other Rate shall apply, notwithstanding the whole of such Rate, or any Part thereof, may be applicable to the Payment of Cattle Act Expenses. for Cattle Act Expenses.

9. An Error in the Statement of the Amount of Cattle Act Expenses in any Precept, Warrant, Contribution, Order, or Receipt issued or given under this Act shall not invalidate such Precept, Warrant, Contribution, Order, or Receipt; but it shall be lawful for any Person aggrieved by such Error to appeal to the Justices in Petty Sessions, and the Justices may rectify the Error, and award to the Appellant Compensation for any Loss he may have sustained thereby, the Amount of such Compensation to be deducted by the Appellant from any Local Rate or Contribution to Local Rate thereafter levied on him. Error in Statement not to vitiate Precept, &c.

10. If any Person with Intent to evade any of the Provisions of the Act of the Session of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter One hundred and seven, or of the Principal Act, or of any Act amending the said Acts, or of any Order of the Lords of Her Majesty's Council made thereunder respectively, forges or alters, or offers or utters knowing the same to be forged or altered, any Licence, Instrument, or Writing made or issued, or purporting to be made or issued, under any such Act or Order, he shall for every such Offence, on summary Conviction thereof before Two Justices in the Manner and subject to the Appeal provided in the Principal Act, be liable to a Penalty not exceeding Twenty Pounds, or in the Discretion of the Justices to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months. Punishment for Forgery of Licences, &c.

CAP. CXI.

An Act to further amend the Acts relating to the Ecclesiastical Commissioners for *England*. [10th *August* 1866.]

'WHEREAS it is expedient to amend the Acts relating to the Ecclesiastical Commissioners for *England*:' 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:

1. The Word "Commissioners" where used in this Act shall mean the Ecclesiastical Commissioners for *England*, unless some other Commissioners shall be particularly designated. Meaning of the Word "Commissioners."

2. All Acts which the Estates Committee of the Commissioners are authorized by Law to do and execute or to complete may, after the passing of this Act, be done and executed or completed by any Two Members of such Estates Committee, being Church Estates Commissioners. Two Members of Estates Committee may execute certain Acts.

3. The Three Church Estates Commissioners shall be Joint Treasurers of the Corporation of the Ecclesiastical Commissioners for *England*, with the Powers and subject to the Provisions specified in the Fifth Section of the Act of the Session of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Ninety-four; and the Receipt of any Two of such Treasurers, or of any One of them, with the counter Signature in the latter Case of the Accountant or the Assistant Accountant of the Ecclesiastical Commissioners for *England*, shall be a good and sufficient Discharge for any Money due and payable to the said Commissioners. Three Church Estates Commissioners to be Joint Treasurers of the Ecclesiastical Commissioners.

4. If, after the Commissioners have effected the Endowment of any Archbishoprick or Bishoprick or of any Chapter with Lands or Hereditaments, it shall appear to such Commissioners that it would be beneficial to such Archbishoprick or Bishoprick or to such Chapter that any Part or Parts of such Lands or Hereditaments should be exchanged for Authorizing Exchanges between Ecclesiastical Corporations and the

Ecclesiastical Commissioners.

for any Lands or Hereditaments belonging to any other Archbishop or Bishop, or Chapter, or to the Commissioners, it shall be lawful to effect such Exchange with the Consent in Writing of every Archbishop or Bishop, or Chapter, thereby affected, and by the Authority of a Scheme passed by the said Commissioners, and an Order of Her Majesty ratifying the same: Provided always, that no such Exchange shall be made unless the Commissioners shall be satisfied of the reasonable Equality in Value of the Lands and Hereditaments so to be exchanged, and shall in such last-mentioned Scheme make a Statement to that Effect.

Certain Payments and Conveyances and Assignments to be made by Instruments of Commissioners instead of Orders in Council.

5. The Payments and Investments and also the Conveyances and Assignments of Lands, Tithes, and Hereditaments, which by the Sixty-seventh Section of the Act of the Session of the Third and Fourth Years of the Reign of Her present Majesty, Chapter One hundred and thirteen, and the Twelfth Section of the Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and twenty-four, it is contemplated should be made in aid of the Provision for the Cure of Souls in the Parishes and Places therein referred to, shall be made and appropriated under the sole Authority of Grants or Instruments under the Common Seal of the Commissioners, instead of under the Authority of Orders of Her Majesty in Council ratifying Schemes passed by the Commissioners; and every such Grant or Instrument shall be deposited in the Registry of the Diocese in which any Benefice to which the same relates is situate, but shall not be subject to Stamp Duty; and the Contents thereof shall be published in the *London Gazette*, and such Grant or Instrument shall not be effectual in Law until after such Publication.

Copies of Instruments to be appended to Annual Report.

6. The Commissioners shall append to every Report made by them to One of Her Majesty's Principal Secretaries of State, pursuant to Act of Parliament, Copies of all such Instruments as last aforesaid as shall have been passed by them during the Year to which such Report relates.

Lambeth Library to be maintained by Ecclesiastical Commissioners.

7. 'Whereas there is in the Palace at *Lambeth* a Library, to which the Public have 'for a long Period had Access at certain Times and under certain Restrictions, the Cost of 'the Custody and Maintenance of which has been heretofore defrayed out of the gross 'Revenues arising from the Estates of the See of *Canterbury:* And whereas such Estates 'have now become transferred to the Ecclesiastical Commissioners for *England:*' Be it enacted, That the Cost of the Maintenance of such Library, and of the Custody of the Books therein, may, if the said Commissioners think fit, by the like Authority, of a Scheme passed by the Commissioners and an Order of Her Majesty in Council ratifying the same, be defrayed out of the Rents and Profits of such Estates.

The Lollards Tower and Cardinal Morton's Tower.

8. 'Whereas certain Portions of *Lambeth Palace*, namely, the *Lollards Tower* and '*Cardinal Morton's Tower*, are not necessary or useful for the Enjoyment by the Archbishops of *Canterbury* of the Palace as a Place of Residence, whilst it is expedient that 'they should be preserved as Monuments of historical and antiquarian Interest:' Be it enacted, That the Costs of the Preservation as aforesaid of such Portions of *Lambeth Palace* shall, by the Authority herein-after mentioned, be defrayed out of the Rents and Profits of the Estates of the See of *Canterbury* in the Hands of the Commissioners, and the Archbishop of *Canterbury* for the Time being, his Executors, Administrators, Estate and Effects, shall be discharged from all Liability for or in respect of Dilapidations on the aforesaid Portions of the *Lambeth Palace*.

Commissioners may accept Conveyances of Lands, &c. for Annexation to Benefices, and appropriate Monies for the Purchase.

9. It shall be lawful for the Commissioners to take a Conveyance of, and hold without Licence in Mortmain, any Lands or Hereditaments which they may consider suitable and convenient for Annexation to any Benefice with Cure of Souls, and it shall also be lawful for the Commissioners, in any Case in which they hold any Cash or Stock for or on account of a Benefice, to appropriate such Cash or Stock to the Purchase of any Land to be so conveyed, and if and when the Commissioners may have inserted in any Conveyance so taken by them under the Authority of this Section a Declaration to the Effect that such Lands or Hereditaments are intended by the Commissioners to form Part of the Endowment of the same Benefice, and have affixed to such Conveyance the Corporate Seal

Seal of the Board, in such Case that Conveyance shall without any further Formality be effectual in Law for vesting in the Incumbent of such Benefice for the Time being the Estate and Interest acquired by such Conveyance, and every such Deed of Conveyance shall be deposited in the Registry of the Diocese in which the Benefice affected thereby shall be situate.

Orders to be registered and published in the Gazette.

10. Every Order of Her Majesty in Council ratifying any Scheme passed by the Commissioners under this Act shall be registered in such Diocesan Registry or Registries as may be for that Purpose specified in such Order, and shall be published in the *London Gazette*, and shall be effectual in Law from and after the Date of such Publication.

Power to Commissioners to apply Capital Monies to certain Purposes.

11. 'Whereas by the Sixth Section of the Act of the Session of the Sixth and Seventh 'Years of the Reign of Her Majesty, Chapter Thirty-seven, it is provided that every Sum 'of Money received by the Commissioners in consideration of a Sale, Transfer, or Con- 'veyance made under the Authority of that Act, and every Sum of Money received by 'them as the Fine or Foregift for the granting or renewing of any Lease, shall be applied 'either in replacing the borrowed Stock referred to in such last-mentioned Section or in 'the Purchase of Lands or Hereditaments, or of some Estate and Interest therein: 'And whereas with a view to provide Capital Monies applicable in certain Cases to the 'Provision of Parsonage Houses and to the Purchase of Lands or Hereditaments in order 'to the Annexation thereof to Benefices with Cure of Souls, and with a view also to 'facilitate the Payment of such annual and other Sums as may be by Law due and 'payable by the Commissioners to certain Archbishops and Bishops and Deans and 'Chapters whose Estates may have become transferred to the Commissioners under the 'Authority of this Act or of other Acts relating to the Commissioners, it is expedient to 'amend the said Section:' Be it enacted, That it shall be lawful for the Commissioners to carry over by such Instalments as herein-after mentioned to the Account of their Common Fund, and to apply and appropriate, as Part thereof, a total Sum not exceeding One Million Sterling, the Produce of Sales effected or to be effected under the Authority of the said last-mentioned Section.

Such Sum of One Million shall be so carried over to the said Common Fund by annual Instalments not exceeding One hundred thousand Pounds in any One Year, commencing with the Year One thousand eight hundred and sixty-six.

Provided also, that it shall not be lawful for the Commissioners to appropriate or pay out of Monies applicable to the Purposes of their Common Fund for, in, or towards the Provision of any Parsonage House (irrespective of the Cost of the Site) any larger Sum than One thousand five hundred Pounds.

Provision as to Dilapidations on Episcopal Estates.

12. No Archbishop or Bishop succeeding to a See shall have any Claim against his Predecessor therein, or against the Representatives of such Predecessor, in respect of Dilapidations on the Estate forming the Endowment of such See, but all the Claims, Rights, Remedies, and Powers of Recovery which the Archbishop or Bishop so succeeding as aforesaid would legally have had as against his Predecessor or the Representatives of such Predecessor in respect of Dilapidations if this Act had not passed shall belong to and be possessed by the said Commissioners, and may be enforced and exercised on their Behalf by the Estates Committee, who shall pay due Regard to any just and reasonable Claims for special Consideration which any Archbishop or Bishop so vacating his See, or his Representative, may appear to them to possess, on the Ground of the actual State of Repair of the Buildings on the Estate at the Time of its Transfer to him from the Commissioners: Provided always, that this Section shall not extend to the Case of any Dilapidations occurring in or about the House or Houses of Residence belonging to any See or in or about the Appurtenances of any such House or Houses.

Further Provision as to Dilapidations on Episcopal Estates.

13. The Estates Committee shall make or cause to be made such Inspection of the whole or any Part of the Property forming the Endowment of any See as is contemplated by the Ninth Section of the Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, Chapter One hundred and twenty-four, whenever they may be reasonably required so to do by the Archbishop or Bishop of such See by Writing under his

his Hand, as well as at any other Times at which such Inspection may appear to them to be necessary or desirable.

Arrangements how to be made.

14. All Arrangements to be made in pursuance of this Act shall, where no other Mode of carrying the same into effect is specified, be made by the Authority and in the Manner by and in which Arrangements for carrying into effect the Recommendations recited in the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter Seventy-seven, may be made.

The Lands of the Archdeaconry of Colchester to vest in the Commissioners on the next Avoidance or sooner with the Consent of the present Archdeacon.

15. 'Whereas the Endowment of the Archdeaconry of *Colchester* in the Diocese of '*Rochester* consists of the Impropriate Rectory of *Ardleigh* in the County of *Essex* in the 'same Diocese, and of a valuable Block of Houses in the City of *London* which have been 'demised on Leases at small accustomed Rents, and on Payment of Fines (the said 'Rectory for a Period of Three Lives, some of the said Houses for Terms of Twenty-one 'Years, and the Residue thereof for Terms of Forty Years): And whereas under the 'Authority of the Acts relating to the Ecclesiastical Commissioners, and in particular of 'an Act of the Session of the Third and Fourth Years of Her Majesty, Chapter One 'hundred and thirteen, and of an Act of the Session of the Fourth and Fifth Years of 'Her Majesty, Chapter Thirty-nine, an Arrangement might be made with the Consent of 'the Holder of the said Archdeaconry for vesting the said Property in the Ecclesiastical 'Commissioners, and substituting in lieu thereof a Money Payment to the said Archdeacon 'and his Successors; but inasmuch as such equivalent Money Payment would be large, it 'is expedient that, subject to the Interests of the present Holder of the said Archdeaconry, 'Provision should be made thereout for the Endowment of the Archdeaconry of *Essex* of 'the Living of *St. John's, Colchester*, in the Patronage of the said Archdeacon of *Colchester*, 'and of certain other Livings in the said Diocese in the Patronage of the Bishop thereof: 'And whereas the present Archdeacon has not received any Fines, but the usual Time for 'renewing a Lease will shortly arrive:' Be it enacted, That upon the First Avoidance of the Archdeaconry of *Colchester* after the passing of this Act, all the Lands, Tithes, and Hereditaments belonging thereto (except any Right of Ecclesiastical Patronage), shall, subject to any legally subsisting Lease or Leases thereof, or of any Part or Parts thereof, vest in the Commissioners for the Purposes and subject to the Provisions applicable to other Hereditaments vested in the said Commissioners.

Provided, that it shall be lawful for the Archdeacon in possession of the said Archdeaconry at the Time of the passing of this Act, if he shall think fit, with the Consent of the Bishop of the Diocese, to signify his Willingness to the said Transfer taking place forthwith, in which Case a Memorandum of such Willingness, under the Hand of the said Archdeacon and the Episcopal Seal of the said Bishop and the Common Seal of the Commissioners, shall be registered in the Registry of the Diocese and published in the *London Gazette*, and from and after the Date of such Publication the said Lands, Tithes, and Hereditaments shall (subject always to such Lease or Leases as aforesaid), without any further Conveyance, vest in the Commissioners for the Purposes and subject to the Provisions applicable to other Hereditaments vested in the Commissioners.

The Commissioners to provide 600*l.* a Year for the Archdeacon of Colchester, 300*l.* a Year for the Archdeacon of Essex, and various Sums for certain Livings in the Diocese of Rochester.

16. As soon as the said Lands, Tithes, and Hereditaments shall have become vested in the Commissioners, the Commissioners shall thenceforth pay out of their Common Fund the annual Sum of Six hundred Pounds to the Archdeacon of *Colchester* and his Successors; the annual Sum of Three hundred Pounds to the Archdeacon of *Essex* and his Successors (in addition to the annual Sum of One hundred and forty Pounds already payable by the said Commissioners in respect of the last-named Archdeaconry); the annual Sum of Two hundred Pounds to the Incumbent of *Saint John, Colchester*, and his Successors; the annual Sum of One hundred Pounds to the Incumbent of *Billericay* and his Successors; the annual Sum of Sixty Pounds to the Incumbent of *Boxted* and his Successors; the annual Sum of Eighty Pounds to the Incumbent of *Canvey Island* and his Successors; the annual Sum of One hundred Pounds to the Incumbent of *St. John's, Finchingfield*, and his Successors; the annual Sum of Sixty Pounds to the Incumbent of *Feering* and his Successors; the annual Sum of Sixty Pounds to the Incumbent of *Great Wakering* and his Successors; the annual Sum of One hundred Pounds to the Incumbent of *High Beech* and his Successors; the annual

annual Sum of Thirty Pounds to the Incumbent of *Little Tey* and his Successors; the annual Sum of Fifty Pounds to the Incumbent of *Longfield* and his Successors; the annual Sum of Sixty Pounds to the Incumbent of *Matching* and his Successors; the annual Sum of One hundred Pounds to the Incumbent of *Newport* and his Successors; the annual Sum of Fifty Pounds to the Incumbent of *Rickling* and his Successors; the annual Sum of Eighty Pounds to the Incumbent of *Stanway All Saints* and his Successors; the annual Sum of Eighty Pounds to the Incumbent of *Tiptree Heath* and his Successors; the annual Sum of Sixty Pounds to the Incumbent of *West Hyde* and his Successors; and the annual Sum of Thirty Pounds to the Incumbent of *Wouldham* and his Successors; which said annual Sums shall be payable half-yearly by Moieties on the First Day of *May* and the First Day of *November* in every Year, and shall be apportionable between each Archdeacon or Incumbent or his Representatives and his Successor: Provided, that if the present Archdeacon shall signify his Willingness as aforesaid before the First Day of *November* One thousand eight hundred and sixty-six, he shall be deemed to be entitled to such half-yearly Payments as from the First Day of *November* One thousand eight hundred and sixty-five; and so soon as the Rectorial Tithes of the Parish of *Ardleigh* in the County of *Essex* shall have come into the Possession and Receipt of the Commissioners by Determination of the subsisting Lease or Leases of such Tithes, the Commissioners shall in like Manner pay to the Vicar of *Ardleigh* such a yearly Sum as will raise his net Income to Five hundred Pounds, or shall effect such Augmentation by the Appropriation of a sufficient Portion of the actual Tithes: Provided always, that if such last-mentioned Tithes shall be brought into the Possession of the Commissioners by the Purchase of any Lease, the Commissioners shall not be bound to make such Grant as aforesaid to the Vicarage of *Ardleigh* until the Arrival of the Date at which it was on such Purchase estimated that such Lease would have expired.

Improved Provision for the Cure of Souls in Westminster

17. 'Whereas the Operation of the Provisions of the said recited Acts which relate to the 'Division and Appropriation of the Revenues accruing to the Canonries in the Collegiate 'Church of *Saint Peter, Westminster*, to which the Rectories of *Saint Margaret* and *Saint* 'John, *Westminster*, are respectively annexed, has been found to be inconvenient, and it is 'expedient that better Provision should be made for the Cure of Souls in the said Two 'Parishes, and in the several Ecclesiastical Districts into which the same have been 'divided:' Be it enacted, That so much of the Thirty-first Section of the Act of the Third and Fourth Years of Her Majesty, Chapter One hundred and thirteen, as has not been already repealed be and the same is hereby repealed, and that in lieu thereof, as from the Twenty-ninth of *September* next, the whole of the Proceeds of the Canonry to which the Rectory of *Saint Margaret's* is annexed, over and above the Sum of One thousand Pounds *per Annum*, and during the Incumbency of the present Rector of *Saint John* One Third of the Proceeds of the Canonry to which the Rectory of *Saint John* is annexed, shall become payable to the Ecclesiastical Commissioners for *England*, for the Purposes of their Common Fund, and that from the same Date the Commissioners shall pay out of the said Common Fund to the Incumbent of *All Saints, Knightsbridge*, the annual Sum of One hundred and twenty Pounds, and to the Incumbents of each of the under-mentioned Churches, situate in the said Parishes of *Saint Margaret* and *Saint John*, within the City of *Westminster*, namely, *Saint Margaret, Christ Church, Saint Andrew, Saint Matthew, Saint Stephen, Saint Mary, Saint James-the-Less*, and *Holy Trinity*, such annual Sum as, together with any permanent Endowment, not including Pew Rents and Fees, now belonging to each of such Churches, will raise such Endowment to Five hundred Pounds *per Annum*; and that upon the next Avoidance of the Canonry to which the Rectory of *Saint John* is annexed the whole of the Proceeds of such Canonry, over and above the Sum of One thousand Pounds *per Annum*, shall become in like Manner payable to the Ecclesiastical Commissioners, who shall thereupon pay out of their said Common Fund to the Incumbent of the Church of *Saint John* such annual Sum as, together with any permanent Endowment, not including Pew Rents and Fees, belonging to such Church, will raise such Endowment to Five hundred Pounds *per Annum*: Provided always, that from and after the Twenty-ninth of *September* next all the Seats in the said Churches of *Christ Church, Saint Andrew, Saint Matthew, Saint Stephen, Saint Mary, Saint James-the-Less*, and *Holy Trinity*, not held

held by Faculty or Prescription, nor appropriated under the Authority of any Act of Parliament, or of the Deeds of Consecration of the said Churches, shall be for ever free.

Commissioners may assign certain Stipends to be payable out of Estates of Cathedral Churches, &c.

18. When the Ecclesiastical Commissioners are or may be in receipt of any Income arising from Estates that belong or have belonged to any Dean or Chapter or any major or minor Corporation of any Cathedral or Collegiate Church, the said Commissioners shall be at liberty (whether an Order of Her Majesty in Council has or has not been passed in relation to such Income, and notwithstanding any Limitation contained in any Act of Parliament as to the Stipends and Allowances of any of the Persons herein-after mentioned,) out of such Income to make such Provision as to them may seem needful for securing adequate Stipends and Allowances to the Minor Canons, Schoolmasters, Organists, Vicars Choral, Lay Clerks, Officers, Choristers, Bedesmen, Servants, and other Members of the Cathedral or Collegiate Church, and for securing adequate Sums of Money for the Maintenance of any existing College or School in connexion with the Cathedral or Collegiate Church.

Charge of certain Expenses on Funds of Commissioners.

19. 'Whereas certain Charges and Expenses payable in respect of the Performance by 'the Commissioners of certain Duties under the Church Building Acts are directed by the 'Second Section of the Act of the Session of the Nineteenth and Twentieth Years of the 'Reign of Her present Majesty, Chapter Fifty-five, to be paid out of such Monies as may 'be provided by Parliament for that Purpose; and it is expedient to amend the said Act:' Be it enacted, That all such Charges and Expenses as are mentioned in the said Section shall, from and after the Thirty-first Day of *March* next, be defrayed out of any Monies from Time to Time in the Hands of the Commissioners.

Certain Expenses to be paid out of Funds in the Hands of the Commissioners.

20. All Expenses incurred by the Commissioners in or about the Publication in the Gazette of any Orders of Her Majesty in Council, Deeds or other Instruments, or in or about the Publication by the Commissioners of any Advertisement whatever, shall be defrayed out of the Monies from Time to Time in the Hands of the Commissioners.

Repealing in part Sect. 12. of 4 & 5 Vict. c. 39. as to Rectory of Southwell.

21. So much of the Twelfth Section of the Act of the Fourth and Fifth Years of Her Majesty, Chapter Thirty-nine, as enacts that on the next Avoidance of the Rectory of *Southwell* the Archdeacon of *Nottingham* for the Time being shall become *ipso facto* Rector of the said Rectory, and the said Rectory shall thenceforth be permanently annexed to the Archdeaconry of *Nottingham*, shall be and the same is hereby repealed.

Amendment of Sect 8. of 28 & 29 Vict. c. 42.

22. 'Whereas by the Eighth Section of the Act of the Session of the Twenty-eighth and 'Twenty-ninth Years of Her present Majesty it is provided, that any Agreement made in 'pursuance of that Act shall be carried into effect by the Ecclesiastical Commissioners for '*England*, and any Order made by Her Majesty in Council ratifying such Agreement, and 'transferring on the one Side the Tithes proposed to be transferred to the Incumbent of 'the District Church, and on the other securing to the Rector or Vicar the Compensation 'agreed upon, shall be valid to vest in the said Incumbent and his Successors such Tithes, 'and to secure to the said Rector or Vicar such Compensation: And whereas it will be a 'great Saving of Expense if a Deed under the Corporate Seal of the said Commissioners be 'substituted for the said Order in Council:' Be it enacted, That in the said Section the Words "any Instrument under the Corporate Seal of the said Commissioners, made in "pursuance of such Agreement" shall be substituted for the Words "any Order made by "Her Majesty in Council ratifying such Agreement."

Not to affect Christ Church, Oxford, or Manchester.

23. Nothing in this Act contained shall affect or apply to the Cathedral Church of *Christ* in *Oxford*, nor to the Cathedral or Collegiate Church of *Manchester*.