ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

****

C A P. CVIII.

An Act for suspending until the First Day of *August* One thousand eight hundred and thirty-nine, and to the End of the then Session of Parliament, the Appointment to certain Dignities and Offices in Cathedral and Collegiate Churches, and to Sinecure Rectories. [15th *August* 1838.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for suspending for One Year Appointments to certain Dignities and Offices in Cathedral and Collegiate Churches, and to Sinecure Rectories:* 6 & 7 W. 4. c. 67. And whereas another Act was passed in the same Session of Parliament, intituled *An Act for carrying into effect the Reports of the Commissioners appointed to consider the State of the Established Church in* England *and* Wales, *with reference to Ecclesiastical Duties and Revenues, so far as they relate to Episcopal Dioceses, Revenues, and Patronage;* 6 & 7 W. 4. c. 77. in which latter Act are contained certain Provisions which were to continue in force only for One Year after the passing thereof, or, if Parliament should be then sitting, till the End of the Session of Parliament: And whereas another Act was passed in the last Session of Parliament to continue the Provisions of the first-recited Act and the temporary Provisions of the second-recited Act until 7 W. 4. & 1 Vict. c. 71.

the First Day of *August* in the Year One thousand eight hundred and thirty-eight, and, if Parliament should be then sitting, until the End of the then Session of Parliament: And whereas it is expedient to continue the Provisions of the said recited Acts for a further Time: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the first-recited Act and the temporary Provisions of the second-recited Act shall continue and be in force until the First Day of *August* in the Year One thousand eight hundred and thirty-nine, and, if Parliament shall be then sitting, until the End of that Session of Parliament.

First recited Act and certain Parts of second-recited Act further continued.

II. And be it further enacted, That during the Vacancy of any Dignity, Prebend, Canonry, or Benefice without Cure of Souls, which is now vacant under the Provisions of the said recited Acts, or which shall hereafter become vacant during the Continuance of such Provisions by virtue of this Act, the Holder or Incumbent of which respectively, if a Successor had been duly admitted thereto, would have been in right thereof the Patron of any Benefice with Cure of Souls, the Patron of such Dignity, Prebend, Canonry, or Benefice without Cure shall be considered for all legal Purposes to be the Patron for the Time being of any such Benefice with Cure of Souls.

Patron of any vacant Dignity, &c. to be considered the Patron of any Benefice with Cure of which the Holder, if filled up, would have been Patron.

III. Provided always, and be it enacted, That, notwithstanding any thing contained in this Act or in the first-recited Act, any Bishop or Archdeacon may hold Visitations of the Clergy within the Limits of his Diocese or Archdeaconry, and at such Visitations may admit Churchwardens, receive Presentments, and do all other Acts, Matters, and Things by Custom appertaining to the Visitation of Bishops and Archdeacons, in the Places assigned to his Jurisdiction and Authority under or by virtue of the Enactments of the secondly-recited Act, and any Bishop may consecrate a new Church or Chapel or a new Burial Ground within his Diocese, as assigned under the Provisions of the last-mentioned Act.

This Act not to prevent Visitations or Consecrations.

IV. Provided always, and be it further enacted, That every Bishop to whom any Portion of another Diocese shall have been transferred by any Order in Council under the Provisions of the last-recited Act passed in the Session held in the Sixth and Seventh Years of the Reign of His late Majesty shall, during the Visitation of such Portion of his Diocese so transferred, be assisted by his own Chancellor or Commissary and attended by his own Registrar; and that during any such Visitation the Chancellor or Commissary aforesaid shall in the Name of such Bishop, and in conformity with the Usages observed in such Diocese, inhibit all inferior and concurrent Jurisdictions, receive Presentments, admit Churchwardens to their Office, issue Marriage Licences, grant Probate of Wills and Letters of Administration to the Effects of Intestates, and exercise in every respect the same Jurisdiction which the Chancellor or Commissary of any preceding Bishop has exercised in such Portion of his Diocese so transferred pending the Visitation of the Diocesan, and the Duration of any

Bishop may, on Visitation of Portion of another Diocese transferred to him by Order in Council, be assisted by his own Chancellor, &c.; and all Acts of such Chancellor to be valid.

any Inhibition which may have issued in consequence of such Visitation, any thing in the last-recited Act to the contrary notwithstanding; and that all Acts which have been or shall be done by any Chancellor or Commissary so assisting such Bishop as aforesaid shall be taken to be good and valid in Law to all Intents and Purposes whatsoever.

This Act not to prevent any Appointment of the late Chaplains of the House of Commons, or the Succession of the Reverend H. Huntingford, &c.

V. Provided also, and be it enacted, That nothing contained in this Act or in the first-recited Act shall be construed to prevent the Appointment, Presentation, or Collation of the Reverend *Frederick Vernon Lockwood*, the Reverend *Edward Repton*, or the Reverend *Temple Frere* (formerly Chaplains to the House of Commons) to any Canonry, Prebend, or Dignity which is now vacant, or which shall hereafter become vacant during the Continuance of the Provisions of the recited Acts, by virtue of this Act, to which it may please Her Majesty to appoint them or any of them; nor to prevent the Reverend *Henry Huntingford*, now Prælector or Lecturer in the Cathedral Church of *Hereford*, from succeeding to the Canonry or Residentiaryship in the said Church which has become vacant by the Death of the Reverend *John Clutton* Doctor of Divinity; nor to prevent the Bishop of *Hereford* from disposing of the Canonry and Prebend in the Cathedral Church of *Hereford* now held by the Reverend *Henry C Hobart* M. A., should the same become vacant; nor to prevent the Appointment of the Reverend *Henry Jenkyns*, Professor of *Greek* in the University of *Durham*, to the Canonry designed for him by the late *William* Bishop of *Durham*, and now held by *Richard Prosser* Doctor of Divinity, when the same shall become vacant.

LONDON: Printed by George Eyre and Andrew Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1838.