Removal of disqualification.

4. No member of any local authority shall vacate his office by reason only of his having any share or interest in any newspaper in which any advertisement is inserted relating to the affairs of such local authority, or of the district subject to the jurisdiction of such local authority, anything in any general or local Act of Parliament to the contrary notwithstanding.

For the purposes of this section the expression "local authority" means any "local board" or "improvement commissioners" as defined by the principal Act.

CHAPTER 54.

An Act to amend the Law relating to Pluralities.

[6th August 1885.]

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; (that is to say,)

Short title.

1. This Act may be cited as the Pluralities Acts Amendment Act, 1885.

Construction and interpretation.

2. This Act shall be construed as one with the Act passed in the first and second years of the reign of Her present Majesty, chapter one hundred and six (herein-after referred to as "the first-mentioned Act") and the Act passed in the thirteenth and fourteenth years of the reign of Her present Majesty, chapter ninety-eight, as respectively amended by this Act.

The term "ecclesiastical duties" in the first-mentioned Act and this Act shall include not only the regular and due performance of divine service on Sundays and holidays, but also all such duties as any clergyman holding a benefice is bound by law to perform, or the performance of which is solemnly promised by every clergyman of the Church of England at the time of his ordination, and the performance of which shall have been required of him in writing by the bishop; and in the case of benefices within the dioceses of St. Asaph, Bangor, Llandaff, and St. Davids, and the county of Monmouth, shall also include such ministrations in the Welsh language as the bishop of the diocese shall direct to be performed by the clergymen holding such benefices respectively, but so that such bishop shall not in any such case require more than one service in the Welsh language on every Sunday in such church or chapel of ease situated in any such benefice: Provided always, that due provision be made for the English-speaking portion of the population.

Repeal of so much of s. 77. of 1 & 2 Vict. c. 106. as relates to the persons to act as commissioners on inquiries as to inadequate performance of ecclesiastical duties.

3. So much of section seventy-seven of the first-mentioned Act as requires that any commission issued by the bishop to inquire into the inadequate performance of the ecclesiastical duties of any benefice shall be to four beneficed clergymen of his diocese, or if the benefice be within his peculiar jurisdiction, but locally situate in another diocese, then to four beneficed clergymen of such last-mentioned diocese, one whereof shall be the rural dean, if any, of the rural deanery or district wherein such benefice is situated, is hereby repealed, and instead thereof such commission shall be issued to four

commissioners, one of whom shall be an archdeacon or rural dean of the archdeaconry or rural deanery wherein the benefice is situated; one other of such commissioners shall be a canon residentiary, prebendary, or honorary canon of the cathedral church of the diocese wherein the benefice is situated, elected as herein-after provided; one other of such commissioners shall be a beneficed clergyman of the archdeaconry wherein the benefice is situated, also elected as herein-after provided; one other of such commissioners shall be a layman in the commission of the peace for the county wherein the benefice is situated nominated for the purpose of such commission, on the requisition of the bishop, by the person who presided as chairman of the quarter sessions for the county or division of the county last preceding such requisition, or if there be no such person, then by the lord lieutenant of the county; and it shall be lawful for the incumbent of the said benefice to add to such commission one other commissioner, being either an incumbent of a benefice within the same diocese, or a magistrate in the commission of the peace.

Persons to act as commissioners on inquiries as to inadequate performance of ecclesiastical duties.

The bishop shall give to the clergyman holding the benefice notice in writing of his intention to issue such commission, and if such clergyman shall not within fourteen days after the sending of such notice nominate in writing to the bishop one such commissioner as aforesaid to act with the other commissioners on such commission, such other commissioners may proceed alone.

4. The dean and chapter of every cathedral church now or hereafter having a dean and chapter, together with the canons non-residentiary or honorary, as the case may be, or where there is no dean and chapter, the canons residentiary and honorary, shall forthwith after the passing of this Act, and at the expiration of every succeeding period of three years, elect one of their body to be a commissioner for the ensuing three years for the purposes of any such commission as aforesaid to be issued by the bishop of the diocese to which such cathedral church belongs; and the name of the person so elected shall be forthwith certified in writing to the bishop under the seal of the dean and chapter, or the hands of any two of the electors, and such certificate shall be conclusive evidence of the due election of the person therein mentioned; and in case a vacancy shall occur by death, resignation, or otherwise, during any triennial period, the same shall be forthwith supplied and certified in like manner, and the person so elected shall continue in office until the end of the then current triennial period.

Deans and chapters or canons of cathedral churches to appoint triennially one of their body to act as a commissioner for the purpose of inquiries as to inadequate performance of ecclesiastical duties.

5. The archdeacon of every archdeaconry shall forthwith after the passing of this Act, and at the expiration of every succeeding period of three years, convene a meeting of the beneficed clergymen of his archdeaconry, who shall at such meeting elect a beneficed clergyman of the archdeaconry to be a commissioner for the ensuing three years for the purpose of any such commission as aforesaid, to be issued by the bishop of the diocese with respect to any benefice within such archdeaconry, and the name of the person so elected shall be forthwith certified in writing to the bishop under the hand of the archdeacon, and such certificate shall be conclusive evidence of the due election of the person therein mentioned; and in case any such vacancy shall occur by death, resignation, or otherwise, during any triennial period, the same shall be forthwith supplied

Beneficed clergy of every archdeaconry to elect triennially a beneficed clergyman of the archdeaconry to act as commissioner for the purpose of inquiries as to inadequate performance of ecclesiastical duties.

and certified in like manner, and the person so elected shall continue in office until the end of the then current triennial period.

Attendance of witnesses and production of documents, &c. may be compelled.

6. On an inquiry under any such commission as aforesaid, it shall be lawful for the bishop or any two or more of the commissioners to require the attendance of such witnesses, and the production of such documents, evidences, and writings as may be necessary on either side; and such bishop and commissioners respectively shall have the same powers for these purposes as now belong to the Consistorial Court and to the Court of Arches respectively.

Witnesses to be examined on oath and to be liable to punishment for perjury.

7. Every witness who shall be examined in pursuance of this Act shall give his or her evidence upon oath, or upon solemn affirmation in cases where an affirmation is allowed by law instead of an oath, which oath or affirmation respectively shall be administered by a commissioner, and every witness who shall wilfully swear or affirm falsely shall be deemed guilty of perjury.

Bishop may assign extra stipend of 70*l.* to curate appointed by him under s. 77 of 1 & 2 Vict. c. 106.

8. The bishop may assign to any curate or curates appointed and licensed by him under any of the provisions of section seventy-seven of the first-mentioned Act such stipend or stipends as he shall think fit to appoint, not exceeding by seventy pounds the respective stipends allowed to curates by the same Act in the case of non-resident incumbents, but so nevertheless that any stipend or stipends so augmented shall not exceed the sum of one hundred and fifty pounds, except in cases where the whole net income of the benefice exceeds the sum of three hundred pounds a year.

Where incumbent non-resident and population of benefice exceeds 2,000 or there are two or more churches not less than a mile apart, bishop may require two or more curates.

9. Where the population of a benefice, the incumbent of which is non-resident, shall exceed two thousand persons, or where there are two or more churches belonging to such benefice not less than a mile apart, notwithstanding that the annual value of such benefice be less than four hundred pounds the bishop may require the incumbent thereof to nominate to him two or more persons to be licensed as curates; and if such spiritual person neglect or omit to make such nomination for the space of three months after such requisition, it shall be lawful for the bishop to appoint and license two or more curates, and to assign to such curates respectively such stipends as the bishop shall think fit, not exceeding the respective stipends sanctioned by the last-preceding section of this Act, but so, nevertheless, that the whole of the stipends to the curates serving any such benefice shall not exceed altogether two-third parts of the net annual income of such benefice, and the incumbent of such benefice shall be entitled to the like right of appeal to the archbishop as is provided by the eighty-sixth section of the first-mentioned Act.

Bishop may assign to each curate during the vacancy of a benefice a stipend not exceeding 200*l.* a year or net income of benefice.

10. The bishop may assign to the curate or curates appointed to perform the duties of any benefice during the vacancy thereof such stipend or stipends as the bishop shall think fit, not exceeding for each such curate two hundred pounds a year, and in proportion only to the time of such vacancy, but so, nevertheless, that such stipend or stipends shall not exceed in the whole the net annual income of the benefice.

Saving as to certain cases. 34 & 35 Vict. c. 43.

11. Nothing in this Act contained shall prejudice the provisions of the fifteenth section of the Act of the session of the first year of the reign of Her present Majesty, chapter twenty-three, or the provisions of the ninety-first, ninety-second, and ninety-fourth sections of the Act of the same year, chapter one hundred and six, or the

provisions of the Ecclesiastical Dilapidations Act, 1871, or any mortgage or charge duly created under any Act of Parliament upon the profits of any benefice which may come under the operation of this Act.

Non-resident incumbent not to return to his benefice or interfere with curate until the expiration of his license of non-residence, without bishop's permission.

12. Whenever the incumbent of any benefice is non-resident with the licence of the bishop, he shall not be at liberty, without the bishop's permission, to resume the duties of his benefice before the expiration of the period mentioned in such licence, nor shall he if non-resident for more than twelve months during such time interfere with the discharge of the duties of the benefice as entrusted to the curate or curates thereof by the bishop.

Repeal of s. 78 of 1 & 2 Vict. c. 106.

13. Section seventy-eight of the first-mentioned Act is hereby repealed, and instead thereof it is enacted that whenever the annual value of any benefice shall exceed five hundred pounds and the population thereof shall amount to three thousand persons, or, though the population do not amount to three thousand persons, if there be in the said benefice a second church or chapel with a hamlet or district containing four hundred persons, it shall be lawful for the bishop, if he shall see fit, to require the clergyman holding such benefice, although he shall be resident thereon or engaged in performing the duties thereof, to nominate a fit and proper person to be licensed as a curate to assist in performing the duties of such benefice and to be paid by the person holding the same; and if a fit person shall not be nominated to the bishop within three months after his requisition for that purpose shall have been delivered to the incumbent or left at his last or usual place of abode, it shall be lawful for the bishop to appoint and license a curate, with such stipend as he shall think fit to appoint, not exceeding one hundred and fifty pounds: Provided always, that such clergyman may, within one month after service upon him of such requisition to nominate a curate or of notice of any such appointment of a curate, appeal to the archbishop of the province, who shall approve or revoke such requisition, or confirm or annul such appointment, as to him may appear just and proper.

Two benefices may be held together by dispensation if churches within four miles of one another, and annual value of one does not exceed 200*l.*

14. Any clergyman may, with such licence or dispensation as is by the first-mentioned Act required for the holding together of two benefices, take and hold together any two benefices, the churches of which are within four miles of one another by the nearest road, and the annual value of one of which does not exceed two hundred pounds, or if on one of the said benefices there be no church, then the distance between the two benefices, for the purposes of this Act, shall be computed in such manner as shall be directed by the bishop of the diocese; but except as aforesaid, it shall not be lawful for any clergyman to take and hold together any two benefices.

Notices, &c. may be sent by post in registered letter.

Service of monitions, &c. where spiritual person out of England, &c.

15. Every notice, requisition, nomination, or certificate to be given or sent pursuant to any of the provisions herein contained shall be deemed to have been duly given or sent if sent through the post in a prepaid registered letter, addressed, in the case of an incumbent, to the parish or place whereof he is incumbent; and where a clergyman is out of England, without license of non-residence, and without having made due provision for the performance of his ecclesiastical duties during his absence, every

monition, instrument, or notice to be served on him pursuant to any of the provisions of the first-mentioned Act may be served in the manner in section one hundred and twelve of the same Act provided in the case of a clergyman who cannot be found, and the words "place of residence" in that section shall mean place of residence in England.

CHAPTER 55.

An Act to explain section thirty-four of the Ecclesiastical Commissioners Act, 1840. [6th August 1885.]

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 as the Ecclesiastical Commissioners Act, 1840, Amendment Act, 1885.

Power to raise the income of any archdeaconry to 200*l.* per annum.

2. It shall be lawful for the Ecclesiastical Commissioners for England, at any time after ascertaining the sum required to raise the income of any archdeaconry to the sum of two hundred pounds per annum, to submit to Her Majesty in Council for ratification under the powers of the said Ecclesiastical Commissioners Act, 1840, that is to say, the Act of the third and fourth of Victoria, chapter one hundred and thirteen, section thirty-four, a scheme or schemes for authorizing the payment out of their common fund to the holder of the same archdeaconry for the time being of the sum so required, and this notwithstanding that the powers contained in the same section or in this Act may have been previously exercised in favour of the same archdeaconry: Provided always, that no augmentation to be granted under this Act shall be such as to raise the average annual income of any archdeaconry to an amount exceeding two hundred pounds.

CHAPTER 56.

An Act to amend the Law with respect to Corrupt Practices at Parliamentary Elections. [6th August 1885.]

WHEREAS doubts have arisen as to whether or not it be lawful for an employer of labour to permit electors in his regular employ to absent themselves from their employment for the purpose of recording their votes at any parliamentary election, without making a deduction from the salary or wages of such electors for the time reasonably occupied in recording their votes:

And whereas it is expedient to remove such doubts:

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: