

ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

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CAP. LXXXVIII.

An Act to remove Doubts as to the Legality of certain Assignments of Ecclesiastical Patronage.

[26th *August* 1846.]

WHEREAS by an Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, it is enacted, "that it shall not be lawful for any Spiritual Person to sell or assign any Patronage or Presentation belonging to him by virtue of any Dignity or Spiritual Office held by him, and that every such Sale or Assignment shall be null and void to all Intents and Purposes;" and Doubts have been entertained whether or not certain Agreements and Proceedings authorized under the several Acts for the Augmentation of the Maintenance of the Poor Clergy, or under the Church Building Acts, are to be deemed Sales or Assignments prohibited by the first-recited Act; and it is expedient that such Doubts be removed: Be it declared and 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

3 & 4 Vict. c. 113.

Proceedings under the Augmentation Acts and Church Buildings Acts to be deemed lawful. 1 G. 1. st. 2. c. 10. 8 & 9 Vict. c. 70.

That no Agreement or other Proceeding touching any Advowson or Patronage, or Right of Presentation, or Nomination of any Spiritual Person to any Cure or Benefice, Donative, or Perpetual Curacy, or to serve any Church or Chapel authorized by an Act passed in the First Year of the Reign of King *George* the First, intituled *An Act for making more effectual Her late Majesty's gracious Intentions for augmenting the Maintenance of the Poor Clergy*, or by any Act passed for the Amendment thereof, or by an Act passed in the last Session of Parliament, intituled *An Act for the further Amendment of the Church Building Acts*, or by any Act recited therein, is or shall be deemed a Sale or Assignment such as is prohibited by the first-recited Act; but that every such Agreement or Proceeding already or hereafter to be duly made and taken under the Provisions of any of the said Acts is and shall be deemed to have been from the Time of the making thereof as good in Law to all Intents and Purposes as if the first-recited Act had not been passed.

Act may be amended, &c.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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