(*b.*) No representative on the district board for such parish shall take any part in any proceedings under this section.

(*c.*) Such parish shall not be called upon to contribute towards any expenses incurred, and no part of the funds of such parish shall be expended in or towards calling or holding the meeting of the ratepayers of the district, or carrying the Act into execution in the district.

(*d.*) And, in every respect, such parish shall, for the purposes of this section, be treated as if it were outside the district.

(*e.*) Any question of accounts arising between such parish and the other parishes in the district, or between such parish and the district, in consequence of this section, shall be decided *finally* by the Local Government Board.

Power of parish preserved.

11. This Act shall not deprive any parish in the metropolis of the power of adopting the principal Act, but after any district shall have adopted the said Act, no parish within such district shall also adopt it in manner provided by section one of the Public Libraries Amendment Act, 1877, or hold a meeting for considering its adoption, without the consent of the Local Government Board.

40 & 41 Vict. c. 54.

SCHEDULE.

PUBLIC LIBRARIES (ENGLAND) ACTS. Section 1.

Session and Chapter.	Title.
18 & 19 Vict. c. 70	The Public Libraries Act, 1855.
29 & 30 Vict. c. 114.	The Public Libraries Amendment Act, (England and Scotland) 1866.
34 & 35 Vict. c. 71.	The Public Libraries Act, 1855, Amendment Act, 1871.
40 & 41 Vict. c. 54.	The Public Libraries Amendment Act, 1877.
47 & 48 Vict. c. 37.	The Public Libraries Act, 1884.

CHAPTER 23.

An Act to amend the Incumbents Resignation Act, 1871.

[8th August 1887.]

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:

Short title.

1. This Act may be cited for all purposes as the Incumbents Resignation Act, 1871, Amendment Act, 1887, and the Incumbents Resignation Act, 1871 (hereinafter called "the principal Act"), and this Act may together be cited as the Incumbents Resignation Acts, 1871 and 1887.

34 & 35 Vict. c. 44.

Construction of Act.

2. This Act shall be construed together with the principal Act, and the provisions herein contained shall have effect as though they had been fully and expressly included in the principal Act.

Definition of "terminable mortgage."

3. The expression "terminable mortgage" in this Act means any mortgage created for securing the repayment of any loan by annual instalments, payments in the nature of a rentcharge, or otherwise, in a limited number of years.

Pensions to vary with tithe averages.

4. In the case of every pension awarded after the passing of this Act the amount of every half-yearly payment on account of such pension shall vary and shall from time to time be regulated by the averages published, under the provisions of an Act passed in the sixth and seventh years of His Majesty William the Fourth, chapter seventy-one, in the month of January next preceding the date of every such half-yearly payment, except that, if no part of the income of the benefice is derived from tithe rentcharge, or glebe lands, then the pension shall not be subject to variation.

Amendment of 34 & 35 Vict. c. 44. s. 8.

5. Section eight of the principal Act shall be read as if the following words were added at the end of the section: "or be "an amount which shall not leave a sufficient income to secure "the due performance of the services of the church, according to "the scale of stipends set forth in the eighty-fifth section of the "Act of the first and second Victoria, chapter one hundred and "six"; and section eleven shall be read as if worded as follows: "The annual value of a benefice for the purposes of this Act shall "be the net annual value, exclusive of the parsonage, vicarage, or "other place of residence of the incumbent, after deducting all "rates, taxes, and charges assessed upon and payable out of the "benefice, which charges shall include the salary of any curate who "is compulsorily employed, and any annual payments in respect "of any terminable mortgage having at the time of the sitting of "the said Commission more than two years to run."

Set off of pension against sum due for dilapidations. 34 & 35 Vict. c. 43.

6. If a retired clerk shall on retirement have become liable to the payment to his successor of any sum on account of dilapidations under the Ecclesiastical Dilapidations Act, 1871, and shall not have paid such sum in manner in the said Act mentioned, it shall be lawful for the incumbent of the benefice for the time being to withhold the amounts due from time to time in respect of any pension granted under the principal Act and to apply the same in discharge of the sum due for dilapidations as aforesaid until the whole debt shall have been discharged.

Provided that the amount so withheld in any one year shall not exceed one half the total amount of the pension for such year without the consent of the bishop of the diocese in which such benefice shall be situate.