ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

****

C A P. LXXXIV.

An Act for making more effectual the gracious Intentions of Her late Majeſty Queen *Anne*, for the Augmentation of the Maintenance of the Poor Clergy, ſo far as relates to the Returns of Certificates into the Exchequer and Gifts of Perſonal Property. [2d *July* 1805.]

WHEREAS by an Act paſſed in the Firſt Year of the Reign of His late Majeſty King *George* the Firſt, intituled, *An Act for making more effectual Her late Majeſty's gracious Intentions for augmenting the Maintenance of the Poor Clergy*, the reſpective Biſhops of every Dioceſe were empowered from Time to Time, as they ſhould ſee Occaſion, and as might beſt ſerve the Purpoſes of the ſaid Bounty to the Poor Clergy, to inform themſelves by ſuch Means as in the ſaid Act are mentioned, of the clear improved yearly Value of every Benefice with Cure of Souls, Living, and Curacy, and of the true and clear improved yearly Value of the Maintenance of every Parſon, Vicar, Curate, and Miniſter officiating in any ſuch Churches or Chapels as are therein mentioned, and how ſuch yearly Values aroſe, with the other Circumſtances thereof, and the ſame to certify to the ſaid Governors, for their better Information in the Premiſes; in which ſaid Act is contained a Proviſo, that where by Certificates returned into Her ſaid Majeſty's Court of Exchequer at *Weſtminſter*, purſuant to an Act made in the Fifth Year of Her Reign, intituled, *An Act for diſcharging ſmall Livings from their Firſt Fruits and Tenths, and all Arrears thereof*; and one other Act made in the Sixth Year of Her Reign, intituled, *An Act to enlarge the Time for returning the Certificates*

1 G. 3. c. 10.

5 Annæ, c. 24.

6 Annæ, c. 27.

Certificates of all Eccleſiaſtical Livings not exceeding the yearly Value of Fifty Pounds, and for other Purpoſes, or either of them, or made good by the ſaid recited Act of the Firſt Year of King *George* the Firſt, the yearly Value of any Livings not exceeding the clear yearly Value of Fifty Pounds, were particularly and duly expreſſed and ſpecified, ſuch Certificates ſhould aſcertain the yearly Values of ſuch Livings, in order to their being augmented by the ſaid Governors, and no new or different Valuation thereof ſhould be returned to the ſaid Governors by virtue of the ſaid recited Act: And whereas ſince the Time that ſuch Certificates were returned into the Exchequer, in purſuance of the ſaid Acts of the Fifth and Sixth of Her ſaid late Majeſty Queen *Anne*, many Livings in ſuch Certificates mentioned, and thereby returned as not exceeding the clear yearly Value of Fifty Pounds, for the Purpoſe of being diſcharged from Firſt Fruits and Tenths, are by ſubſequent Improvement of their Glebes and Tithes, and by Incloſures and other Means, become of much greater Value; and in order that the Bounty of Her ſaid late Majeſty may be applied as was originally intended, for the Augmentation of ſmall Livings, in Places where the ſame are not already ſufficiently provided for, and that Her Majeſty's gracious Intentions for the Relief of the Poor Clergy may be more ſpeedily and effectually carried into Execution, it is become expedient that the Governors of the ſaid Bounty ſhould be empowered to receive new Valuations of ſuch Livings as were ſo returned into the Exchequer; May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King'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,

Biſhops and Guardians to enquire into Value of Benefices returned into the Exchequer, and certify the ſame to the Governors of Queen Anne's Bounty, who ſhall be empowered to act upon ſuch new Certificate as they are now enabled to do with reſpect to Livings not returned into the Exchequer.

That the reſpective Biſhops of every Dioceſe, and the Guardians of Spiritualities *ſede vacante*, ſhall be and are hereby empowered from Time to Time as they ſhall ſee Occaſion, and as may beſt ſerve the Purpoſes of the ſaid Bounty to the Poor Clergy, by ſuch Ways and Means as in the ſaid Act of the Firſt Year of His Majeſty King *George* the Firſt, are mentioned in that Behalf, to inform themſelves of the clear improved yearly Value of ſuch Benefices with Cure of Souls, Livings, and Curacies as were returned into the Exchequer in purſuance of the ſaid Acts of the Fifth and Sixth Years of the Reign of Her ſaid late Majeſty Queen *Anne*, within their ſeveral Dioceſes, or within any Peculiars or Places of exempt Juriſdiction within the Bounds and Limits of their reſpective Dioceſes, or adjoining or contiguous thereto, although the ſame be exempt from the Juriſdiction of any Biſhop in other Caſes, and how ſuch yearly Values ariſe, with the other Circumſtances thereof; and the ſame or ſuch of them, whereof they ſhall have fully informed themſelves, from Time to Time with all convenient Speed to certify to the ſaid Governors of the Bounty of Queen *Anne*, for the Augmentation of the Maintenance of the Poor Clergy, for their better Information in the Premiſes; and the ſaid Governors are hereby authorized and empowered, with reſpect to the Augmentation of ſuch Livings, ſo formerly certified into the Exchequer as aforeſaid, to act upon and be guided by ſuch new Certificates of the Value and other Circumſtances thereof, made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as they are in and by the ſaid firſt herein-before mentioned and in part recited Act, enabled to do with regard to ſuch Livings as were not ſo certified into the Exchequer, and as if the Reſtraint of the ſaid

Proviſo therein had not been made, the ſame Proviſo or any Thing in the ſaid recited Act to the contrary thereof in anywiſe notwithſtanding.

Not to affect Livings with reſpect to their Diſcharge from Firſt Fruits and Tenths.

II. Provided always, and be it enacted, That ſuch Certificates as were returned into the Exchequer for the Purpoſe of aſcertaining what Livings were to be diſcharged from Firſt Fruits and Tenths, ſhall not, ſo far as the ſame relate to the Firſt Fruits and Tenths, be affected or altered in any Manner whatſoever by any Thing in this Act contained.

For facilitating the Intentions of Perſons diſpoſed to contribute towards Augmentation of Livings.

III. And in order to facilitate the Intentions of all ſuch Perſons as may be diſpoſed to contribute to the Augmentation of ſuch Livings and Curacies as are within the Meaning of the Laws now in force, reſpecting the ſaid Bounty; be it further enacted, That it ſhall be lawful for any Perſon or Perſons having in his, her, or their own Right, any Money, Goods, Chattels, or other perſonal Effects, at his, her, or their Will and Pleaſure, to give or grant to, or veſt in the ſaid Governors of the Bounty of Queen *Anne* and their Succeſſors, to be by them diſpoſed of according to Law, all or any Part of ſuch Money, Goods, Chattels, or other perſonal Effects, without any Deed or Deeds, either enrolled or not enrolled, in like Manner as he, ſhe, or they could or might have done, either by Deed or Deeds enrolled or otherwiſe, before the paſſing of this Act, any Statute or Law to the contrary in anywiſe notwithſtanding.

Not to affect the Laws reſpecting the Gift or Conveyance of Lands, etc.

IV. Provided nevertheleſs, That nothing herein contained ſhall in any Manner alter or affect the Law now in force reſpecting the Gift or Conveyance of any Lands, Tenements, or Hereditaments, by any Deed or Deeds, or the Diſpoſition thereof, or of any Goods, Chattels, or other perſonal Property, by Will or Teſtament.

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