Church, and such other Ecclesiastical Jurisdiction as may be necessary.

After Consecration of the Church, Marriages to be celebrated and solemnized therein.

IV. And be it further enacted, That from and after the Consecration of the said Church Banns of Matrimony may be published and Marriages celebrated therein in such Manner and under such Restrictions and Regulations as the same can or may by Law be published or celebrated in Parish Churches or Public Chapels where Banns and Marriages are published and celebrated; and that every such Marriage shall be valid to all Intents and Purposes whatsoever, provided that all such Banns and Marriages shall be published and celebrated according to the Laws and Canons in force within this Realm in that Behalf.

Marriages, &c. to be registered.

V. And be it further enacted, That all Marriages and Christenings had and solemnized within the said Church, and all Funerals solemnized within the said Church and Churchyard, shall be registered in Public Registers to be provided and kept for that Purpose, in manner and for the Purposes as by Law directed.

Commissioners of Woods, Forests, &c. to purchase 8,333*l.* 6*s.* 8*d.* 3 per Cent. Consols in the Names of the Trustees herein mentioned, and the Dividends thereof to be paid to the Minister as his Salary.

VI. And be it further enacted, That as soon as conveniently may be after the passing of this Act, the Commissioners of His Majesty's Woods, Forests, and Land Revenues shall, out of the Produce of the Land Revenues of the Crown, purchase the Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eightpence in the Three Pounds per *Centum* Consolidated Bank Annuities, in the joint Names of the Right Reverend *Herbert Marsh* Doctor in Divinity, Lord Bishop of *Peterborough*, or the Lord Bishop of *Peterborough* for the Time being, and the Right Honourable *William Lowther* commonly called Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and Land Revenues, or the First Commissioner for the Time being thereof, as Trustees thereof; and that the Trustees for the Time being of the said Capital Sum shal. pay the Dividends and Interest thereof to the Officiating Minister for the Time being of the said Church of *Newborough*, or authorize and empower him to receive the same as and when the same shall become due and payable, as and for a Stipend or Salary for the Performance of his sacred Duties.

Appointment of new Trustees of the Stock.

VII. Provided always, and be it further enacted, That on the Death, Cession, or Translation of the said *Herbert* Lord Bishop of *Peterborough*, or of any future Lord Bishop of *Peterborough*, or on the Death or Cesser to act of the said *William* Viscount *Lowther* as such First Commissioner as aforesaid, or of any future First Commissioner of His Majesty's Woods, Forests, and Land Revenues, the said Capital Sum of Eight thousand three hundred thirty-three Pounds Six

Six Shillings and Eight-pence shall be forthwith and from Time to Time transferred so as to become vested in the joint Names of the Lord Bishop of *Peterborough* and the First Commissioner of His Majesty's Woods, Forests, and Land Revenues for the Time being, upon the Trusts herein-before declared concerning the same: Provided nevertheless, that if at any Time hereafter the Board commonly called "The Commissioners of His Majesty's Woods, Forests, and Land Revenues," shall be discontinued, it shall be lawful for the Lord High Treasurer or the Commissioners of the Treasury for the Time being, by any Writing under his or their Hand or Hands, to nominate and appoint some Person to act as Trustee with the said Lord Bishop of *Peterborough* for the Time being, and also upon the Death, Removal, or declining to act of the Person to be appointed, or of any other Person to be thereafter nominated and appointed, in pursuance of this present Power, to nominate and appoint from Time to Time some other Person to act as Trustee with the Lord Bishop of *Peterborough* for the Time being; and that upon every such Nomination and Appointment being so made as aforesaid the said Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence shall be forthwith transferred so as to become vested in the joint Names of the said Lord Bishop of *Peterborough* for the Time being and the Person so to be nominated and appointed as aforesaid, upon the Trusts herein-before declared concerning the same; and it is hereby declared, that the Costs and Charges attending the making every such Transfer as aforesaid shall be paid out of the Dividends and Interest of the said Stock.

Portland Chapel, Oxford Chapel, and Welbeck Chapel vested in Trustees.

VIII. And whereas His Majesty is seised to Him, His Heirs and Successors, of the Advowson or perpetual Right of Nomination and Appointment of the Rector of the Parish of *Saint Mary-le-bone* in the County of *Middlesex*, and is in like Manner seised of all those Three several Chapels called respectively by the Names of *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel, and the Ground whereon the same respectively stand, situate in the same Parish; and Divine Service has for several Years past been performed in the said Chapels by Curates or Ministers duly licensed for that Purpose, although none of the said Chapels have been appropriated or consecrated: And whereas the said Two Chapels called *Portland* Chapel and *Oxford* Chapel are situate within the District which hath been assigned to the District Church called by the Name of "*All Souls* Church in *Saint Mary-le-bone*," established under the Provisions of an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to enable the Vestrymen of the Parish of* Saint Mary-le-bone *in the County of* Middlesex *to effectuate the building of Four District Churches in the said Parish, and for other Purposes relating thereto;* and under an Act passed in the Sixth Year of the Reign of His said late Majesty, intituled *An Act for making the Four Districts in the Parish of* Saint Mary-le-bone *in the County of* Middlesex *distinct Rectories for certain Purposes;* but the said Chapel called *Welbeck* Chapel, though situate in the said Parish of *Saint Mary-le-bone*, is not situate within any of the Four District Rectories established by the said Acts: And whereas it would tend materially to the Advantage and Accommodation of the inhabitant

1 & 2 G. 4. c. 21.

6 G. 4. c. 124.

Householders of the said Parish, that the said Chapels called *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel should be respectively consecrated and appropriated for ever as Chapels wherein the Liturgy and Rites of the United Church of *England* and *Ireland* may be used and observed; be it therefore enacted, That the said Chapel commonly called *Portland* Chapel, situate and being in *Great Portland Street* in the said Parish of *Saint Mary-le-bone*, and in the said Chapel commonly called *Oxford* Chapel, situate and being in *Vere Street* in the same Parish, and the Ground and Soil whereon the same respectively stand, and all Rents, Profits, and Produce to arise and become payable in respect of the said Two Chapels, together with all and singular Vaults, Areas, Ways, Passages, Lights, Easements, and Appurtenances whatsoever to the same Chapels and Premises respectively in anywise belonging or appertaining, shall be and the same are hereby vested in the said *William* Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and Land Revenues, and in the Reverend *George Chandler* Doctor of Laws, Rector of the said District Church of *All Souls* in *Saint Mary-le-bone*, and their respective Successors in the said Office and District Rectory, as a Body Corporate; and that the said Chapel called *Welbeck* Chapel, situate in *Westmoreland Street* in the said Parish, and the Ground and Soil whereon the same stands, and all Rents, Profits, and Produce to arise and become payable in respect of the same Chapel, together with all and singular Vaults, Areas, Ways, Passages, Lights, Easements, and Appurtenances whatsoever to the same Chapel and Premises in anywise belonging or appertaining, shall be and the same are hereby vested in the said *William* Viscount *Lowther* as such Commissioner as aforesaid, and the Reverend *John Hume Spry* Doctor in Divinity, Rector of the Parish of *Saint Mary-le-bone* aforesaid, and their respective Successors in the said Office and Rectory, as a Body Corporate; to the Intent and Purpose that after Consecration of the said Three Chapels respectively, Divine Service according to the Rites of the United Church of *England* and *Ireland* shall be performed therein by the Curates or Officiating Ministers for the Time being thereof, in the Morning of every Holiday, and in the Morning and Afternoon or Evening of every *Sunday*, who shall preach a Sermon in the Morning and in the Afternoon or Evening of every *Sunday* immediately after Divine Service throughout the Year, and at such other Time or Times, and shall perform such other Duties, as the Lord Bishop of *London* for the Time being shall from Time to Time direct; and it is hereby declared, that the Reverend *John Crofts* Clerk, who is the present Curate or Officiating Minister of the said Chapel called *Portland* Chapel, the Reverend *John Percival*, who is the present Curate or Officiating Minister of the said Chapel called *Oxford* Chapel, and the Reverend *Thomas White*, who is the present Curate or Officiating Minister of the said Chapel called *Welbeck* Chapel, shall perform the said Duties in the said Chapels respectively during their respective Lives, or until by Cession or otherwise they shall respectively cease to be such Curates or Officiating Ministers as aforesaid; and at all Times afterwards that the said Duties in the said Chapels respectively shall be performed by such Persons, being of the Church of *England*, in Priests Orders, and duly qualified, who for the Time being shall be

After Consecration, Divine Service to be performed in the Chapels.

The present Ministers to officiate during their Lives, and afterwards the Persons to be appointed by the Crown.

the Curates or Officiating Ministers of the said Chapels respectively under or by virtue of the Nomination or Appointment of His Majesty, His Heirs or Successors, and who shall have been duly licensed to the said Three Chapels respectively by the Lord Bishop of *London* for the Time being, to officiate as such Curates or Ministers and to perform the said Duties in the said Chapels.

Free Sittings to be provided for poor Persons, and the other Pews to be let.

IX. And be it further enacted, That Pews, Sittings, or Benches in every of the said Chapels, to be marked with the Words "Free Seats," amounting in the whole to not less than One Sixth Part of the whole of the Sittings in each Chapel, shall be appropriated and set apart for the Use of poor Persons resorting thereto, and for which Pews, Sittings, or Benches no Rent or Assessment whatsoever shall at any Time be charged or imposed; and that the Pews or Seats in each of the said Chapels (save and except the Pews or Sittings so to be set apart for the Use of the poor Persons, and save and except the Pews set apart or to be set apart for the Use of the Curates or Officiating Ministers of the said Chapels for the Time being, or their respective Families,) shall for ever be charged and chargeable in the several and respective yearly Rents or Sums to be set opposite to the Figures or Numbers to be marked upon each of the said Pews or Seats, as they shall be particularly numbered or set down, with reference to the Chapels respectively, in the Lists or Schedules to be made and signed by the Trustees for the Time being of the said Chapels respectively, and annexed to the Deeds of Consecration of such Chapels respectively (such Lists or Schedules nevertheless to be subject to the Approval of the Lord Bishop of *London* for the Time being); all which said respective yearly Rents or Sums shall be paid by the Possessors and Occupiers of the Pews or Seats to the said Trustees for the Time being, or to their Receiver to their or his Receipt or Receipts, by yearly Payments on the Twenty-fifth Day of *March* in each Year, but each of which yearly Payments is to be paid in advance, and to be computed from the respective Times of letting such Pews or Seats.

Trustees may alter Pew Rents, with the Consent of the Officiating Ministers and the Bishop of London.

X. Provided always, and be it further enacted, That it shall be lawful for the Trustees for the Time being of the said Chapels respectively, with the Consent in Writing of the Curates or Officiating Ministers thereof respectively, and also of the said Lord Bishop of *London* for the Time being, to alter any such yearly Rents or Sums; and in every such Case a new List or Schedule of Rents or Sums, and the Pews or Seats on which the same shall be respectively charged, shall be signed by the said Curates or Officiating Ministers of the said Chapels respectively, and the said Lord Bishop of *London* for the Time being, and shall be deposited with the Deed of Consecration of the Chapel in respect of which such yearly Rents or Sums shall be altered; such last-mentioned Rents to be paid by such yearly Payments as aforesaid.

Mode of proceeding when Pew Rents are in arrear.

XI. And be it further enacted, That in case the Rent of any such Pew or Seat or any Part thereof shall happen to be behind and unpaid by the Space of Three Months next after the same shall become due, and Notice in Writing demanding Payment thereof shall

shall have been given to the Owner or Occupier of such Seat or Pew, then the said Trustees for the Time being of the said Chapels shall and may enter upon and hold such Seat or Pew, and let the same to any other Person or Persons, in such Manner as such Trustees shall think proper; and that it shall be lawful for the said Trustees to recover the said Rent so in arrear by Action of Debt or upon the Case, for the Use and Occupation of such Pew or Seat, to be brought against the Owner or Owners or any Occupier or Occupiers thereof, in the Names of the Trustees for the Time being.

Trustees to keep Accounts of Rents of Pews.

Trustees may appoint Receivers of the Rents, and a Treasurer.

Application of the Rents.

XII. And be it further enacted, That the said Trustees or their Receiver shall keep separate Accounts of what shall be received in respect of the Rents so to be reserved as aforesaid on Leases of the Pews and Seats in the said Three Chapels respectively, so that the Rents to be reserved in respect of each of the said Chapels may be applied as after-mentioned, for the exclusive Benefit of such Chapels respectively, or otherwise, as herein-after mentioned; and that it shall be lawful for the said Trustees for the Time being of the said Chapels respectively, by Writing under their Hands, to appoint from Time to Time such Persons as they shall think fit to be the Receivers of such respective Rents, and, at their Discretion, to revoke the Appointment of the Persons so appointed, and to appoint any other Persons in their Stead, and also in like Manner from Time to Time to appoint a Treasurer of the said Trust Funds, and, if they shall think fit, and at their Discretion, to revoke such Appointment and to appoint another Person in his Stead; and upon further Trust that the said Trustees for the Time being of the said Chapels respectively do and shall, by and out of the Rents and Profits to be payable for the Time being in respect of the said Seats or Pews, apply such Sum or Sums of Money as the said respective Trustees for the Time being shall think fit, in effecting any Insurance of the said Chapels, and the Seats, Pews, Organ, Furniture, and other Articles and Chattels therein, against Loss or Damage by Fire, in any of the Public Offices of Insurance in the Cities of *London* or *Westminster*, in such Sum or Sums of Money as the said Trustees may in their Discretion think proper, and do and shall pay the annual or other Premiums for keeping such Insurances on foot, and do and shall, in case of any such Loss or Damage by Fire happening as aforesaid, apply the Money to be recoverable on the Policy or Policies of Insurance in or towards rebuilding or repairing the said Chapels respectively to which such Loss or Damage by Fire shall happen, and in repairing or replacing the Seats, Pews, Organs, Furniture, and other Articles therein respectively which shall be so destroyed or damaged, in order to restore the said Premises to the same State and Condition in which the same were previous to the Time of the happening of such Fire; and do and shall from Time to Time, by and out of such Rents and Profits, apply such Sum or Sums of Money as the said respective Trustees for the Time being shall think fit, in cleansing, glazing, painting, embellishing, whitewashing, sustaining, and keeping in repair the said Chapels, both inside and outside, and the Seats, Pews, Galleries, Organs, and every Part of the Interior of the said Chapels, and the Furniture and other Chattels therein, and the Gates, Rails, Walls, or other Fences belonging to

to the said Chapels respectively, and in making and keeping in repair all such Alterations, Additions, and Improvements in or to the said Chapels as may at any Time hereafter be deemed proper or necessary by the said Trustees or the Trustees for the Time being; and do and shall, in the next place, by and out of the said Rents and Profits, pay the Expences of purchasing and providing, as far as may be requisite, Bibles and Prayer Books for the Use of the said Chapels, and Surplices and Vestments for the Use of the said Ministers or Chaplains for the Time being, and of providing from Time to Time such other Articles as are or shall be deemed necessary for the due and decent Performance of Divine Service and the Administration of the Sacrament of the Lord's Supper in the said Chapels according to the Rites of the Church of *England*, and in paying all such other Costs, Charges, and Expences as shall be incurred by or under the Direction of the said Trustees respectively for the Time being about the Execution of the Trusts herein declared, not otherwise provided to be paid; and do and shall, in the next place, by and out of the said Rents and Profits, pay or cause to be paid to the said *John Crofts* and to the said *John Percival* and to the said *Thomas White* respectively, or other the Curates or Ministers for the Time being of the said Chapels respectively, such annual Sums by way of Salaries or Stipends for their Services, not exceeding in the first Instance the Sum of Three hundred and fifty Pounds for each such Curate or Minister, but with Power for the Trustees for the Time being of the said Chapels respectively, either for a limited Period or permanently, but with the Consent of the Lord Bishop of *London* for the Time being, to increase such annual Salaries or Stipends to any Sum not exceeding Four hundred and fifty Pounds for any of such Curates or Ministers, in case the Trust Funds or Monies shall in the Opinion of the said Trustees authorize such Increase to any one or more of the said Curates or Ministers, such Sums for the Time being so payable to the said Curates or Ministers respectively to be paid to them by equal half-yearly Payments, free from all Deductions, and the first half-yearly Payment of the said annual Sums of Three hundred and fifty Pounds to be made on the Twenty-fifth Day of *December* now next ensuing; and do and shall, out of the said Rents and Profits, pay to the Receiver so to be appointed of such Rents as aforesaid, and also to the Treasurer so to be appointed as aforesaid, and to the Clerks, Organists, and all other Persons whom it shall be deemed necessary to be employed in and about the said Chapels, and may be engaged to assist in the Celebration of Divine Service, and to such Pew-openers as shall or may be employed to attend the said Chapels, (which Clerks, Organists, and Pew-openers shall be appointed by the Ministers for the Time being of the said Chapels respectively, and shall be removable at the Pleasure of the said Ministers for the Time being respectively, with the Consent of the said Trustees, or the Trustees for the Time being,) such yearly Salaries or Wages as to the said Trustees respectively for the Time being shall seem proper; and after Payment of the Sums herein-before directed to be paid and applied as aforesaid out of the said Rents and Profits of the said Chapels respectively, and after Payment of such Costs and Charges as aforesaid, the said Trustees, or the Trustees for the Time being of the said Chapels respectively, or their Treasurer, (subject to and

under their Controul and Direction,) shall from Time to Time lay out and invest the Residue of the Rents and Profits to arise from letting the said Pews or Seats within the said Three Chapels respectively in the Purchase of Three *per Centum* Consolidated or Reduced Bank Annuities, in the Names of the said Trustees for the Time being of the said Chapels respectively, and shall receive the Interest and Dividends of such Bank Annuities, and the Interest and Dividends of the Bank Annuities to be purchased as after mentioned, and lay out and invest the same from Time to Time in the Purchase, in their Names, of like Bank Annuities, to the Intent that such several Bank Annuities may accumulate.

Bank Annuities to be vested in the Trustees.

XIII. And it is hereby further enacted, That the said several Bank Annuities so to be purchased as last aforesaid shall be held by the said Trustees respectively for the Time being of the said Chapels in such Shares as shall appear to have resulted from the Surplus of the Rents and Profits arising from the Seats, Pews, Vaults, and Cellars of such Chapels respectively, as a Fund by Sale or Transfer whereof to raise Money from Time to Time for defraying the Costs and Expences of rebuilding or reinstating the said Chapels, and the Seats, Pews, Organs, and other Furniture and Chattels therein, in case the same or any of them shall be wholly destroyed or injured by Fire or other Accident, or in rebuilding or substantially repairing the said Chapels when the same may become dilapidated, and in fitting new Pews or Seats, and providing other internal Chattels, Ornaments, or Conveniences, as may be deemed requisite: Provided nevertheless, that if at any Time or Times it shall happen that the Rents and Profits payable in respect of the said Seats or Pews shall be insufficient to discharge the annual or other Payments herein-before directed to be made thereout respectively, together with the Costs, Charges, and Expences of the Trustees for the Time being in execution of the Trusts herein-before declared, it shall be lawful for the respective Trustees for the Time being of the said Bank Annuities, by and out of the Dividends, or by Sale and Transfer or a competent Part of the Capital thereof, that shall be held in Trust for the Chapel, the Rents and Profits of which shall be so insufficient as aforesaid, to levy and raise from Time to Time such a Sum of Sums of Money as shall enable them to satisfy and discharge the Deficiency, and to pay and apply the Sum or Sums of Money so to be levied and raised in Payment and Satisfaction of such Deficiency accordingly.

Power of making general Regulations vested in the Trustees

XIV. Provided always, and it is hereby further enacted, That the Regulation of all Matters and Things relating to the said Chapels (subject nevertheless to the particular Directions and Regulations herein contained) shall be under the Direction of the said Trustees or the Trustees for the Time being of the said Chapels respectively, but subject to the Approbation of the Lord Bishop of *London* for the Time being; and that every Order to be made or Act to be done by the said Trustees respectively shall be made or done at some Meeting to be holden for the Purpose of executing the Trusts herein expressed.

XV. Pro-

Meetings of Trustees, and their Duties at such Meetings.

XV. Provided always, and it is hereby further enacted, That a Meeting of the Trustees for the Time being of the said Chapels respectively shall be holden in the Vestry-rooms of the said Chapels, or in some other convenient Place within the said Parish, on some convenient Day or Days of the Month of *March* in every Year, for the Purpose of inspecting the State and Condition of the said Chapels and Premises, and of directing the Repairs thereof (such Repairs, if exceeding by Estimate the Sum of Fifty Pounds for each Chapel, to be done by Contract in Writing under the Hands of Workmen undertaking the same, and specifying the precise Sum for which the same are to be done,) and for auditing the Accounts and paying the Bills of the then preceding Year, and generally for settling the Affairs and Concerns of the said Trust Premises; and upon every which Occasion Accounts shall be regularly made up with respect to each of the said Three Chapels, and the Balance struck, and entered in the Books herein-after directed to be kept, and signed by the Trustees; and further, that a proper Book shall be kept at all Times in a Box or Chest in the Vestry-room of each Chapel, for entering all Transactions, Matters, or Things done or to be done, and all Costs and Expences, Payments and Disbursements, and other Matters and Things relating to the Business and Affairs of the said Chapels respectively, to which Books the Trustees for the Time being of the said Chapels respectively shall have free Access, at reasonable Times of the Day, to peruse, examine, and copy out the same; and that all Vouchers and Receipts for Payments and Disbursements on account of each Chapel shall be at all Times kept in the said Box or Chest, to be deposited in the Vestry-room of each Chapel, of which Box or Chest each of the Trustees for the Time being shall have a Key.

Mode of applying Monies which may come to the Hands of the Trustees by Donation or Bequest, where not otherwise directed.

XVI. And it is hereby further enacted, That the said Trustees or the Trustees for the Time being of the said Chapels respectively shall apply, or their Treasurer for the Time being shall (subject to and under their Controul and Direction) apply, all Monies which shall or may come to their Hands as Trustees by Donation or Bequest, and regarding which no other Mode of Application shall be directed by the Donors or Testators, upon or for such Trusts, Intents, and Purposes as are herein-before declared concerning the Surplus of the aforesaid Rents and Profits herein-before directed to be laid out and invested in the Purchase of Bank Annuities as aforesaid, or upon and for such other Trusts, Intents, and Purposes, with reference to the said Chapels, and the Benefit and Advantage of the Ministers for the Time being, and to the Comfort and Convenience of such Persons as shall resort thereto, as the said Trustees for the Time being of the said Chapels respectively, with the Consent of the Lord Bishop of *London* for the Time being, shall think proper.

Commissioners of the Treasury may appoint new Trustees in the Place of the First Commis-

XVII. Provided always, and it is hereby further enacted, That if at any Time hereafter the Board commonly called "The Commissioners of His Majesty's Woods, Forests, and Land Revenues," shall be discontinued, it shall be lawful for the Lord High Treasurer, or the Commissioners of the Treasury for the Time being, by any Writing under his or their Hand or Hands, to nominate and appoint some Person to act

sioner of His Majesty's Woods, &c. in the event of that Board being discontinued.

act as Trustee with the said Rectors for the Time being respectively; and also upon the Death, Removal, or declining to act of the Person to be so nominated and appointed, or of any other Person to be thereafter nominated and appointed in pursuance of this present Power, to nominate and appoint from Time to Time some other Person to act as Trustee with the said Rectors for the Time being respectively; and that upon every such Nomination and Appointment being so made as aforesaid, the said Two Chapels called *Portland* Chapel and *Oxford* Chapel, with their respective Appurtenances, shall become vested in the Rector for the Time being of the said District Rectory called *All Souls*, and the Person so to be appointed to act as Trustee with him as aforesaid, as a Body Corporate; and that the said Chapel called *Welbeck* Chapel, with the Appurtenances, shall become vested in the Rector for the Time being of the said Parish of *Saint Mary-le-bone*, and the Person so to be appointed to act as Trustee with him as aforesaid, as a Body Corporate; and that from and after any such Appointment shall be made as aforesaid, the said Chapels called *Portland* Chapel and *Oxford* Chapel, with their respective Appurtenances, shall be held by the Rector for the Time being of the said District Rectory called *All Souls*, and the Person to be appointed to act as Trustee with him, upon such Trusts as are herein-before declared concerning the same, and with the same Powers and Authorities as are herein-before given to the said *William* Viscount *Lowther* and *George Chandler*, or such of them as shall be then subsisting or capable of taking effect; and that from and after any such Appointment shall be so made as aforesaid, the said Chapel called *Welbeck* Chapel, with the Appurtenances, shall be held by the Rector for the Time being of the said Parish of *Saint Mary-le-bone*, and the Person to be appointed to act as Trustee with him, upon such Trusts as are herein-before declared concerning the same, and with the same Powers and Authorities as are herein-before given to the said *William* Viscount *Lowther* and *John Hume Spry*, or such of them as shall be then subsisting or capable of taking effect.

Trustees to be indemnified against Costs, &c.

XVIII. Provided always, and it is hereby further enacted, That it shall be lawful to and for the Trustees for the Time being of the said Chapels respectively, by and out of the said Trust Monies and Premises, to deduct and retain to themselves respectively all such Costs and Expences as shall be incurred by them or any of them in the Execution of any of the Trusts aforesaid; and that they or any of them shall not be responsible for any such Treasurer or Receiver as aforesaid, and that the said Trustees or any of them shall not be chargeable further than with or for their own respective Receipts, Acts, or Defaults, and that they or any of them shall not be accountable for any Loss in depositing the said Trust Monies or any Part thereof with any Banker for safe Custody, nor for any other involuntary Loss or Misfortune in any of the said Trust Transactions; and that the Receipts of the Trustees for the Time being, or of any one of them, or of their Treasurer, for all Monies to be paid to them or him, shall be effectual Discharges to the Person or Persons paying the same.

Saving the Rights of the Rectors of

XIX. Provided always, and it is hereby further enacted, That nothing herein contained shall authorize the Minister for the Time being

of *Portland* Chapel or *Oxford* Chapel to receive or claim any Surplice or other Fees or Emoluments of Right or by Custom due or payable to the Rector for the Time being of *All Souls*, or the Minister for the Time being of *Welbeck* Chapel to receive or claim any Surplice or other Fees or Emoluments of Right or by Custom due or payable to the Rector for the Time being of the said Parish of *Saint Mary-le-bone*, but that the said Rectors for the Time being respectively shall at all Times hereafter continue to be entitled to such Surplice and other Fees and Emoluments, and to receive the customary Fees payable in respect of any Licence or Authority given by them respectively for erecting any Monuments within or outside the said Chapels respectively, and to which Fees the said Rectors respectively may be entitled; and that the said Rectors for the Time being respectively shall be entitled to the Privilege of performing Divine Service in the said Chapels respectively, as often as they respectively shall think proper; and that nothing herein contained shall extend to invalidate or prejudice the Jurisdiction or any of the Rights or Powers of the Lord Bishop of *London* for the Time being, in, over, or relating to the said Chapels.

All Souls and Mary-le-bone;

and of the Bishop of London.

XX. And whereas His Majesty is seised to Him, His Heirs and Successors, in Right of His Crown, of a certain Estate called *Sunk Island*, situate in the River *Humber*, on Part of which Estate the Lessees of the Crown and their Tenants have, at their own Expence, erected a Chapel called the *Sunk Island* Chapel, and have appropriated and inclosed a Piece of Land as a Burial Ground thereto: And whereas it would be greatly for the Benefit and Advantage of the Inhabitants for the Time being of *Sunk Island* that the said Island should be constituted a Parish, and that the said Chapel should be consecrated as a Church, and be set apart as a Place of Divine Worship, and that an annual Stipend should be provided for the Officiating Minister for the Time being of the said Parish Church, and that other Provisions should be made concerning the same; be it therefore further enacted, That the said Island called *Sunk Island* shall from and after the passing of this Act be formed into and be made and become a Parish, to be called "The Parish of *Sunk Island* in the County of *York*."

Sunk Island constituted a Parish.

XXI. And be it further enacted, That the said Chapel so erected and built as last aforesaid shall from and after the passing of this Act be called "The Parish Church of *Sunk Island* in the Province of *York*, and Archdeaconry of the East Riding of the County of *York*," and that the said Church shall be kept in repair, and the Pulpit, Seats, Pews, Galleries, Bells, and other Furniture and Chattels in and belonging to the said Church, shall be repaired and renewed from Time to Time, and the Churchyard or Burial Ground kept in repair and well feneed, at the Costs and Charges of the Inhabitants of the said Parish; and that the Amount of all such Costs and Charges as aforesaid shall be paid by the Inhabitants of the said Parish for the Time being according to an annual Assessment to be made upon them by the Churchwardens for the Time being, and shall be recovered by such and the same Means as any other Parochial Charge is by Law authorized to be recovered.

The Chapel erected there to be called the Parish Church of Sunk Island.

The Church to be endowed as a Place of Worship, and the Minister incorporated.

XXII. And be it further enacted, That the said Church shall be endowed and the same is hereby endowed with all and singular the Privileges, Rights, Profits, and Advantages thereunto belonging or appertaining, according to and for the Purposes of this Act, and shall be set apart and dedicated to and for the Service of Almighty God as and for a Place of Divine Worship according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, for ever, (the same being first duly consecrated according to the Usage of the Church of *England*,) and shall and is hereby declared to be a separate and distinct Perpetual Cure and Benefice under the Name of "The Church of *Sunk Island*," and that the present and every future Minister of the said Church shall be deemed and taken by virtue of this Act to be incorporated and made a Body Politic and Corporate by the Name of "The Officiating Minister of the Church of *Sunk Island*," and shall have perpetual Succession, and be enabled to sue by that Name in all Courts of this Realm; and the said Church, and Churchyard or Burial Ground belonging thereto, shall be vested in the said Minister and his Successors for the Time being for ever; and the said Church, and the Minister thereof, and also the Person or Persons who shall act as or in the Nature of a Churchwarden thereof, for the Time being, shall be under and subject to the Order and Jurisdiction of the said Lord Archbishop of *York* and the Archdeacon of the East Riding of the County of *York*, and their Successors, for the Time being, and shall be visited as other Churches and Chapels within the said Province of *York* and Archdeaconry are visited.

The Advowson of the Church vested in His Majesty.

XXIII. And be it further enacted, That the Advowson, Right of Patronage, free Disposition, and Nomination of, in, and to the said Church, shall from and immediately after the passing of this Act appertain to and the same are hereby vested in the King's most Excellent Majesty, His Heirs and Successors, for ever, freed and absolutely acquitted and released from and against all Estates, Interests, Claims, and Demands whatsoever of any Person or Persons whomsoever, except as Ordinary of the said Church, and such other Ecclesiastical Jurisdiction as may be necessary.

After Consecration, Marriages to be celebrated and solemnized.

XXIV. And be it further enacted, That from and after the Consecration of the said Church, Banns of Matrimony may be published and Marriages celebrated therein, in such Manner and under such Restrictions and Regulations as the same can or may by Law be published or celebrated in Parish Churches or Public Chapels where Banns and Marriages are published and celebrated; and that every such Marriage shall be valid to all Intents and Purposes whatsoever, provided that all such Banns and Marriages shall be published and celebrated according to the Laws and Canons in force within this Realm in that Behalf.

Marriages, &c. to be registered.

XXV. And be it further enacted, That all Marriages, Christenings, and Burials had and solemnized within the said Church shall be registered in Public Registers to be provided and kept for that Purpose, in manner and for the Purposes as by Law directed.

XXVI. And

Commissioners of Woods and Forests to purchase 8,333*l.* 6*s.* 8*d.* in the 3 per Cent. Consols. in the Names of the Trustees herein mentioned, and Dividends thereof to be paid to the Minister.

XXVI. And be it further enacted, That as soon as conveniently may be after the passing of this Act, the Commissioners of His Majesty's Woods, Forests, and Land Revenues shall, out of the Produce of the Land Revenues of the Crown, purchase the Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence in the Three Pounds *per Centum* Consolidated Bank Annuities, in the joint Names of the Right Honourable and Most Reverend *Edward* Lord Archbishop of *York*, or the Lord Archbishop of *York* for the Time being, and of the said *William* Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and Land Revenues, or the First Commissioner for the Time being thereof; and that the Trustees for the Time being of the said last-mentioned Capital Sum shall pay the Dividends and Interest thereof to the Officiating Minister for the Time being of the said last-mentioned Church, or authorize and empower him to receive the same, as and when the same shall become due and payable, as and for a Stipend or Salary for the Performance of his sacred Duties.

Appointment of new Trustees of the Stock.

XXVII. Provided always, and be it further enacted, That on the Death, Cession, or Translation of the said *Edward* Lord Archbishop of *York*, or of any future Lord Archbishop of *York*, or on the Death or Cesser to act of the said *William* Viscount *Lowther* as such First Commissioner as aforesaid, or of any future First Commissioner of His Majesty's Woods, Forests, and Land Revenues, the said last-mentioned Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence shall be forthwith and from Time to Time transferred so as to become vested in the joint Names of the Lord Archbishop of *York* and the First Commissioner of His Majesty's Woods, Forests, and Land Revenues for the Time being, upon the Trusts herein-before declared concerning the same: Provided nevertheless, that if at any Time hereafter the Board commonly called "The Commissioners of His Majesty's Woods, Forests, and Land Revenues," shall be discontinued, it shall be lawful for the Lord High Treasurer or the Commissioners of the Treasury for the Time being, by any Writing under his or their Hand or Hands, to nominate and appoint from Time to Time some Person to act as Trustee with the Lord Archbishop of *York* for the Time being, and also upon the Death, Removal, or declining to act of the Person so to be appointed, or of any other Person to be thereafter nominated and appointed in pursuance of this present Power, to nominate and appoint from Time to Time some other Person to act as Trustee with the Lord Archbishop of *York* for the Time being; and that upon every Nomination and Appointment being so made as aforesaid, the said last-mentioned Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence shall be forthwith transferred so as to become vested in the joint Names of the said Lord Archbishop for the Time being and the Person so to be nominated and appointed as aforesaid, upon the Trusts herein-before declared concerning the same; and it is hereby declared, that the Costs and Charges attending the making every such Transfer as last aforesaid shall be paid out of the Dividends and Interest of the said last-mentioned Stock.

XXVIII. And

Public Act.

XXVIII. And be it further enacted, That this Act shall be deemed and taken 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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