

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

****

CAP. LXXVII.

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. [13th *August* 1836.]

Recital of Commissions and Reports.

WHEREAS His Majesty was pleased, on the Fourth Day of *February* and on the Sixth Day of *June* in the Year One thousand eight hundred and thirty-five, to issue Two several Commissions to certain Persons therein respectively named, directing them to consider the State of the several Dioceses in *England* and *Wales*, with reference to the Amount of their Revenues, and the more equal Distribution of Episcopal Duties, and the Prevention of the Necessity of attaching by Commendam to Bishopricks Benefices with Cure of Souls, and to consider also the State of the several Cathedral and Collegiate Churches in *England* and *Wales*, with a view to the Suggestion of such Measures as may render them conducive to the Efficiency of the Established Church, and to devise the best Mode of providing for the Cure of Souls, with special Reference to the Residence of the Clergy on their respective Benefices: And whereas the said Commissioners have, in pursuance of such Directions, made Four several Reports to His Majesty, bearing Date respectively the Seventeenth Day of *March* One thousand eight hundred and thirty-five, and the Fourth Day of *March*, the Twentieth

Day of *May*, and the Twenty-fourth Day of *June* One thousand eight hundred and thirty-six: And whereas the said Commissioners have, in their said Reports, amongst other Things, recommended that Commissioners be appointed by Parliament for the Purpose of preparing and laying before His Majesty in Council such Schemes as shall appear to them to be best adapted for carrying into effect the following Recommendations; and that His Majesty in Council be empowered to make Orders ratifying such Schemes, and having the full Force of Law; and that the Diocese of *Canterbury* consist of the County of *Kent*, (except the City and Deanery of *Rochester*, and those Parishes which it is proposed to include in the Diocese of *London*,) and of the Parishes of *Croydon* and *Addington*, and the District of *Lambeth Palace*, in the County of *Surrey*; and that the Diocese of *London* consist of the City of *London* and the County of *Middlesex*, of the Parishes of *Barking*, *East Ham*, *West Ham*, *Little Ilford*, *Low Layton*, *Walthamstow*, *Wanstead*, *Saint Mary Woodford*, and *Chingford*, in the County of *Essex*, all in the present Diocese of *London*; of the Parishes of *Charlton*, *Lee*, *Lewisham*, *Greenwich*, *Woolwich*, *Eltham*, *Plumstead*, and *Saint Nicholas Deptford*, in the County of *Kent*, and *Saint Paul Deptford* in the Counties of *Kent* and *Surrey*, all now in the Diocese of *Rochester*; of the Borough of *Southwark*, and the Parishes of *Battersea*, *Bermondsey*, *Camberwell*, *Christchurch*, *Clapham*, *Lambeth*, *Rotherhithe*, *Streatham*, *Tooting Graveney*, *Wandsworth*, *Merton*, *Kew*, and *Richmond*, in the County of *Surrey* and present Diocese of *Winchester*; and of the Parishes of *Saint Mary Newington*, *Barnes*, *Putney*, *Mortlake*, and *Wimbledon*, in the County of *Surrey* and in the Peculiar Jurisdiction of the Archbishop of *Canterbury*, together with all Extra-parochial Places locally situate within the Limits of the Parishes above enumerated, except the District of *Lambeth Palace*; and that the Diocese of *Winchester* be diminished by the Transfer of the Parish of *Addington* to the Diocese of *Canterbury*, and of the before-mentioned Parishes to the Diocese of *London*; and that the whole of the Parish of *Bedminster* be transferred from the Diocese of *Bath* and *Wells* to the Diocese of *Gloucester* and *Bristol*; and that the City and Deanery of *Bristol* be united to the Diocese of *Gloucester*; and that the Southern Part of the Diocese of *Bristol*, consisting of the County of *Dorset*, be transferred to the Diocese of *Salisbury*; and that the Diocese of *Ely* be increased by the Counties of *Huntingdon* and *Bedford*, now in the Diocese of *Lincoln*, by the Deaneries of *Lynn* and *Fincham* in the County of *Norfolk* and Diocese of *Norwich*, and by the Archdeaconry of *Sudbury* in the County of *Suffolk* and Diocese of *Norwich*, with the Exception of the Deaneries of *Sudbury*, *Stow*, and *Hartismere*, and by that Part of the County of *Cambridge* which is now in the Diocese of *Norwich*; and that it be declared that the *Scilly* Islands are within the Jurisdiction of the Bishop of *Exeter* and of the Archdeacon of *Cornwall*; and that the Sees of *Gloucester* and *Bristol* be united, and that the Diocese consist of the present Diocese of *Gloucester*, of the City and Deanery of *Bristol*, of the Deaneries of *Cricklade* and *Malmesbury* in the County of *Wilts* and now in the Diocese of *Salisbury*, and of the whole of the Parish of *Bedminster*, now in the Diocese of *Bath* and

Wells; and that to the Diocese of *Hereford* be added the Deanery of *Bridgnorth*, now locally situated between the Dioceses of *Hereford* and *Lichfield*; and that those Parts of the Counties of *Worcester* and *Montgomery* which are now in the Diocese of *Hereford* be transferred to the Dioceses of *Worcester* and *Saint Asaph* and *Bangor* respectively; and that the Diocese of *Lichfield* consist of the Counties of *Stafford* and *Derby*; and that the Diocese of *Lincoln* consist of the Counties of *Lincoln* and *Nottingham*; and that the latter County, now in the Diocese and Province of *York*, be included in the Province of *Canterbury*; and that the Diocese of *Norwich* consist of the Counties of *Norfolk* and *Suffolk*, except those Parts which it is proposed to transfer to the Diocese of *Ely*; and that the Diocese of *Oxford* be increased by the County of *Buckingham*, now in the Diocese of *Lincoln*, and by the County of *Berks*, now in the Diocese of *Salisbury*; and that the Diocese of *Peterborough* be increased by the County of *Leicester*, now in the Diocese of *Lincoln*; and that the Diocese of *Rochester* consist of the City and Deanery of *Rochester*, of the County of *Essex* (excepting the Parishes which it is proposed to leave in the Diocese of *London*), and of the whole County of *Hertford*; and that to the Diocese of *Salisbury*, reduced according to the foregoing Propositions, be added the County of *Dorset*, now in the Diocese of *Bristol*; and that the Diocese of *Worcester* consist of the whole Counties of *Worcester* and *Warwick*; and that the Sees of *Saint Asaph* and *Bangor* be united, and that the Diocese consist of the whole of the Two existing Dioceses (except that Part of the Diocese of *Saint Asaph* which is in the County of *Salop*) and of those Parts of the County of *Montgomery* which are now in the Dioceses of *Saint David's* and *Hereford*; and that the Diocese of *Llandaff* consist of the whole Counties of *Glamorgan* and *Monmouth*; and that the Diocese of *Saint David's* be altered by the Transfer of those Parts of the Counties of *Montgomery*, *Glamorgan*, and *Monmouth* which it is proposed to include in the respective Dioceses of *Saint Asaph* and *Bangor* and *Llandaff*; and that the Diocese of *York* consist of the County of *York*, except such Parts thereof as it is proposed to include in the new Diocese of *Ripon*; and that the Diocese of *Durham* be increased by that Part of the County of *Northumberland* called *Hexhamshire* which is now in the Diocese of *York*; and that the Sees of *Carlisle* and *Sodor* and *Man* be united, and that the Diocese consist of the present Diocese of *Carlisle*, of those Parts of *Cumberland* and *Westmorland* which are now in the Diocese of *Chester*, of the Deanery of *Furnes* and *Cartmel* in the County of *Lancaster*, of the Parish of *Aldeston*, now in the Diocese of *Durham*, and of the *Isle of Man*; and that the Diocese of *Chester* consist of the County of *Chester*, of so much of the County of *Flint* as is now in that Diocese, and of so much of the County of *Salop* as is not in the Diocese of *Hereford*; and that the whole Diocese be included in the Province of *York*, and that Two new Sees be erected in the Province of *York*, one at *Manchester* and the other at *Ripon*; and that the Diocese of *Manchester* consist of the whole County of *Lancaster* except the Deanery of *Furnes* and *Cartmel*; and that the Diocese of *Ripon* consist of that Part of the County of *York* which is now in the Diocese of *Chester*, of the Deanery of *Craven*, and of such Parts of the Deaneries of the *Ainsty* and *Pontefract* in the County

County and Diocese of *York* as lie to the Westward of the following Districts; *videlicet*, the Liberty of the *Ainsty* and the Wapentakes of *Barkston Ash*, *Osgoldcross*, and *Staincross*; and that all Parishes which are locally situate in one Diocese, but under the Jurisdiction of the Bishop of another Diocese, be made subject to the Jurisdiction of the Bishop of the Diocese within which they are locally situate; and that such Variations be made in the proposed Boundaries of the different Dioceses as may appear advisable, after more precise Information respecting the Circumstances of particular Parishes or Districts; and that the Bishops of the Two newly erected Sees be made Bodies Corporate, and be invested with all the same Rights and Privileges as are now possessed by the other Bishops of *England* and *Wales*, and that they be made subject to the Metropolitan Jurisdiction of the Archbishop of *York*, and that the Collegiate Churches of *Manchester* and *Ripon* be made the Cathedrals, and that the Chapters thereof be the Chapters of the respective Sees of *Manchester* and *Ripon*, and be invested with all the Rights and Powers of other Cathedral Chapters; and that the Members of these and of all other Cathedral Churches in *England* be styled Dean and Canons; that the Chapter of *Carlisle* be the Chapter of the united See of *Carlisle* and *Man*; that the Bishops of the See of *Saint Asaph* and *Bangor* be elected alternately by the Dean and Chapter of *Saint Asaph* and by the Dean and Chapter of *Bangor*; that the Bishops of the See of *Bristol* and *Gloucester* be elected alternately by the Dean and Chapter of *Bristol* and by the Dean and Chapter of *Gloucester*; that Power be given to determine the future Mode of confirming such Acts of the Bishop of either of the united Sees as may require Confirmation by a Dean and Chapter; and that upon the first Avoidance of either of the Sees of *Saint Asaph* or *Bangor* and of *Gloucester* or *Bristol* the Bishop of the other of the Sees proposed to be united become *ipso facto* Bishop of the Two Sees, and thereupon become seised and possessed of all the Property, Advowsons, and Patronage belonging to the See so avoided; and that the Jurisdiction of the Bishop's Court in each Diocese be coextensive with the Limits of the Diocese as newly arranged; and that such Arrangements be made with regard to the Apportionment of Fees payable to the Officers of the several Diocesan Courts as may be deemed just and equitable, for the Purpose of making Compensation to those Officers who may be prejudiced by the proposed Alterations; and that such Alterations be made in the Apportionment or Exchange of Ecclesiastical Patronage among the several Bishops as shall be consistent with the relative Magnitude and Importance of their Dioceses when newly arranged, and as shall afford an adequate Quantity of Patronage to the Bishops of the new Sees; and that, in order to provide for the Augmentation of the Incomes of the smaller Bishopricks, such fixed annual Sums be paid to the Commissioners out of the Revenues of the larger Sees respectively as shall, upon due Inquiry and Consideration, be determined on, so as to leave as an average annual Income to the Archbishop of *Canterbury* Fifteen thousand Pounds, to the Archbishop of *York* Ten thousand Pounds, to the Bishop of *London* Ten thousand Pounds, to the Bishop of *Durham* Eight thousand Pounds, to the Bishop of *Winchester* Seven thousand Pounds, to the Bishop of *Ely* Five thousand five hundred Pounds, to the Bishop of *St. Asaph* and

and *Bangor* Five thousand two hundred Pounds, and to the Bishop of *Worcester* and *Bath* and *Wells* respectively Five thousand Pounds; and that out of the Fund thus accruing fixed annual Payments be made by the Commissioners, in such Instances and to such Amount as shall be in like Manner determined on, so that the average annual Incomes of the other Bishops respectively be not less than Four thousand Pounds nor more than Five thousand Pounds; and that at the Expiration of every Seven Years, reckoning from the First Day of *January* One thousand eight hundred and thirty-seven, a new Return of the Revenues of all the Bishopricks be made to the Commissioners, and that thereupon the Scale of Episcopal Payments and Receipts be revised, so as to preserve, as nearly as may be, to each Bishop, an Amount of Income equivalent to that which shall have been determined in the first instance to be suitable to the Circumstances of his Bishoprick, and that such revised Scale take effect as to each See respectively upon the then next Avoidance thereof; and that if, in determining the Mode of regulating the Episcopal Incomes, either in the first instance or on any future Revision of them, it shall be deemed expedient to make the Alteration required, in any Case, by the Subtraction or Addition of any Real Estates, such Real Estates be transferred accordingly; and that out of the Property of the See of *Durham* Provision be forthwith made for the Completion of those Augmentations of poor Benefices which the late Bishop (meaning thereby the late Right Reverend *William Van Mildert,*) had agreed to grant, but which he left uncompleted at the Time of his Death; and that the Bishop of *Durham* do in future hold the Castle of *Durham* in Trust for the University of *Durham*, and that all Expences of maintaining and repairing the same be defrayed by the University of *Durham;* and that so soon as the relative Values of the several Sees under the new Arrangements shall have been ascertained Apportionment be made of the Sums to be thereafter paid by the respective Bishops for First Fruits, so as to leave the aggregate Amount payable from all the Sees to the Bounty of Queen *Anne* the same as at present; and that the Bishops who shall on the present Vacancies succeed to the Sees of *Durham* and *Ely* be relieved from the Excess beyond their due Proportion payable for First Fruits, and that the Residue of the Sums due be paid by the Commissioners out of the surplus Funds arising from those Sees; and that the Tenths to be hereafter payable by the respective Bishops be regulated by the Amount of the First Fruits payable under the preceding Propositions; and that none of the proposed Alterations affecting the Boundaries or Jurisdiction of any Diocese, or the Patronage of Benefices with Cure of Souls, or the Revenues belonging to any See the Bishop of which was in Possession on the Fourth Day of *March* One thousand eight hundred and thirty-six take effect until the Avoidance of the See without the Consent of such Bishop; and that no Ecclesiastical Dignity, Office, or Benefice be in future granted to any Bishop to be held in Commendam, but that such of the Endowments of certain Prebends in the Cathedrals of *Lincoln*, *Lichfield*, *Exeter*, and *Salisbury* as now belong to the Bishops of the respective Dioceses continue annexed to the respective Sees; and that fit Residences be provided for the Bishops of *Lincoln*, *Landaff*, *Rochester*, *Manchester*, and *Ripon;* and that, for the Purpose of providing the Bishop of any

Diocese with a more suitable and convenient Residence than that which now belongs to his See, Sanction be given for Purchases or Exchanges of Houses or Lands, or for the Sale of Lands belonging to the respective Sees, and also, where it may be necessary, for the borrowing by any Bishop of a Sum not exceeding Two Years Income of his See, upon such Terms as shall appear to be fit and proper; and that the Governors of the Bounty of Queen *Anne* be empowered to lend Money upon Mortgage to such Bishops; and that so much of the Sum of Six thousand Pounds recovered by the late Bishop of *Bristol* for Damages done to the Episcopal Residence at *Bristol*, and of its Accumulations, as may remain after deducting proper Expences, together with the Money arising from the Sale of the Site of such Residence, if sold, be applied to the Purchase or Erection of a Residence for the Bishop of the See of *Bristol* and *Gloucester*; and that new Archdeaconries of *Bristol*, *Maidstone*, *Monmouth*, *Westmorland*, *Manchester*, *Lancaster*, and *Craven* be created, and that Districts be assigned to them; and that archidiaconal Power be given to the Dean of *Rochester* within that Part of *Kent* which will remain in the Diocese of *Rochester*; and that the Limits of the other existing Deaneries and Archdeaconries be newly arranged, so that every Parish and Extra-parochial Place be within a Rural Deanery, and every Deanery within an Archdeaconry, and that no Archdeaconry extend beyond the Limits of One Diocese; and that all the Archdeaconries of *England* and *Wales* be in the Gift of the Bishops of the respective Dioceses in which they are situate; and that all Archdeacons have and exercise full and equal Jurisdiction within their respective Archdeaconries: And whereas it is expedient that the said Recommendations should be carried into effect as soon as conveniently may be: Be it therefore 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 of the same, That the Lord Archbishop of *Canterbury* for the Time being, the Lord Archbishop of *York* and the Lord Bishop of *London* for the Time being, *John* Lord Bishop of *Lincoln*, *James Henry* Lord Bishop of *Gloucester*, the Lord High Chancellor of *Great Britain*, the Lord President of the Council, the Lord High Treasurer or the First Lord of the Treasury, and the Chancellor of the Exchequer, for the Time being respectively, and such One of His Majesty's Principal Secretaries of State as shall be for that Purpose nominated by His Majesty under His Royal Sign Manual, (such Lord Chancellor, Lord President, Lord High Treasurer or First Lord of the Treasury, Chancellor of the Exchequer, and Secretary of State being respectively Members of the United Church of *Great Britain* and *Ireland*,) the Right Honourable *Dudley* Earl of *Harrowby*, the Right Honourable *Henry Hobhouse*, and the Right Honourable Sir *Herbert Jenner* Knight shall for the Purposes of this Act be One Body Politic and Corporate by the Name of "The Ecclesiastical Commissioners for *England*," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall have Power and Authority to take and purchase and hold Lands, Tenements, and Hereditaments, to them, their Successors and Assigns, for the Purposes of this Act, the Statutes

Commissioners incorporated.

of

of Mortmain, or any other Act or Acts, to the contrary hereof notwithstanding.

How Vacancies to be supplied.

II. And be it enacted, That the Two last-named Bishops and the Three last-named Lay Commissioners shall be at all Times removeable by His Majesty in Council by Warrant under the Sign Manual; and that when any Vacancy shall occur, by Death, Removal, Resignation, or otherwise, among the Two last-named Bishops and the Three last-named Lay Commissioners, or among such of the future Commissioners under this Act as shall not have become such Commissioners by virtue of any Dignity or Office, according to the Provisions of this Act, it shall be lawful for His Majesty to fill up such Vacancy by appointing under His Royal Sign Manual, instead of any such Commissioner being a Bishop some other Bishop of *England* or *Wales*, and instead of any such Commissioner being a Layman some other Layman, being a Member of the said Church, to be a Commissioner under this Act; and every such Bishop or Person so to be appointed shall accordingly become to all Intents and Purposes One of the Commissioners for the Purposes of this Act.

Commissioners to subscribe a Declaration.

III. And be it enacted, That every such Commissioner, whether herein named or hereafter to be appointed, not being an Archbishop or Bishop, shall, before acting under the said Commission, and at the first Meeting he shall attend, subscribe in the Book of the Minutes of the Proceedings of the said Commissioners a Declaration in the Words following:

'I DO hereby solemnly, and in the Presence of God, testify and declare, That I am a Member of the United Church of *England* and *Ireland* as by Law established. Witness my Hand this Day of .'

Five Commissioners to form a Quorum.

IV. And be it enacted, That all Acts, Matters, and Things which the said Commissioners are by any of the Provisions of this Act authorized or required to do and perform shall and may be done and performed by any Five of such Commissioners: Provided always, that such Five Commissioners be for such Purpose assembled at a Meeting whereof due Notice shall have been given to all the said Commissioners.

Assent of Meeting of Episcopal Commissioners essential to Acts under Seal, &c.

V. Provided always, and be it enacted, That no Proceeding which requires to be ratified and confirmed by the Common Seal of the Corporation shall be finally concluded, nor the said Seal affixed to any Deed or Instrument, save at a Meeting whereof Notice shall have been in like Manner given, and whereat Two at least of the said Episcopal Commissioners shall be personally present: Provided also, that in case any Two Episcopal Commissioners, being the only Episcopal Commissioners present, shall object to the Ratification and Confirmation of any such Proceeding as aforesaid, or to the affixing of such Seal to any Deed or Instrument as aforesaid, such Ratification or affixing of the Seal shall not take place until a subsequent Meeting of the Commissioners shall have been held, after due Notice thereof shall have been given.

VI. And

Who to be Chairman.

VI. And be it enacted, That at each Meeting of the said Commissioners the Commissioner first in Rank and Precedence there present shall preside as Chairman, and in case of the Equality in Rank and Precedence of all the Commissioners so present then the senior Commissioner in the Order of Appointment shall so preside; and the Chairman at all such Meetings shall not only vote as a Commissioner, but shall also in case of the Equality of Votes have the casting or decisive Vote.

Commissioners to appoint a Treasurer, Secretary, and other Officers.

VII. And be it enacted, That the said Commissioners may from Time to Time appoint a Treasurer and Secretary, and such Clerks, Messengers, and Officers as they shall deem necessary, and from Time to Time, at the Discretion of the said Commissioners, may remove such Treasurer, Secretary, Clerks, Messengers, and Officers, or any of them, and appoint others in their Stead: Provided always, that the Amount of the Salaries of such Treasurer, Secretary, Clerks, Messengers, and Officers shall from Time to Time be regulated by the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury, or any Three or more of them.

Secretary to make and keep Minutes.

VIII. And be it further enacted, That the Secretary or other Officer of the said Commissioners shall keep a Book, in which he shall make Minutes of the Proceedings of the said Commissioners at their several Meetings, and enter the Names of the Commissioners present thereat; and such Entry of the Proceedings at each Meeting shall be signed by the Chairman thereof.

Commissioners may call and examine Witnesses, &c., and administer an Oath or a Declaration.

IX. And be it enacted, That it shall be lawful for the said Commissioners, by Summons under the Hand of the Chairman of any such Meeting, to require the Attendance of any Person whom they shall think fit to examine touching any Matter within their Cognizance, also to make any Inquiries, and call for any Answers or Returns, as to any such Matter, and also to administer Oaths, and examine every such Person upon Oath, and to cause to be produced before them, upon Oath, all Statutes, Charters, Grants, Rules, Regulations, Bye Laws, Books, Deeds, Contracts, Agreements, Accounts, and Writings whatsoever, or Copies thereof respectively, in anywise relating to any such Matter; or, in lieu of requiring such Oath as aforesaid, the said Commissioners may, if they think fit, require any such Person to make and subscribe a Declaration of the Truth of his Examination.

Commissioners to lay Schemes before the King in Council for carrying into effect their Recommendations.

X. And be it enacted, That the said Commissioners shall from Time to Time prepare, and lay before His Majesty in Council, such Schemes as shall appear to the said Commissioners to be best adapted for carrying into effect the herein-before recited Recommendations, and shall in such Schemes recommend and propose such Measures as may, upon further Inquiry, which the said Commissioners are hereby authorized to make, appear to them to be necessary for carrying such Recommendations into full and perfect Effect: Provided always, that nothing herein contained shall be construed to prevent the said Commissioners from proposing in any such Scheme such Modifications or Variations as to Matters of Detail and Regula-

tion as shall not be substantially repugnant to any or either of the said Recommendations, and in particular that it shall be competent to the said Commissioners to propose in any such Scheme that all Parishes, Churches, or Chapelries which are locally situate in any Diocese, but subject to any peculiar Jurisdiction other than the Jurisdiction of the Bishop of the Diocese in which the same are locally situate, shall be only subject to the Jurisdiction of the Bishop of the Diocese within which such Parishes, Churches, or Chapelries are locally situate.

For preventing Appointment of Clergymen in Wales not acquainted with the Welsh Language.

XI. And be it enacted, That the said Commissioners shall prepare, and lay before His Majesty in Council, such Scheme as shall appear to the said Commissioners to be best adapted for preventing the Appointment of any Clergyman not fully conversant with the *Welsh* Language to any Benefice with Cure of Souls in *Wales* in any Parish the Majority of the Inhabitants of which do not understand the *English* Language.

King in Council may make Orders for carrying Schemes into effect; which shall be registered in each Diocese respectively;

XII. And be it enacted, That when any Scheme prepared under the Authority of this Act shall be approved by His Majesty in Council it shall be lawful for His Majesty in Council to issue an Order or Orders ratifying the same, and specifying the Time or Times when such Scheme or the several Parts thereof shall take effect, and to direct in every such Order that the same be registered by the Registrar of each of the Dioceses the Bishops whereof may or shall be in any respect affected thereby, and in any newly-created Diocese by such Person as shall be for that Purpose named in such Order, which Person shall in such last-mentioned Diocese become Registrar there, and so continue as long as he shall demean himself well in his Office.

and gazetted;

XIII. And be it enacted, That every such Order shall, as soon as may be after the making and issuing thereof by His Majesty in Council, be inserted and published in the *London Gazette*.

and then to be of full Effect for all Purposes and as to all Persons.

XIV. And be it enacted, That so soon as any such Order in Council shall be so registered and gazetted it shall in all respects, and as to all Things therein contained, have and be of the same Force and Effect as if all and every Part thereof were included in this Act, any Law, Statute, Canon, Letters Patent, Grant, Usage, or Custom to the contrary notwithstanding.

Copies o Orders to laid before Parliamen

XV. And be it enacted, That a Copy of every Order of His Majesty in Council made under this Act shall be laid before each House of Parliament in the Month of *January* in every Year, if Parliament shall be then sitting, or if Parliament be not then sitting within One Week after the next Meeting thereof.

Registrars to register all Orders, subject to a Penalty for Neglect.

XVI. And be it enacted, That the Registrar of every Diocese to whom any Order of His Majesty in Council made by virtue of this Act shall be delivered shall forthwith register the same in the Registry of his Diocese; and the Persons who shall be for that Purpose appointed in the Dioceses of *Manchester* and *Ripon* shall forthwith

register every such Order in Books to be by them for that Purpose provided, which shall thenceforth become the Registry of those Dioceses respectively; and if any such Registrar or other Person shall refuse or neglect to register any such Order he shall for every Day during which he shall so offend forfeit Twenty Pounds, and if his Offence shall continue for the Space of Three Months he shall forfeit his Office, and it shall be lawful for the Bishop of the Diocese, or for His Majesty, as the Case may be, to appoint a Successor thereto.

Fee to Registrar.

XVII. And be it enacted, That for such Registration as aforesaid no Registrar shall be entitled to receive any Fee or Reward, but that on every Search for any such Order he shall be entitled to receive a Fee of Three Shillings, and for every Copy or Extract of any such Order certified by him he shall be entitled to receive for every Folio of Ninety Words Four-pence; and the Copy of every such Entry, certified by the Registrar, shall be admissible as Evidence in all Courts and Places whatsoever.

No Commendams to be held by Bishops.

XVIII. And be it enacted, That after the passing of this Act no Ecclesiastical Dignity, Office, or Benefice shall be held in Commendam by any Bishop, unless he shall so hold the same at the Time of passing thereof; and that every Commendam thereafter granted, whether to retain or to receive, and whether temporary or perpetual, shall be absolutely void, to all Intents and Purposes.

Jurisdiction of Archdeacons.

XIX. And be it enacted, That all Archdeacons throughout *England* and *Wales* shall have and exercise full and equal Jurisdiction within their respective Archdeaconries, any Usage to the contrary notwithstanding.

This Act not to affect the Jurisdiction of the Ecclesiastical Courts for One Year.

XX. And whereas it may be expedient to consider the State and Jurisdiction of all the Ecclesiastical Courts in *England* and *Wales*; be it enacted, That nothing herein contained, nor any Order of His Majesty in Council made under the Authority of this Act, either for altering the Limits of either of the existing Provinces or the Boundaries of any existing Diocese or Archdeaconry, or for uniting any existing Sees, or for creating any new Bishoprick or Archdeaconry, or for appointing any Registrar under the Provisions of this Act, or for any other Purpose whatever, shall for One Year after the passing of this Act, or if Parliament shall be then sitting till the End of the Session of Parliament, in any Manner affect or be construed to affect the Jurisdiction, Power, or Authority of any or either of the existing Ecclesiastical Courts in *England* or *Wales*, or the Extent or Limits thereof, but that during such Period as last aforesaid every such Court shall continue in all Matters whatsoever arising within its present Limits to exercise the same Jurisdiction as heretofore by Law allowed.

Monitions to reside and for Payment of Stipends, &c. to issue

XXI. And be it enacted, That in all Cases of Monitions to reside, and Monitions for the Payment of the Stipends of Curates, and of Proceedings consequent thereupon, except as herein-after excepted, and in all Cases of Licences granted to Spiritual Persons, the same

shall issue only under the Authority and in the Name of the Bishop of the Diocese, whether such Diocese be according to the present Territorial Limits or as altered or newly created under the Authority of this Act: Provided always, that if it be necessary to institute in any Ecclesiastical Court Proceedings thereupon or in consequence thereof, such Proceedings shall be commenced, carried on, and decided in and by the same Court which at the Time of the passing of this Act would be entitled to exercise Jurisdiction in such Matters respectively, and in the Case of Proceedings at the Instance of a Bishop, in the Name of the Judge of such Court: Provided also, that nothing herein contained shall affect any Peculiar belonging to either of the Archbishops at the Time of the passing of this Act, but that every such Peculiar, except as may be otherwise provided by any Order of His Majesty in Council, made and issued in pursuance of this Act, shall to all Intents and Purposes and in all respects remain subject to the same Authority and Jurisdiction as if this Act had not been passed.

in Name of the Bishop.

Same Court to have Jurisdiction therein as at present.

XXII. And be it enacted, That nothing herein contained, nor any such Order in Council as aforesaid, shall, during such Period as last aforesaid, be construed to alter in any respect whatsoever the Law of *Bona notabilia* as it exists at the Time of the passing of this Act, notwithstanding any Change of Province, Diocese, Archdeaconry, or any other Jurisdiction whatsoever.

Law of Bona notabilia not altered for One Year.

XXIII. And be it enacted, That all Marriage Licences shall during such Period as last aforesaid continue to be granted in the same Manner and by the same Authorities respectively as before the passing of this Act.

Marriage Licences.

XXIV. And be it enacted, That during such Period every Ecclesiastical Court in which any Proceedings shall be had shall have Power to send for and enforce the Production of all original Instruments and Documents relating to such Proceedings by whatever Ecclesiastical Authority the same may have been issued.

Ecclesiastical Courts to enforce Production of Documents.

XXV. And be it further enacted, That in case the Office of Judge, Registrar, or other Officer of any or either of the Ecclesiastical Courts in *England* or *Wales* (except the Prerogative Court of *Canterbury*) shall become vacant during such Period as last aforesaid, the Person who may be thereunto appointed shall accept and take such Office subject to all Regulations and Alterations affecting the same which may be hereafter made and provided by or under the Authority of Parliament, and shall not by his Appointment thereto acquire any vested Interest in such Office, nor any Claim or Title to Compensation in respect thereof, in case the same shall be hereafter abolished by Parliament.

Future Appointments to Offices in Ecclesiastical Courts not to give a vested Interest.

XXVI. And whereas by an Act passed in the Fifth and Sixth Years of His present Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, Provision was made concerning the Sale of certain Ecclesiastical Preferments in the Patronage of the several Municipal Corporations therein mentioned, at

Provisions applicable to Church Commissioners under Municipal Reform Act to

apply to Commissioners under this Act. 5 & 6 W. 4. c. 76.

at such Time and in such Manner as the Commissioners appointed to consider the State of the Established Church in *England* and *Wales*, with reference to Ecclesiastical Duties and Revenues, should direct; be it enacted, That from and after the passing of this Act the Provisions in the said recited Act contained which apply to the said Commissioners shall apply and be held to apply to the Commissioners appointed under this Act by the Style and Title of "The Ecclesiastical Commissioners for *England*."

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