justices trying the case, in lieu of such punishment, by a penalty for the first offence not exceeding forty shillings, and for the second or any subsequent offence not exceeding five pounds.

Commencement of Act.

4. This Act shall commence and take effect on and after the first day of October one thousand eight hundred and seventy-three.

31 & 32 Vict. c. 52. repealed.

5. The Vagrant Act Amendment Act, 1868, is hereby repealed.

CHAPTER 39.

An Act to amend the Act of the third and fourth years of Victoria, chapter one hundred and thirteen, for the Regulation of Cathedrals, and to facilitate the Endowment of Canonries by private benefaction. [21st July 1873.]

3 & 4 Vict. c. 113.

WHEREAS by the Act of the third and fourth years of the reign of Her Majesty, chapter one hundred and thirteen, intituled "An Act to carry into effect with certain "modifications the fourth Report of the Commissioners of Ecclesiastical Duties and "Revenues," and in the twentieth section it was enacted as follows:

"A plan may from time to time be laid before the Ecclesiastical Commissioners for "England by any of the said Chapters of the several Cathedral and Collegiate Churches, "with the sanction of the visitors of the said Churches respectively, for removing the "suspension from and re-establishing any Canonry or Canonries which shall have been "suspended by or under the provisions of this Act by assigning towards the re-endowment "of any such Canonry or Canonries a portion of the divisible corporate revenues remaining "to the said Chapters respectively, after paying to the said Ecclesiastical Commissioners "the profits or emoluments accruing to the said Commissioners from the suspended "Canonry or Canonries, so that the profits and emoluments of such suspended Canonry "or Canonries be not diminished by the removal of such suspension, and also by accepting "and assigning for the same purpose any further endowment in money, or in lands, tithes, "or other hereditaments, such lands, tithes, or other hereditaments not exceeding in yearly "value the sum of two hundred pounds for each Canonry from which the suspension shall "have been so removed, and also by annexing to any such Canonry from which the "suspension shall have been so removed any suitable benefice or other preferment in the "patronage of the said Chapters respectively, or of any other patron with the consent of "such patron, and where any Bishop is patron, with consent of the Archbishop, and any "such plan may be carried into effect by the authority herein-after provided, and such "alterations may be made in the existing statutes and rules of the said Chapters respec-"tively, as the case may require, under the authority herein provided for making "alterations in existing statutes:"

And whereas an Act was passed in the sixth and seventh years of the reign of Her Majesty, chapter seventy-seven, intituled "An Act for regulating the Cathedral Churches "of Wales:"

Be it 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:

Plans for re-establishing suspended Canonries laid before Ecclesiastical Commissioners need not propose to appropriate any

1. In any plan that may from time to time be laid before the Ecclesiastical Commissioners for England by any of the Chapters of the several Cathedral and Collegiate Churches mentioned in the said recited Acts, with the sanction of the Visitors of the said Churches respectively, for removing the suspension from and re-establishing any Canonry or Canonries which shall have been suspended by or under the provisions of the said recited Acts, it shall not be necessary to have any proposal for assigning towards the re-endowment of any such Canonry or Canonries a portion of the divisible corporate revenues remaining to the said Chapters respectively, and any plan not containing any

such proposal may be carried into effect by the authority in the said first-recited Act provided. portion of corporate revenues of Chapter.

2. When in any of the Cathedral and Collegiate Churches mentioned in the said recited Acts there are no suspended Canonries, or the suspended Canonries have been re-established, a plan may from time to time be laid before the said Ecclesiastical Commissioners by the Chapter, with the sanction of the Visitor, for the establishment therein of an additional Canonry or Canonries, or for the conversion of a non-residentiary Prebend or non-residentiary Prebends into a Canonry or Canonries, and for accepting and assigning for the endowment of the same any endowment in money or land given by a private person or persons, and any such plan may be carried into effect by the authority in the said first-recited Act provided. Plans may be laid before the said Commissioners for the establishment of additional Canonries.

3. Any plan laid before the said Ecclesiastical Commissioners under this Act may contain proposals for assigning to the holder or holders of the Canonry or Canonries so re-established, additionally established, or converted from a non-residentiary Prebend or non-residentiary Prebends, any spiritual, ecclesiastical, eleemosynary, or educational duties for the benefit of the Church of England and in connexion with the diocese in which the Cathedral or Collegiate Church is situate, and for fixing the residence of such holder or holders and his or their participation in the conduct of divine service, and in preaching in the said Cathedral or Collegiate Church, and for limiting the tenure of the Canonry or Canonries to a term or terms of years and for making this tenure dependent upon the performance of the duties assigned to the holder or holders, and for determining the patronage of the Canonry or Canonries, or for any one or more of the above-mentioned objects; provided always, that the patronage shall vest in Her Majesty or the Bishop of the diocese, unless in the case of a Canonry which is attached to some already existing ecclesiastical or spiritual office. Where the patronage is not determined, or in so far as it is not determined in the plan, it shall vest in the Bishop of the diocese in which the said Cathedral or Collegiate Church is locally situate. No holder of any Canonry under this Act shall be bound to any other or further residence than is prescribed in the plan. Plans may contain proposals for assigning duties, fixing residence, &c.

4. Any plan laid before the said Ecclesiastical Commissioners under this Act for the establishment of an additional Canonry, or for the conversion of a non-residentiary Prebend into a Canonry, may contain proposals for giving to the holder of such Canonry such rights of membership of the Chapter of the said Cathedral or Collegiate Church as may be thought advisable, or the position in the said Chapter of an honorary Canon only; or, in the case of Cathedral or Collegiate Churches having non-residentiary Prebends, may contain proposals for constituting such holder a non-residentiary Prebendary, and in all cases such holder shall be visitable by the Visitor of the Chapter. Provision to rights of membership of holders of such Canonries.

5. This Act shall be construed with and as part of the said first-recited Act, and may be cited as "The Cathedral Acts Amendment Act, 1873." Construction of Act. Short title.

CHAPTER 40.

An Act to authorise the acquisition and appropriation by the Metropolitan Board of Works of certain land reclaimed from the River Thames in pursuance of the Thames Embankment Act, 1862. [21st July 1873.]

WHEREAS in the year one thousand eight hundred and sixty-two a scheme was submitted to Parliament for the embankment of a part of the northern shore of the river Thames, and such scheme was carried into effect by the Thames Embankment Act, 1862: