

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. LXIX.

An Act further to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy, and for other Purposes.

[29th *June* 1865.]

WHEREAS under the Provisions of the several Acts passed in the Sessions held in the Seventeenth Year of the Reign of His late Majesty King *George* the Third, Chapter Fifty-three, in the Twenty-first Year of the same Reign, Chapter Sixty-six, in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, Chapter Sixty-six, and in the First and Second Years of the Reign of Her present Majesty, Chapter Twenty-three, the Incumbent of a Benefice is authorized and empowered, with the Consents in the said Acts specified, to borrow and take up at Interest a Sum of Money exceeding One Year's but not exceeding Three Years net Income of his Benefice, for the Purpose of building, repairing, or purchasing a House and other necessary Buildings, or a proper Site for such House and other necessary Buildings, to be used as the Parsonage or Glebe House and Offices for his Benefice, and as a Security for the Money so to be borrowed to mortgage the Glebe Tithes, Rentcharges, Rents, and other Profits and Emoluments of his Benefice for the Term of

17 G. 3. c. 53.
21 G. 3. c. 66.
7 G. 4. c. 66.
1 & 2 Vict. c. 23.

Thirty-five Years, the Principal so borrowed being repayable by Thirty annual Instalments, with Interest to accrue due thereon: And whereas it is expedient to extend the Provisions of the said Acts and to provide for the other Purposes herein-after expressed: 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, as follows:

Extension of Provisions of recited Acts relating to repairing, rebuilding, or acquiring Houses of Residence, &c.

1. The Incumbent of any Benefice may, according to the Provisions of and with the Consents required by the said Acts, and by any Act or Acts amending or referring to the same, borrow and take up at Interest on Mortgage as provided by the same Acts, or any of them, for the Purposes of the same Acts or any of them, or for the Purposes of the Act passed in the Session held in the Fifty-fifth Year of the Reign of His said Majesty King *George* the Third, Chapter One hundred and forty-seven, or for the Purpose of purchasing any Lands or Hereditaments not exceeding Twelve Acres, contiguous to or desirable to be used or occupied with the Parsonage House or Glebe belonging to such Benefice, or for the Purpose of building any Offices, Stables, or Outbuildings, or Fences necessary for the Occupation or Protection of such Parsonage, or for the Purpose of restoring, rebuilding, or repairing the Fabric of the Chancel of the Church of such Benefice (in any Case where such Incumbent is or shall be liable to repair or sustain the Fabric of such Chancel), or for the Purpose of building, improving, enlarging, or purchasing any Farm House or Farm Buildings, or Labourers Dwelling Houses, with the Appurtenances belonging to or desirable to be acquired for any Farm or Lands appertaining to such Benefice, any Sum or Sums of Money not being less than One hundred Pounds, and not exceeding Three Years net Income of such Benefice; and out of the Sum to be borrowed it shall be lawful to pay the Charges and Expenses of the Architect or Surveyor who shall be employed in or about any of the Purposes aforesaid, and also the Costs and Expenses of and incidental to the Preparation of the Mortgage Deed or Deeds, and of and incidental to any Purchase by the said Acts or this Act authorized to be made.

Governors of Queen Anne's Bounty may sell Lands, &c. given to them for their general Purposes.

2. It shall be lawful for the Governors of the Bounty of Queen *Anne*, for the Augmentation of the Maintenance of the Poor Clergy, absolutely to sell and dispose of, either altogether or in Parcels, and either by Public Sale or by Private Contract, for such Sum or Sums of Money as to the said Governors shall seem fair and reasonable, all Houses, Lands, Tithes, Tithe Rentcharges, and Hereditaments of what Nature or Kind soever which may have been

been or shall hereafter be given, devised, or conveyed to or acquired by the said Governors for the Purpose generally of augmenting the Maintenance of the Poor Clergy; and the Monies to arise from every such Sale shall be paid to the said Governors, and the Receipts of their Treasurer for the Time being shall be sufficient Discharges for the said Monies, and shall effectually release and exonerate the Person or Persons paying the same from all Responsibility in respect of the Application thereof; and the said Monies when so received shall be applied and disposed of by the said Governors for the Benefit and Augmentation of Benefices in such and the same Manner according to the Rules and Regulations of the said Governors as the general Funds and Profits of the said Governors are applicable and disposable.

Powers of recited Acts extended to this Act.

3. All the Powers, Authorities, Provisions, Forms, and Matters in the herein-before mentioned Acts contained shall, except as herein otherwise is provided, extend and be applicable, *mutatis mutandis*, to all the Purposes of this Act and of the said herein-before mentioned Acts, as if the same had been respectively repeated and set forth herein.

Corporations and Persons under Disability or Incapacity authorized to convey Houses and Lands for Parsonages.

4. It shall be lawful for the Principal Officer of any public Department holding any Messuages, Buildings, Lands, Tenements, or Hereditaments for or on behalf of Her Majesty, or otherwise for the public Use or the Use of such Department, and for every Body politic, corporate, or collegiate, and Corporation aggregate or sole, and for all Trustees, Guardians, Commissioners, or other Persons having the Control, Care, or Management of any Hospital, School, Charitable Foundation, or other public Institution, and for all other Persons by "The Lands Clauses Consolidation Act, 1845," empowered to sell and convey or release Lands by any Assurance under the Hand and Seal or under the Common Seal, as the Case may be, of such Principal Officer, Body, or Corporation, or under the Hands and Seals or Hand and Seal of such Trustees, Guardians, Commissioners, or other Persons or Person, to grant and convey or release, either by way of voluntary Gift or of Sale, to the said Governors, in Fee Simple or otherwise, any Messuages, Buildings, Lands, Tenements, or Hereditaments to be used as and for Parsonages or Residences for Incumbents of Benefices, or the Outbuildings, Yards, Gardens, or Appurtenances thereto, or as and for Sites or for enlarging Sites for such Parsonages or Residences or the Outbuildings, Yards, Gardens, or Appurtenances thereto, and all such Assurances may be made according to the Form contained in the Twentieth Section of the Act passed in the First Year of Her Majesty's Reign, Chapter Twenty, or as near thereto as the Circumstances

stances of the Case will admit, or in any other Form which the said Governors may approve; but no such Assurance or Assurances from the same Body or Persons otherwise than upon a Sale for the fair Value shall comprise (including the Site of any Buildings) more than One Acre, and upon every such Assurance by way of Sale the Purchase Money may be paid to the Seller or Sellers, or as he or they shall appoint, and the Receipt of them or him or their or his Appointees shall be a sufficient Discharge for the same, except that in the Case of a Sale for more than Twenty Pounds by a Tenant for Life or other Person having only a partial Estate, the Purchase Money shall be paid to and applied by Two Trustees in manner provided by the Seventy-first Section of "The Lands Clauses Consolidation Act, 1845."

Five of the Governors may form a Quorum.

5. To facilitate the Despatch of the Business of the said Governors, any Five of the said Governors, Three of whom at least shall be Archbishops or Bishops, shall make a Quorum for the future, and be sufficient at any Court for the Despatch, by Majority of Votes, of all Business of the said Governors.

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