ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

****

Cap. lxi.

An Act for authorizing the Conveyance of a Piece of Land upon which a Church at *Kingstown* in the County and Diocese of *Dublin* and Parish of *Monkstown* has been erected, and for providing for the due Celebration of Divine Service in the said Church, and for assigning a District thereto.

[18th *June* 1842.]

WHEREAS a Piece or Parcel of Ground in the immediate Vicinity of *Kingstown* in the County and Diocese of *Dublin* and Parish of *Monkstown*, situate on the North Side of the Road or Street called "*Victoria Avenue*," containing in Front to *Victoria Avenue* aforesaid Ninety-nine Feet in Breadth, in the Rear One hundred and twenty-six Feet, in Depth from Front to Rear on the East Side Two hundred and fifteen Feet, on the West Side Two hundred and ten Feet, or thereabouts, has been set apart and allotted by the Reverend *Frederick Fitzwilliam Trench* of *Clough-jordan* in the County of *Tipperary*, Clerk, *Thomas Parnell* of the City of *Dublin* Esquire, and the Reverend *George Hazlewood* of

Montpelier Parade in the County of *Dublin*, Clerk, Tenants in possession of the said Ground, as a Site whereon to build a Chapel of Ease in the said Parish of *Monkstown* to be called the "*Kingstown* Episcopal Mariners Church," and intended as a Place of Worship according to the Rites and Ceremonies of the Church of the United Kingdom of *England* and *Ireland* as by Law established, for the Resort of Seamen frequenting or residing at the Harbour of *Kingstown* aforesaid, and also to accommodate the increasing Population of the said Parish of *Monkstown*, who are very much in Need of an additional Church: And whereas Funds and Subscriptions have been raised in furtherance of the said Undertaking, and a commodious Chapel hath been built on the said Site or Piece of Ground, and is now far advanced in progress to Completion, and a Dwelling House hath been also erected contiguous to said Chapel on the said Piece or Parcel of Ground for the Residence of the Chaplain thereof, and the Site of the said Chapel and Dwelling House has been approved of by the Lord Archbishop of *Dublin*, who is the Ordinary of the Diocese, the Dean of *Christ Church*, who is the Patron of the Benefice, and the Venerable Archdeacon *Lindsay*, Incumbent of the Parish of *Monkstown* aforesaid: And whereas the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood* have a limited Interest only in the said Premises: And whereas *Edward Michael* Earl of *Longford* is or claims to be seised in Fee of One undivided Moiety or Half Part of the said Premises, and the Right Honourable *John* Lord Viscount *De Vesci* is or claims to be seised of an Estate for his own Life, with Remainder in Fee to his eldest Son the Honourable *Thomas Vesey*, of and in the other undivided Moiety or Half Part thereof: And whereas *Francis Boake Carter* is or claims to be entitled to a Lease of the Entirety of the said Premises: And whereas an Underlease of the said Premises has been granted to *Thomas Tilly*, and the said *Thomas Tilly* has granted a Lease of the same to the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood*: And whereas the said Right Honourable *Edward Michael* Earl of *Longford*, and the Right Honourable *John* Viscount *De Vesci*, and the Honourable *Thomas Vesey*, and their Trustees, and the said *Francis Boake Carter*, according to their several Estates, are willing and desirous to convey and confirm to the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood* the Fee Simple and Inheritance of and in the said Piece or Parcel of Ground as a Site for the said Chapel of Ease, and the Dwelling House built thereon for the Residence of the Chaplain, provided they are empowered so to do without Prejudice to any Right of Re-entry or of Action on any Covenant or Remedy for Recovery of Rent upon or in respect of any other Premises which may have been comprised in any other Leases, Grants, or Conveyances with the said Piece of Ground on which said Chapel is erected: And whereas the Laws now in being to enable Proprietors to convey Sites for the Erection of Churches and Chapels do not extend to the Case of the said Chapel of Ease: And whereas the said Piece or Parcel of Ground on which the said Chapel has been so erected does not exceed One *English* Statute Acre in Measure: And whereas by certain Articles of Agreement and Declaration of Trust bearing Date on or about the Eighth Day of *July* One

One thousand eight hundred and forty the said *Frederick Fitzwilliam Trench*, said *Thomas Parnell*, and the Reverend *George Hazlewood*, the Very Reverend *Richard Dawson* Dean of the Cathedral Church of *Saint Patrick*, *Dublin*, since deceased, the Reverend *Joseph Henderson Singer* Fellow of *Trinity College*, *Dublin*, the Reverend *Denis Browne* of *Santry Glebe* in the County of *Dublin*, Clerk, *Robert Dudley Oliver* Esquire, Vice Admiral in Her Majesty's Navy, *William Hutcheson* Esquire, Lieutenant in Her Majesty's Navy and Harbour Master of the Port of *Kingstown* near *Dublin*, *Francis Carleton* of *New Brighton* near *Liverpool*, the said *Thomas Tilly*, and *William Digges Latouche* of *Fitzwilliam Square* in the City of *Dublin*, Esquire, were associated together as Trustees for building said Chapel of Ease or Mariners Church, and applying and managing the Funds subscribed thereto and to the Endowment of the Chaplain thereof: Be it therefore 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 it shall be lawful for the said *Edward Michael* Earl of *Longford*, and *John* Viscount *De Vesci*, and the said *Thomas Vesey*, and for the said *Francis Boake Carter*, and all and every other Person or Persons who are or may be seised in Fee Simple, Fee Tail, or for Life, with immediate Remainder over to their, his, or her Issue, or who are or may be seised and possessed of any Estate for Life or Lives, or for Years, of and in said Piece or Parcel of Ground whereupon said Chapel of Ease and Dwelling House have been built as aforesaid, by his, her, or their Deed or Deeds respectively, to grant, convey, assure, and confirm, if they shall think fit so to do, unto the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood*, and their Heirs and Assigns, the said Piece or Parcel of Ground (not exceeding One Acre *English* Statute Measure), together with all Buildings thereon erected, as and for a Site for the said Chapel of Ease to be called the "*Kingstown* Episcopal Mariners Church," and that such Grant shall be good and effectual against said *Edward Michael* Earl of *Longford*, and *John* Viscount *De Vesci*, and *Thomas Vesey*, and their Trustees, and the said *Francis Boake Carter*, their Heirs, Executors, Administrators, and Assigns, and against every Person claiming or to claim any Estate, Right, Title, or Interest in said Piece or Parcel of Land by, through, under, or in Trust for them or any of them, their or any or either of their Ancestors or Testators, and that the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood*, and their Heirs and Assigns, shall be and they are hereby made capable of receiving and enjoying the Benefit of the said Grant for the Purposes aforesaid, and under the Limitations herein-after mentioned: Provided always, that such Grant and Conveyance or Grants and Conveyances of the said Piece or Parcel of Ground shall not in any Manner operate or take effect so as to defeat, prejudice, or weaken any Estate, Right, Title, Interest (whether at Law or in Equity), Condition, Covenant, Rent, Reversion, Right, or Title of Re-entry or Right of Action or Ejectment for Nonpayment of Rent or otherwise, now vested in or belonging to them the said *Edward Michael* Earl of *Longford* and *John* Viscount *De Vesci*, *Thomas Vesey*, and *Francis Boake Carter*, or such other Person or Persons as aforesaid,

Authorizing the Conveyance of the Land on which the Mariners Church has been built by Owners in Fee and their Trustees and Under Tenants, without Prejudice to their Rights in respect of other Lands.

or

or any or either of them, their or any or either of their Heirs, Executors, Administrators, or Assigns, in respect of any other Lands, Tenements, Premises, or Hereditaments comprised in any Grant, Lease, or Conveyance whereby the said Piece or Parcel of Ground has at any Time been granted or conveyed; but all and every such Estates, Rights, Titles, Interests, Covenants, Conditions, Rents, Rights, or Titles of Re-entry, Reversions, and Rights of Action or Ejectment for Nonpayment of Rent or otherwise, shall be and remain valid and effectual in all respects as regards all other such Lands, Tenements, Premises, and Hereditaments; and the Rent reserved and made payable in or by any such Grant, Lease, or Conveyance as last aforesaid shall remain, continue, and be whole and unapportioned, notwithstanding the said Piece or Parcel of Ground on which the said Chapel and Dwelling House are erected shall have been conveyed in manner hereby authorized; and no Objection shall be allowed to prevail that such Estates, Rights, and Interests in such other Lands, Tenements, Premises, and Hereditaments were or was entire and could not by Law have been apportioned.

The Founders of the Church may choose Trustees out of their own Body, not exceeding Seven in Number, to be settled by Deed.

II. And be it enacted, That it shall be lawful for the several Persons so associated, and Parties to the herein-before in part recited Agreement of the Eighth of *July* One thousand eight hundred and forty, or the Survivors of them, at any Time after the passing of this Act, to choose and appoint a certain Number of their own Body, or others, being Members of the United Church of *England* and *Ireland*, who shall not be fewer than Five or more than Seven in Number, to be the Trustees of the said Chapel of Ease or Mariners Church, and that the choosing and Appointment of such Trustees shall in all respects be conducted and carried into effect according to the Form, Manner, and Order which shall be settled and provided in and by a Deed or Articles of Agreement under Seal to be at any Time within Twelve Calendar Months after the passing of this Act made and perfected by and between the said Parties to the said herein-before in part recited Agreement of the Eighth of *July* One thousand eight hundred and forty, or their Nominees, or the Survivors of them, provided that any such Deed shall have been previously approved of by His Grace *Richard* Archbishop of *Dublin*, or his Successor, by some Writing under his or their Hand, and that all Vacancies which shall from Time to Time occur in the Number of said Trustees shall be filled up in such Manner and Order as in such Deed shall be settled; provided that if it should happen that all the Trustees of the said Chapel of Ease for the Time being should die without having appointed any other Trustee or Trustees as their Successors, then and in such Case it shall be lawful for the Chaplain of said Chapel for the Time being, with the Consent of the Lord Archbishop of *Dublin* and the Incumbent of said Parish of *Monkstown*, to appoint the requisite Number of Trustees under the Provisions of this Act.

Providing for Failure of Appointment of Trustees.

When the Ground is conveyed by the Owners in Fee the

III. And be it enacted, That such Trustees so to be chosen, appointed, and renewed or continued as aforesaid shall be and become from the Time of such Appointment the sole and lawful Trustees of the said Chapel of Ease in the Room of the said deceased Trustees;

and that so soon as the said Site of said Chapel, being the Piece or Parcel of Ground herein-before particularly mentioned and described, shall have been so conveyed and assured as aforesaid, and not before, by the said Proprietors of the Fee and others entitled to Reversions therein, to them the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood*, their Heirs and Assigns, as aforesaid, it shall and may be lawful for them the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood*, or any One of them, to assign and make over to the said Persons so to be chosen and nominated as Trustees, and their Successors, Trustees to be ever thereafter chosen as aforesaid, the said Site or Piece or Parcel of Ground, together with the said Chapel and Dwelling House and all other the Appurtenances, to hold to them and their Successors for ever as Trustees of the said Chapel of Ease or *Kingstown* Episcopal Mariners Church, and in Trust to and for the Use and Behoof of the duly licensed Chaplain of the said Church or Chapel of Ease for the Time being.

Lessees may assign said Plot of Ground, and the Chapel and House thereon, to Trustees.

IV. And be it enacted, That nothing herein contained shall be construed to disable the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood* from being chosen and appointed amongst the Number of said new Trustees as aforesaid, or becoming or acting as such; provided that in case it shall so happen that they the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood*, or any One or more of them, shall happen to be of the Number of the Trustees so to be chosen or appointed, then and in that Case the Assignment of them the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood* shall take effect in conveying the said Premises to such new Trustees, in the same Manner and as fully to all Intents and Purposes as if they the said *Frederick Fitzwilliam Trench*, *Thomas Parnell*, and *George Hazlewood* had not, nor any One or more of them had, been amongst the Number of such new Trustees.

Present Trustees may be appointed.

V. And be it enacted, That so soon as *Richard* Lord Archbishop of *Dublin*, or his Successors, Archbishops of *Dublin*, shall think fit to consecrate said Chapel of Ease so built as aforesaid, said Chapel shall be thenceforth dependent on the Mother Church of said Parish of *Monkstown* as a parochial Chapel of Ease annexed to said Church, with Liberty to the Incumbent thereof, and his Successors, Incumbents as aforesaid, to officiate in the Performance of all Divine Offices therein, whenever he the said Incumbent or his Successors shall consider it fit and proper for him or them so to do; and it shall be lawful, in addition to the Use of the Liturgy and the Celebration of Divine Service Morning and Evening, as the Case may be, according to the Rites of the United Church of *England* and *Ireland* as by Law established, to administer the Sacraments of Baptism and the Lord's Supper, and to preach the Word of God therein: Provided always, that nothing herein contained shall be construed to extend so as to endow the said Church with any Right, Privilege, or Liberty of any parochial Church, or to authorize the Performance therein of the Service of Matrimony, Churching of Women, or Burial of the Dead, or any or either of them, but that such Services shall continue as before

Mariners Church to be a Chapel of Ease to Church of Monkstown, when consecrated by Archbishop of Dublin.

Matrimony, &c. not to be performed therein except by Licence of Archbishop

before to be solemnized in the Parish Church only, save and except when and so often as a Special Licence for the foregoing Services, or any of them, shall be granted by the Archbishop of *Dublin* or his Successors, with the Consent of the Perpetual Curate of *Monkstown* and his Successors first had and obtained.

Archbishop may assign a District to such Mariners Church.

VI. And be it enacted, That *Richard* Lord Archbishop of *Dublin*, and his Successors, Archbishops of *Dublin*, with the Consent of the Incumbent for the Time being of the Parish of *Monkstown*, shall assign a District of said Parish within said Parish of *Monkstown* to said Chapel of Ease or Mariners Church, which District shall be under the immediate Care of the Chaplain of said Mariners Church, and his Successors from Time to Time, Chaplains of said Mariners Church, who shall have been duly licensed to serve said Church, so far as regards the Visitation of the Sick and other pastoral Duties therein; and the said Archbishop shall cause a Description of the Boundaries of such District so to be assigned to said Chapel of Ease when so assigned to be registered in the Registry of the Archdiocese.

Chaplain to be appointed.

VII. And be it enacted, That from and after said Trust Deed shall be executed as aforesaid, and approved of by the Archbishop of *Dublin* or his Successor, there shall be a Minister or Chaplain of the said Church, with constant and perpetual successive Chaplains, to be appointed, constituted, and endowed in manner herein-after mentioned, for the due Celebration of Divine Service and preaching the Word of God in said Chapel of Ease or Mariners Church.

Endowment of the Chapel.

VIII. And whereas the Reverend *Frederick Fitzwilliam Trench* has already actually advanced the Sum of Nine hundred and twenty-three Pounds One Shilling and Sixpence as an Endowment for said Chaplaincy, which Sum of Money has been fully laid out and expended on the Erection of a Dwelling House on the said Piece or Parcel of Ground herein-before particularly mentioned and described, in which House the Reverend *Richard Sinclair Brooke* Clerk has been for some Time last past resident, and which House exceeds in Value the Sum of Fifty Pounds yearly, clear of all Taxes or other Charges whatsoever; be it therefore enacted, That the Trustees of said Chapel of Ease or Mariners Church as aforesaid shall, from and after the passing of this Act, be capable of receiving the Conveyance hereby authorized to be made of said Parcel of Ground and the Dwelling House so erected thereon, in Trust and to and for the Use and Behoof of the duly licensed Chaplain of the said Church or Chapel for the Time being.

No Deed of Grant to be effectual unless enrolled within Six Months from Date.

IX. And be it enacted, That no Deed of Grant or Conveyance for any Erection, Appropriation of Land, or Endowment to be made in pursuance of this Act shall be good and effectual in Law, unless such Deed and Deeds be enrolled within Six Months from the Date thereof respectively in Her Majesty's Court of Chancery in *Ireland*, on Payment of a Fee for enrolling same not exceeding the Sum of Ten Shillings.

X. And

X. And be it enacted, That the said *Frederick Fitzwilliam Trench* shall from henceforth be and be esteemed by Law to be Patron of said Church during the Term of his natural Life, and from and after his Death that the Right of Presentation or Nomination or Appointment of Minister or Chaplain thereto, from Time to Time as same shall become vacant by Death, Removal, or Surrender, shall be and is hereby from thenceforth for ever after vested in the Trustees of said Church and their Successors, to be nominated and appointed in manner and form herein-before mentioned; and that it shall and may be lawful for the said *Frederick Fitzwilliam Trench* and his Successors, Patrons of said Chaplaincy, at any Time after the passing of this Act, and the due Execution and Approval of the Grant and Conveyance directed to be enrolled as aforesaid, to nominate from Time to Time to his Grace *Richard* the Lord Archbishop of *Dublin*, and his Successors, Archbishops of *Dublin*, a fit and proper Person, being a Priest in Holy Orders of the Established Church, and not having any other Ecclesiastical Preferment with Cure of Souls, to be licensed and appointed to the Chaplaincy of said Mariners Church of *Kingstown*, and that the Chaplain, when so nominated, licensed, and appointed, shall be Perpetual Chaplain of said Chaplaincy, and shall officiate as such; and that then and thereafter, and so often as said Chaplaincy shall become vacant by the Death, Resignation, Cession, Deprivation, or other Removal of any the first or any succeeding Chaplain filling the same, it shall be lawful for the said *Frederick Fitzwilliam Trench* and his Successors, the Patrons of said Chaplaincy as aforesaid, to nominate to the Archbishop of *Dublin* for the Time being a fit and proper Person, a Priest in Holy Orders, and not having any other Ecclesiastical Preferment with Cure of Souls, to be licensed and appointed Minister or Chaplain of such Church as aforesaid, who shall thereafter, and by virtue of such Nomination and Licence, forthwith be entitled to officiate as such Chaplain, and to take and receive to his own Use all the Fruits, Profits, Rents, and Emoluments whatsoever unto the said Chaplaincy belonging.

Patronage of the Chaplaincy to be in the Rev. F. F. Trench for Life, and after his Death in Trustees.

XI. And be it enacted, That the said Chapel of Ease or Mariners Church, and the Minister or Chaplain thereof for the Time being, shall be for ever subject to the Visitation and Jurisdiction of the said Archbishop of *Dublin* and his Successors, and the Laws and Canons Ecclesiastical, in like Manner as Chaplains with perpetual Succession usually are and of right ought to be.

Chapel subject to Visitation.

XII. And be it enacted, That for continuing the Succession in such the Perpetual Cure as aforesaid, and that the same may be duly and constantly served, in case, after the passing of this Act, and Execution and Approval of the Trust Deed so as aforesaid provided to be executed and approved of as aforesaid, such endowed Cure be suffered to remain void by the Space of Six Months, without any Nomination within that Time of a fit Person to serve the same, by the Person or Persons having a Right of Nomination as aforesaid thereto, to the said Archbishop of *Dublin*, within that Time to be licensed for that Purpose, the same shall lapse to the said Archbishop of

If the Cure void Six Months without Nomination, the Right to lapse as in Presentation Livings.

of *Dublin* for the Time being, and from the said Archbishop of *Dublin* to the Crown, according to the Course of Law used in Cases of Presentative Livings and Benefices; and the Right of Nomination to such endowed Cure may be granted or recovered, and the Incumbency thereof may and shall cease and be determined, in like Manner and by the like Methods as the Presentation to or Incumbency in any Vicarage Presentative may now be respectively granted, recovered, and determined; and moreover, in case the Minister of such Church or Chapel shall be absent from his Cure for above the Space of Sixty-one Days in any One Year, without the Licence of the said Archbishop of *Dublin* first obtained for that Purpose, such Church or Chapel shall from thenceforth be and be esteemed in Law actually void.

Chaplaincy to be a Perpetual Cure, and to be incorporated.

XIII. And be it enacted, That the said Church so to be called the "*Kingstown* Episcopal Mariners Church," and when so erected and appropriated by virtue of this Act, shall be and is hereby declared and established to be from the Time of such Endowment a Perpetual Cure and Benefice Presentative; and the Minister or Chaplain duly admitted, appointed, instituted, or nominated, and licensed thereunto, and his Successors respectively, shall be, and shall be esteemed in Law, a Body or Bodies Politic and Corporate, and shall have perpetual Succession by the Name of "Chaplain of the *Kingstown* Episcopal Mariners Church," and shall have a legal Capacity, and be and they are hereby enabled to take and receive in perpetuity to him, them, and his and their Successors, Chaplains as aforesaid, any Lands, Tenements, or Property whatsoever, Real or Personal, not exceeding in the whole the clear yearly Value of Five hundred Pounds, by Gift, Grant, Devise, or otherwise, in augmentation of the said Endowment, and to the Use and Behoof of them and their Successors for ever; and that the Ecclesiastical Commissioners for *Ireland* may grant to the said Chaplain and Chaplains, or any of them, or to their or any of their Successors, any Lands, Tenements, or Property whatsoever, Real or Personal, vested in them, or any Sum of Money out of the Funds vested in said Commissioners, either by way of Gift or Loan, for the enabling him to purchase any Lands, Tenements, or Hereditaments as an additional Endowment of the said Chaplaincy; and that the said Ecclesiastical Commissioners may exercise all such Powers and Authorities in favour of the said Chaplain and his Successors, Chaplains of said Mariners Church of *Kingstown*, as they are empowered to do in favour of any Perpetual Curate or Ecclesiastical Incumbent whatsoever by any Law now in being; and that all Laws and Statutes now in force in that Part of the United Kingdom called *Ireland* for and in relation to the Purchase, procuring, building, and improving on Glebes and Glebe Lands to be held, provided, and enjoyed by Perpetual Curates, shall be and are hereby enacted to extend to the said Chaplaincy of the Mariners Church of *Kingstown*, and the Lands, Houses, and Improvements to belong and to be made, erected, and procured by the Chaplains of the said Chaplaincy for the Time being: Provided always, that nothing herein contained shall extend to make the Perpetual Curate of the Parish of *Monkstown*, and his Successors,

liable to the Payment of any Stipend or Salary to the said Chaplain of said Mariners Church, but that he and they are for ever exempted and exonerated therefrom; but that nothing in this Act contained shall extend or be construed to extend to discharge, release, or exonerate the Incumbent of said Parish of *Monkstown* of or from the Cure of Souls in any Part of said Parish.

Chaplain to reside within the Parish of Monkstown, and Chaplaincy not to be held with any other.

XIV. And be it enacted, That the said Chaplain and his Successors, Chaplains of the said Mariners Church of *Kingstown*, shall reside within the Parish of *Monkstown*, and shall be bound to the Duty of Residence as any Perpetual Curate or Curates is, are, or shall be by Law bound, and to the Duty of visiting the several Ships, with their Officers and Crews, that may from Time to Time frequent and remain in the said Harbour of *Kingstown*; and that if any such Chaplain shall at any Time be nominated, appointed, licensed, or permitted to discharge the Duties of any Cure or Curacy or Chaplaincy, or shall be presented, instituted, collated, inducted, or installed to any Benefice or Ecclesiastical Preferment with Cure of Souls, then and in such Case the said Chaplaincy of the Mariners Church of *Kingstown* aforesaid shall be *ipso facto* void, and the Appointment, Licence, Permission, Institution, Collation, Induction, and Installation to or into such Preferment with Cure of Souls shall be held to be and amount to a Resignation of the said Chaplaincy of said Mariners Church of *Kingstown*, to which it shall be thereupon lawful for the said *Frederick Fitzwilliam Trench*, and his legal Successors, to nominate and appoint another fit Minister or Chaplain as aforesaid to officiate in said Church or Chapel of Ease, to be licensed by the said Archbishop of *Dublin* for that Purpose; and in failure of such Nomination or Appointment for the Space of Six Calendar Months by the Person or Persons having a Right of Nomination as aforesaid, then in either or any of such Cases the Right of Nomination thereto shall lapse to the Person or Persons herein-before mentioned and described, and under and subject to the like Rules and Regulations as are herein enacted for that Purpose; provided however, and it is hereby enacted, that nothing in this Act mentioned shall extend so as to charge the Parish of *Monkstown* with any Expence or Liability for the maintaining, repairing, or providing the said Chapel or Mariners Church with any thing needful.

As to Endowment of Chaplaincy.

XV. And whereas it is necessary to make a further Provision for the Endowment of said Chaplaincy, and for the Maintenance of the Chaplain and his Successors: And whereas certain Funds arise and are contributed for the Use of said Church, consisting of Pew Rents, Collections made therein, and voluntary Contributions; and the Trustees of said Church are desirous and willing to secure thereout to the first and other Chaplain the annual Sum of Two hundred Pounds as an additional Endowment of the said Chaplaincy, under the Deed or Articles of Agreement to be made and perfected after the passing of this Act as aforesaid; be it therefore enacted, That the said Trustees, Parties to said Deed or Articles of Agreement, at any Time within Twelve Months after the passing of this Act, shall, for themselves and their Successors, grant and convey therein to the

first or other Chaplain of said Church the aforesaid Pew Rents and Collections made and received in said Mariners Church, or so much thereof as shall be equivalent to pay and secure thereout to said Chaplain and his Successors the annual Sum of Two hundred Pounds for his and their sole Use and Benefit.

Public Act.

XVI. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1842.