CHAPTER clv.

An Act to amend certain provisions of the Acts third and fourth Victoria, chapter one hundred and thirteen, and thirty-second and thirty-third Victoria, chapter ninety-four, in relation to the Consolidation of Benefices called "Medieties," or "Portions," and to extend the same to the parish of Tiverton, in the county of Devon. A.D. 1884.

[28th July 1884.]

WHEREAS by the Act third and fourth Victoria, chapter one hundred and thirteen, section seventy-two, it is enacted that with respect to any parish in which both the profits and the spiritual charge are divided between two or more incumbents, each having a mediety or portion of the benefice, a plan or plans may be framed by the bishop of the diocese, with the consent of the patron or patrons, and so as not to prejudice the interest of any existing incumbent, for constituting any of such portions separate benefices, or for consolidating two or more of such portions into one benefice to be held by one incumbent, or for making such other arrangements as he may judge likely to promote the efficient discharge of pastoral duties in such parishes, and any such plan may be carried into effect by the authority therein provided:

And whereas by the Act thirty-second and thirty-third Victoria, chapter ninety-four, section nine, it is enacted that, in every case where the respective incumbents of two or more benefices held in severalty (whether each of such benefices belongs to the same patron or to different patrons) have or shall have by statute or by custom the right in virtue of their respective incumbencies to execute the office of an incumbent within one and the same church, and within no other church other than a chapel of ease, then the powers and provisions of the aforesaid section of the third and fourth Victoria, chapter one hundred and thirteen, shall be available for

A.D. 1884.

effecting the consolidation of both or all of such benefices into one benefice to be held by one incumbent, subject to the conditions therein expressed:

And whereas the parish of Tiverton, in the county of Devon, and diocese of Exeter, is divided into four portions, called respectively Pitt, Clare, Tidcombe, and Priors, each being a separate benefice, and having its own incumbent or minister, but the whole having but one parish church, which is served in turns by the said incumbents or ministers, who also serve in turns a chapel of ease to the said church called the Chapel of Saint George, which by an Act of Parliament of the sixth year of George the Second, intituled "An "Act for making a chapel in the town of Tiverton, in the county "of Devon, a perpetual cure, and for providing a maintenance for "the ministers who shall officiate therein" (herein-after referred to "as the local Act,") was made a perpetual cure to be served by the ministers of the said portions and their respective successors, who were constituted the chaplains thereof, and made a body corporate by the name of the chaplains of the new church of Tiverton, in the county of Devon, and which Act contains various provisions in relation to the vesting of such chapel and the site thereof, and the chapel yard belonging thereto, and other adjacent property in the said corporation, and to the performance of the services of such chapel by the said chaplains, and to the making a yearly provision for them and otherwise:

And whereas there is at West Exe, within the said parish of Tiverton, a church to which a particular district taken out of the same parish has been assigned under the provisions of the tenth section of the Act of Parliament of the first and second years of William the Fourth, chapter thirty-eight; and there are also within the said portions certain chapels of ease belonging thereto respectively, besides the said Chapel of Saint George:

And whereas it is expedient that the aforesaid powers and provisions of the two first-mentioned Acts should be amended and extended in manner herein-after provided:

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, as follows:

Application to Tiverton of 3 & 4 Vict. c. 113. s. 72.

1. The powers and provisions of the seventy-second section of the Act third and fourth Victoria, chapter one hundred and thirteen, shall, with the consent and subject to the conditions therein expressed, extend to authorise and shall be available for the consolidation of

any one or more of the portions into which the said parish of Tiverton is divided, or any part or parts thereof respectively, with any other or others of such portions or any part or parts thereof respectively, or the separation of any part of any of such portions from the rest thereof, and the formation of the same respectively into a separate benefice and parish, or separate benefices and parishes, for ecclesiastical purposes, and for the appropriation or assignment to any such benefice and parish of any church or chapel within the same as the parish church thereof, discharged, as regards the said Chapel of Saint George, from all or any of the provisions of the local Act, and also for the appropriation and annexation to every or any such benefice of such of the endowments belonging to the portions of which or of any part or parts of which the same shall consist, or belonging to any church or chapel within the same as may be considered expedient, and generally the making of all such arrangements and provisions incident to such consolidation, separation, or formation, and the period when the same shall take effect, as may be deemed necessary or expedient, the local Act notwithstanding: Provided always, that the powers herein contained shall not extend to or affect the said district of West Exe or the church or endowments thereof, save and except that, with the consent of the respective patrons of such district and of the portions affected thereby, any part of any of the said portions or of the endowments thereof may, under the powers aforesaid, be annexed to the said district, but so as not to prejudice the rights of the existing incumbents of the said district or of any of the said portions.

Short title.

2. This Act may be cited as the Benefices (Tiverton Portions) Consolidation Amendment Act, 1884.

LONDON: Printed by Eyre and Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1884.