Order not to be made affecting Local Act, &c. without Consent.

25. It shall be the Duty of the Board of Trade not to make in any Case an Order that will take away or abridge any Right, Privilege, Power, Jurisdiction, or Authority given or reserved to any Body, Company, or Person by any Local or Special Act of Parliament, or by any Royal Charter or Letters Patent, without the Consent of such Body, Company, or Person; but every Order, when confirmed by Act of Parliament, shall be of full Force and Effect, any Local or Special Act, Charter, Letters Patent, Custom, Licence, Permission, Instrument, or Thing notwithstanding.

Copies of Order and Acts to be kept for Sale.

26. The Persons, Company, or Body obtaining an Order under this Act shall at all Times keep at some convenient Place, in the Neighbourhood of the Portion of the Sea Shore to which the Order relates, Copies of the Order with the Act confirming it, and of this Act, printed respectively by some of Her Majesty's Printers, and shall sell such Copies to all Persons desiring to buy them at a Price not exceeding Sixpence for One Copy of each of the Acts and of the Order together.

If any such Persons, Company, or Body fail to comply with this Provision, they shall for every such Offence be liable on summary Conviction to a Penalty not exceeding Five Pounds, and to a further Penalty not exceeding One Pound for every Day during which such Failure continues after the Day on which the First Penalty is incurred.

Annual Report of Board of Trade.

27. There shall be annually laid before both Houses of Parliament a Report of the Board of Trade respecting the Applications to and Proceedings of the Board of Trade under this Act during each Year.

Act not to extend to Ireland.

28. Nothing in this Act shall extend to *Ireland*, or to any Oyster or Mussel Fishery on the Coast of *Ireland* or in any Estuary thereof, or in any way to prejudice or affect the Owner of any such Oyster or Mussel Fishery, or to authorize the taking of Oysters or Mussels from any natural public Oyster or Mussel Bed in *Ireland*, or any Estuary thereof, by the Grantees of any Oyster or Mussel Bed under this Act, or by the Owners of any private Beds lawfully formed independently of this Act, or by any other Person or Persons whomsoever; nor shall this Act alter or repeal any Law, Rule, or Byelaw now or hereafter to be in force having relation to *Irish* Fisheries.

CAP. LXXXVI.

An Act for vesting the Glebe Lands of the Vicarage of *Rochdale* in the County of *Lancaster* in the Ecclesiastical Commissioners for *England*, and for making Provision for the Endowment of the said Vicarage in lieu thereof; and for the Promotion of other Ecclesiastical Purposes connected therewith. [6th *August* 1866.]

'WHEREAS the Endowment of the Vicarage of *Rochdale* in the Diocese of *Manchester* 'mainly consists of certain Glebe Lands of which the greater Part has been built 'upon, and the Residue is valuable for Building Purposes, and the annual Proceeds of 'the said Glebe Lands at present exceed the Sum of Four thousand Pounds, and it is 'anticipated that such Proceeds will increase in future Years:

'And whereas the Rev. *John Edward Nassau Molesworth*, D.D., is the present Vicar of 'the said Vicarage, and the Right Rev. Father in God *James Prince*, by Divine Permission 'Lord Bishop of *Manchester*, is the Ordinary thereof, and also the Patron in right of 'his See:

'And whereas for promoting the greater Efficiency of the Established Church it is 'expedient that upon the First Avoidance of the said Vicarage the Glebe Lands and other 'Endowments thereof should be vested in the Ecclesiastical Commissioners for *England*, 'upon special Trust to provide a fixed annual Sum by way of Endowment for the future 'Vicars of *Rochdale*, and annual Sums by way of Augmentation or Endowment of Churches

'or

Pounds; and provided further, that if such Incumbent shall delay or refuse to employ an Assistant Curate as aforesaid for a Space of Three Months after he shall have been required to do so by the Bishop of the Diocese for the Time being, it shall be lawful for such Bishop to appoint and license such an Assistant Curate, and to provide for the Payment to him of a Salary not exceeding One hundred Pounds *per Annum*, in the Manner contemplated by the Eighty-third Section of the Act of the First and Second Years of Her Majesty, Chapter One hundred and six.

Provision to be made for the Services of the Churches of Calderbrook and of St. Mary, Todmorden.

7. As soon as the said Glebe Lands and Premises shall have come into the Possession of the Ecclesiastical Commissioners, the said Commissioners shall, in addition to any other Augmentation payable under this Act, pay to the Incumbent of the Church or Chapel of the *Holy Trinity, Littleborough*, the annual Sum of One hundred Pounds, if and so long as he shall provide a duly licensed Assistant Curate for the Performance of Divine Service in a certain licensed Building at *Calderbrook* now unconsecrated, but intended to be consecrated, (provided that such annual Sum of One hundred Pounds shall not be paid nor begin to be payable until the First Day of *May* or of *November*, as the Case may be, which shall happen next after the same Building shall have been consecrated), and shall pay the annual Sum of One hundred and fifty Pounds to the Incumbent of *Christ Church, Todmorden*, so long as he shall have occasion to provide for the Performance of Divine Service in the old Church or Chapel of *Saint Mary, Todmorden*, as herein-after mentioned, such Services respectively to be subject to the Regulation of the Bishop of the Diocese, but not to be more or more onerous than may lawfully be required to be performed in a Parish Church; the said annual Sums to be payable in Moieties on the First Day of *May* and the First Day of *November* in every Year.

Five new Districts to be endowed with 200*l.* a Year each.

8. As soon as conveniently may be after the said Glebe Lands and Premises shall have come into the Possession of the Ecclesiastical Commissioners, the said Commissioners shall, with the Concurrence of the Bishop of the Diocese, proceed to constitute or assign Five Districts to be taken out of the original Limits of the Parish of *Rochdale*, and to endow each such District to the annual Amount of Two hundred Pounds; and the Patronage of and Right of nominating the Minister or Incumbent of each of the same Districts, or of the new Parishes which such Districts may eventually become, shall be vested in and be exercised by the Bishop of the Diocese for the Time being.

The Ecclesiastical Commissioners to pay Costs and Expenses and certain other Charges.

9. The Ecclesiastical Commissioners shall forthwith pay the Costs of and incident to the passing of this Act, and shall pay all other necessary Law Charges, and may make any such Allowance for Costs, Charges, Expenses, Pains, and Trouble, as to the said Commissioners shall appear just and reasonable, to any Person employed by them in receiving or paying any Monies accruing to them, or in auditing any Accounts relating thereto, or in surveying, valuing, or performing any other Duty relating to or connected with the Possession or Management of the Hereditaments and Premises vested in them for the Purposes of this Act, or relating to or connected with any other Matter or Thing to be done or executed under the Authority of this Act, and the said Ecclesiastical Commissioners shall also reimburse the said *John Edward Nassau Molesworth* any Payments which shall have been made by him for or towards the making, paving, flagging, and sewering any Street or Streets in or upon the said Glebe Lands during his Negotiations with the said Ecclesiastical Commissioners for promoting this Act.

Annual Proceeds to be carried to the Account of the Rochdale Vicarage Fund, and certain Payments to be made thereout.

10. When the said Glebe Lands and Premises shall have come into the Possession of the Ecclesiastical Commissioners, the said Commissioners shall hold the same subject to the Powers of Disposition and Management herein-after mentioned, and shall carry the Rents, Dividends, Interest, and other annual or recurring Proceeds of the Trust Premises for the Time being to the Credit of a special and distinct Fund, the Account whereof shall be opened in their Books under the Heading of "The *Rochdale* Vicarage Fund," and shall apply the Balance of the said Fund (after deducting the Expenses) from Time to Time in manner following; (that is to say,)

First, in paying the Endowments herein-before provided for the present and future Vicars of *Rochdale* (that is to say,) in paying to the said Rev. *John Edward Nassau Molesworth*,

Molesworth, as long as he shall continue Vicar, a fixed annual Sum of Four thousand Pounds, if such Agreement as aforesaid shall be made, and in paying to the succeeding Vicars the annual Sum of One thousand five hundred Pounds:

Secondly, in paying the annual Sums to be provided as aforesaid by way of Augmentation to the Incumbents or Ministers of the Churches or Chapels mentioned in the Second Schedule hereto:

Thirdly, in paying the said annual Sums of One hundred Pounds, One hundred Pounds, and One hundred and fifty Pounds, in respect of the Performance of the Services of the Cemetery, of a Church or Chapel at *Calderbrook*, and of the Church of *St. Mary, Todmorden:*

Fourthly, in paying the said annual Sums of Two hundred Pounds each for the Endowments of the Five Parishes or Districts to be constituted or assigned as aforesaid.

Deficiency (if any) to be made good out of the Common Fund of the Ecclesiastical Commissioners, subject to Repayment.

11. Provided, That if any of the Costs, Expenses, or annual Sums aforesaid shall be payable by the Ecclesiastical Commissioners before any Revenues shall have accrued to them under this Act, or at a Time when there shall be no Balance or an insufficient Balance at the Credit of the *Rochdale* Vicarage Fund, a Sum to supply the Deficiency shall be advanced by the said Commissioners out of the Common Fund under their Control, and shall be repaid to the Common Fund, with Compound Interest at the Rate of Four *per Cent. per Annum*, out of Revenues thereafter to accrue to the *Rochdale* Vicarage Fund.

Application of the Surplus of the annual Proceeds.

12. The Ecclesiastical Commissioners shall hold the Surplus of the *Rochdale* Vicarage Fund, after discharging thereout such Payments and Repayments as aforesaid, upon Trust to apply the same from Time to Time in manner following; (that is to say,)

First, in raising to the annual Sum of Three hundred Pounds, exclusive of Surplice Fees and Pew Rents, the Income of the Incumbent or Minister of each of the Churches or Chapels mentioned in the Second Schedule hereto whose Income does not already amount to that Sum:

Secondly, in raising to the annual Sum of Three hundred Pounds, exclusive of Surplice Fees and Pew Rents, the Income of the Incumbent or Minister of each of the Five Parishes or Districts to be constituted or assigned as aforesaid, if or so soon as the Church or Chapel of such Parish or District shall be consecrated:

Thirdly, in raising to the annual Sum of Five hundred Pounds, exclusive of Surplice Fees and Pew Rents, the Income of the Incumbent or Minister of One of the Churches or Chapels mentioned in the said Second Schedule hereto (other than and in addition to the Church or Chapel of *St. Clement, Spotland*), and in raising to the annual Sum of Four hundred Pounds, exclusive of Surplice Fees and Pew Rents, the Income of the Incumbent or Minister of each of Two other of the Churches or Chapels mentioned in the said Second Schedule, the said Churches or Chapels to be selected by the Ecclesiastical Commissioners with the Concurrence of the Bishop of the Diocese; provided that if the Vicar of *Rochdale* shall enter into such Agreement as aforesaid for accepting a fixed Income he shall be entitled to select One of the Churches or Chapels the Endowment of which is to be raised to the annual Sum of Four hundred Pounds:

Fourthly, in paying such annual Sum or Sums as the Ecclesiastical Commissioners (with Consent in Writing of the Bishop of the Diocese) shall in their Discretion think fit, for or towards providing for the Maintenance of a Chaplain or Chaplains to the *Rochdale* Union, or any Workhouse or Workhouses thereof, and for or towards providing for the Maintenance of a Chaplain or Chaplains to any Workhouse or Workhouses of the *Saddleworth* Union, which may be used exclusively for Inhabitants of any Part or Parts of the ancient Parish of *Rochdale* aforesaid:

Fifthly, in endowing to such Amount as the said Commissioners, with the Concurrence of the Bishop of the Diocese, shall think fit, the Incumbents or Ministers of any Parishes or Districts already existing, or hereafter to be constituted or assigned from Time to Time with the Consent of the said Bishop, and which Parishes or Districts do or shall consist of or contain any Part or Parts of the Parish of *Rochdale*, including all Ecclesiastical Divisions and Subdivisions thereof:

Sixthly,

Sixthly, in augmenting or endowing such Benefices with Cure of Souls in the Diocese of *Manchester*, and in the Patronage or alternate Patronage of any Ecclesiastical Corporation, as shall be selected by the Bishop of *Manchester* for the Time being, and shall be approved by the said Commissioners.

Mode of determining the Amounts of the Augmentations to be paid by the Ecclesiastical Commissioners.

1 & 2 W. 4. c. 45.

13. For the Purpose of determining the Amounts of the annual Sums to be paid to the Incumbents or Ministers of the said Churches or Chapels respectively mentioned in the Second Schedule annexed to this Act, the annual Income arising from the existing Endowments of each of the said Churches or Chapels at the Time when the said Glebe Land and Premises shall come into the Possession of the Ecclesiastical Commissioners (except Surplice Fees and Pew Rents, and except certain annual Sums charged upon the said Glebe Lands and Premises in favour of the Incumbents or Ministers of certain of the said Churches and Chapels under the Provisions of an Act of the First and Second Years of His late Majesty King *William* IV., Chapter 45,) shall be ascertained and determined by the said Commissioners, with the Concurrence of the Bishop of the Diocese and of the Incumbent or Minister of the said Church or Chapel; and a Certificate of the Amount of Income arising from such Endowments (except as aforesaid), under the Common Seal of the said Commissioners, and the Episcopal Seal of the said Bishop, and the Hand of the said Incumbent or Minister, shall be registered in the Registry of the Diocese; and the annual Sum to be paid by way of Augmentation to the Incumbent or Minister of each Church or Chapel, and his Successors, shall be such Amount as will make up the Income payable in respect of the said Church or Chapel under the Provisions herein contained, notwithstanding any subsequent Variation in the original Endowment: Provided that from and after the Registration of the Certificate of Endowment of any Church or Chapel to the Incumbent or Minister of which One of the said annual Charges is payable, such annual Charge shall be deemed to be included in the fixed Sum to be paid by way of Augmentation as aforesaid, and shall cease to be chargeable on the said Glebe Lands and Premises further or otherwise than such Augmentation is chargeable thereon under the Provisions herein contained: Provided also, that in the event of any Delay taking place in the Preparation or Registration of any Certificate of Endowment the said Commissioners shall in the meantime make such Payments in respect of the corresponding Augmentation as they in their Discretion shall think just.

Half the Sittings of augmented Churches to be free.

14. From and after the Time when the Income of any existing Benefice augmented under this Act shall amount to the annual Sum of Three hundred Pounds, exclusive of Surplice Fees and Pew Rents, One Half Part at least of the whole Number of Pews or Sittings in the Church or Chapel thereof shall be declared by the Commissioners and the Bishop of the Diocese, to be free Sittings, such Sittings to be selected by the Bishop of the Diocese so that, having regard to Position and Convenience, they may be as advantageously situated as the remaining Moiety of the Pews and Sittings.

The Ecclesiastical Commissioners may substitute Land or other Hereditaments vested in them for the Purposes of this Act for any Money Payment.

15. At any Time after any of the annual Sums aforesaid to be respectively paid to the Vicar of *Rochdale* and to the Incumbents or Ministers of the said several Churches or Chapels, or to the Incumbents or Ministers of other Parishes or Districts, shall have become payable, it shall be lawful for the Ecclesiastical Commissioners, with the Consent of the Bishop of the Diocese, and of the Vicar, Incumbent, or Minister, to appropriate and set apart for the Use of any such Vicar, Incumbent, or Minister, and his Successors, in lieu of the said annual Sum directed to be paid to him and them as aforesaid, or of any Part thereof, such specific Lands or Hereditaments, Part of the said Glebe Lands and Hereditaments, or of other the Lands and Hereditaments for the Time being vested in the said Commissioners for the Purposes of this Act, as, according to the Certificate of Two competent Surveyors, One to be appointed by the said Commissioners, and the other by such Vicar, Incumbent, or Minister, or of an Umpire to be appointed by such Surveyors, shall appear to be equivalent at least to produce a clear yearly Sum, after Payment of all Outgoings (except the Income Tax, if any), equal to such annual Sum or to such Part thereof; and an Instrument in Writing containing the Terms of such Appropriation, and under the Hand of the Vicar, Minister, or Incumbent, and the

Episcopal Seal of the said Bishop, and the Common Seal of the said Commissioners, shall be registered in the Registry of the Diocese, and published in the *London Gazette*; and from and after the Time which shall be fixed for that Purpose by the said Instrument, and after the said Publication, the Lands or other Hereditaments so appropriated for such Vicar, Incumbent, or Minister, and his Successors, shall, by force of this Act and of such Instrument, without any further Conveyance, be vested in such Vicar, Incumbent, or Minister, and his Successors, as Part of the Endowment of his Vicarage, Church, or Chapel, and the *Rochdale* Vicarage Fund shall thenceforth be freed and discharged from all Claims and Demands by or on behalf of the Vicar, Incumbent, or Minister of the same Vicarage, Church, or Chapel in respect of the said annual Sum, or of the Part thereof, for which the said Lands or Hereditaments have been so declared to be an Equivalent; provided that any such Instruments may relate to several Appropriations, or to One Appropriation, as may be most convenient.

The Ecclesiastical Commissioners to have all legal Powers of enforcing Payments, &c.

16. The Ecclesiastical Commissioners shall, for the Purpose of enforcing Payment of all Profits and Emoluments to be paid to them, and of obtaining Possession of the Hereditaments and Premises vested in them for the Purposes of this Act, and of recovering the Rents and Profits thereof, have and enjoy all the Rights, Powers, and Remedies in that Behalf, at Law or in Equity, of the Vicar of *Rochdale* and his Successors.

Repeal of the Special Leasing Acts, 4 G. 3. c. 28. (*Private.*) 8 & 9 Vict. c. 19. (*Private.*)

17. From and after the Time when the said Glebe Lands and Premises shall become vested in the Commissioners, the Act of the Fourth Year of His late Majesty King *George* the Third, Chapter Twenty-eight, intituled *An Act to enable the Vicar of* Rochdale *in the County of* Lancaster *to grant a Lease or Leases of the Glebe Lands belonging to the Vicarage*, and the Act of the Eighth and Ninth Years of Her present Majesty, Chapter Nineteen, being an Act to amend the lastly-mentioned Act, shall be and be deemed to be repealed: Provided always, that such Repeal shall not be held to take away or diminish any Estate or Interest, or Right or Liability, which may have been theretofore created, granted, or incurred by or on behalf of the Vicar of *Rochdale* and his Successors, or any Persons who have become Tenants under him and them in accordance with the Provisions of such Statutes, but all such Rights and Liabilities which would otherwise belong or attach to the said Vicar and his Successors shall thereafter belong and attach to the said Commissioners, and be exercised or fulfilled by them, subject to the Provisions of this Act.

The Ecclesiastical Commissioners may sell Land and Hereditaments with the Consent of the Bishop.

18. The Commissioners shall have and exercise over the Glebe Lands, Hereditaments, and Premises vested or to be at any Time vested in them for the Purposes of this Act all the same and the like Rights and Powers of Ownership as are possessed and enjoyed respecting and over any Lands and Hereditaments by any absolute Owner thereof: Provided always, that any Sum of Money received by the said Commissioners for the Sale, Transfer, or Conveyance of any Part or Parts of such Lands or Hereditaments shall be applied by them, so soon as conveniently may be after the Receipt thereof, in the Purchase and Acquisition of other Lands or Hereditaments, and shall be in the meantime invested in some Government or Parliamentary Stock in *England*; and the annual Rents and Profits of the Lands and Hereditaments so to be acquired as last aforesaid, and the Dividends or annual Proceeds of such Stock, shall be carried to the Credit of the "*Rochdale* Vicarage Fund" aforesaid; provided also, that no absolute Sale or Conveyance of the Fee Simple in such Glebe Lands or in any Part thereof under the Provisions of this Section shall be valid or effectual without the Consent in Writing of the Bishop of the Diocese.

The Corporation of Rochdale to have the Option of taking a Part of the Glebe Lands.

19. 'Whereas Part of the Glebe Lands is convenient to be used as a Pleasure Ground 'or Place of public Recreation; (that is to say,) the Lands called *Cant Hill* and *Broad* '*Field*, containing about Fourteen Acres, and delineated and coloured Pink on each of 'Two like Plans, one signed by the Surveyor of the Ecclesiastical Commissioners and 'deposited with the Town Clerk of *Rochdale*, and the other signed by the Town Clerk of '*Rochdale* and deposited with the Ecclesiastical Commissioners:' Be it enacted, That at any Time within the Space of Two Years next after the Glebe Lands shall have become vested in the Ecclesiastical Commissioners the said Commissioners shall, if required by the Mayor, Aldermen, and Burgesses of the Town and Borough of *Rochdale* acting under the Provisions of "The *Rochdale* Improvement Act, 1853," grant and convey to the said Mayor,

Mayor, Aldermen, and Burgesses, and their Successors, the said Part of the Glebe Lands at the perpetual annual Rent of Three hundred and eighty Pounds, payable half-yearly, free from all Rates, Taxes, and Deductions whatsoever.

Terms of the Grant to the Corporation.

20. The Conveyance shall be made subject to any Lease or Leases granted or agreed to be granted of the said Land or any Part thereof, and to the Rights or Interests therein of any Person or Persons claiming under any Lease or Leases granted or agreed to be granted of any other Part of the Glebe Lands, and shall contain a Reservation of Mines and Minerals, with full Powers of working the same by underground Operations, and of making underground Communications for the Convenience of adjacent Mines, leaving sufficient Support for the Surface; and shall contain a Covenant for Payment of the Rent as from the Day on which the Ecclesiastical Commissioners shall receive Notice from the Corporation of *Rochdale* of their Intention to require the Conveyance, from which Day the said Corporation shall be entitled to Possession, and shall contain usual Powers of Distress and Entry, which Landlords have for Rent in arrear, for securing the said Rent, and shall contain a Covenant on the Part of the Corporation that the Lands proposed to be conveyed shall be used as a Pleasure Ground or Place of public Resort or Recreation, and for no other Purpose whatsoever, and all other proper and usual Covenants and Provisions for giving Effect to the proposed Arrangement, and particularly a Covenant that no Building or Erection shall be placed upon the said Lands without the Consent of the said Ecclesiastical Commissioners, except such as may be required for the Use of the said Land for the Purposes aforesaid.

New Roads to be made by the Corporation.

21. The Ecclesiastical Commissioners shall dedicate to the Public Three new Streets or Roads; (that is to say,) first, a new Street or Road (coloured Brown on the said Plans) partly set out on the South Side of the said Lands, and called or intended to be called *St. Alban Street*, extending from *Manchester New Road* to the *Vicar's Drive*; secondly, the *Vicar's Drive*, coloured Blue on the said Plans; and, thirdly, a new Street or Road (coloured Yellow on the said Plans) Thirty Feet wide on the Northerly Side of the said Lands, commencing at *Manchester New Road*, and intended to be extended so as to connect such Street or Road with *Church Lane* where it meets *Church Stile*, the Corporation undertaking to purchase the Term and Interest which any Leaseholder or Leaseholders, or any other Person or Persons (except the said Ecclesiastical Commissioners), may have in such Part of the last-mentioned Street and the Buildings thereon as lies between the *Vicar's Drive* and *Church Stile*, and to make and construct or cause to be made and constructed the said Three Streets or Roads, as to the Street or Road coloured Blue on the said Plans solely at the Expense of the said Corporation, and as to the Streets or Roads coloured Brown and Yellow at the Expense of the Person or Persons liable thereto under the Provisions of the *Rochdale* Improvement Act, 1853.

On certain Breaches of Covenant, the Lands to revest in the Ecclesiastical Commissioners.

22. Provided, That if the Rent or any Part thereof shall at any Time be in arrear for the Space of Thirty Days after the same shall have been lawfully demanded, and there shall be no sufficient Distress upon the Premises, and Judgment shall have been obtained for Payment of the said Rent, or if Default shall be made by the said Corporation in purchasing the Leasehold Interests in the Land intended for the Extension of the said Street or Road from the *Vicarage Drive* to *Church Stile*, or in the Construction of the said Three Streets or Roads, or if the said Lands shall cease to be used as a Pleasure Ground or Place of public Resort or Recreation, or if any Building or Erection shall be placed thereon without the Consent of the said Ecclesiastical Commissioners, except such as may be required for the Use of the said Lands for the Purposes aforesaid, the said Lands shall forthwith, by force only of this Act and without Entry, re-vest in the said Ecclesiastical Commissioners for *England*.

The Ecclesiastical Commissioners may apply Monies and Stock to

23. It shall be lawful for the Ecclesiastical Commissioners from Time to Time to sell any Stock for the Time being vested in them for the Purposes of the *Rochdale* Vicarage Fund, and to apply the Produce of the said Sale, or any other Monies in their Possessions either as

make permanent Improvements on the Estate, and to provide Parsonage Houses.

Capital or Income on account of the said Fund, to either or both of the following Purposes; (that is to say,)

To the Purpose of making and laying out any Crescents and other open Spaces, Bridges, Roads, Ways, Streets, Squares, Avenues, Passages, Yards, Gardens, Places necessary or convenient for carrying on any Manufacture or Trade, Drains, Sewers, Pipes, Conduits, Easements, and Conveniences, or of otherwise improving the Lands and Hereditaments for the Time being vested in the said Commissioners for the Purposes of this Act, or accommodating the Lessees and Occupiers thereof:

To the Purpose of purchasing, building, or rebuilding, or providing a Site for a Parsonage House for any Benefice which shall have been or may be augmented or endowed under the Provisions of this Act: Provided always, that no such Parsonage House or Site shall be purchased, acquired, or built without the Consent in Writing of the Bishop of the Diocese being first had and obtained.

Receipt of Treasurer, &c. of Ecclesiastical Commissioners sufficient Discharge.

24. The Receipt of the Treasurer or Treasurers of the Ecclesiastical Commissioners, or of any Agent of the said Commissioners duly authorized in that Behalf, for any Monies payable or any Stock transferable to the said Commissioners under the Provisions of this Act, shall be a sufficient Discharge for the said Monies and Stock respectively.

District Parishes to be deemed Vicarages.

25. All Ecclesiastical Divisions already existing or hereafter to be created which may have been or which may hereafter be formed wholly out of the ancient Parish of *Rochdale* aforesaid, or may consist wholly of Portions of such ancient Parish, and wherein the Ministers or Incumbents thereof have and exercise exclusive Cure of Souls, and likewise the new Parish of *Christ Church, Friezland*, shall be deemed to be Vicarages, and the Incumbents thereof Vicars, without Prejudice nevertheless to the Rights of any other Persons.

After the next Avoidance of the Vicarage of Rochdale, certain Patronage to be transferred to the Bishop of Manchester.

26. From and after the next Avoidance of the Vicarage of *Rochdale* the succeeding Vicars shall retain the existing Rights of the Vicar of *Rochdale* and his Successors to the Patronage of the Benefices of which the Churches or Chapels are mentioned in the Third Schedule to this Act, but the Residue of the Ecclesiastical Patronage of the Successors of the Vicar of *Rochdale* as such Vicars shall be transferred to and vest in the Bishop of *Manchester* and his Successors: Provided that nothing in this Act shall affect any Right of Patronage of the present Vicar of *Rochdale*, save and except as is herein specifically declared and provided.

Confirming the Substitution of Christ Church, Todmorden, for the old Church or Chapel thereof.

27. 'And whereas a new Church has been built in the Parochial Chapelry of *Todmorden* 'in the said Parish of *Rochdale*, and the same was consecrated in the Year One thousand 'eight hundred and thirty-two, and named *Christ Church:* And whereas by the Sentence of 'Consecration it was declared that the Maintenance of the Minister of the said Church and 'of the other Officers thereof should be as well by and out of such Funds and Revenues as 'the Minister and other Officers of the old Parochial Church or Chapel of *Saint Mary, Todmorden* (in the said Sentence styled the old Chapel of *Todmorden*,) were entitled to, 'as also by and out of such Pew Rents or other Emoluments as might be granted or assigned 'by the Commissioners for promoting the Building of additional Churches in populous 'Places, and Doubts are entertained whether the said Sentence of Consecration was 'effectual to transfer the said Funds and Revenues to the new Church of *Christ Church* 'aforesaid: And whereas the Vicar of *Rochdale*, as such Vicar, is the Patron as well of 'the said new Church as of the old Church or Chapel of the said Parochial Chapelry, and 'the Rev. *Anthony John Plow* has been licensed to perform the Office of Perpetual Curate 'of the said new Church and of the Chapelry in the said Licence styled the Parochial 'Chapelry of *Christ Church, Todmorden:* And whereas it is expedient that all Doubts as 'to the Validity of the said Transfer, and as to the Title of the said Rev. *Anthony John* '*Plow* to perform such Office, should be removed:' Be it enacted, That it shall be lawful for the said Commissioners, by an Instrument under their Common Seal, with the Consent of the said Vicar of *Rochdale* and of the said Rev. *Anthony John Plow* (if he shall continue in such Office), to declare that the said new Church of *Christ Church, Todmorden*, situate in the said Parochial Chapelry of *Todmorden*, shall be deemed to be substituted for the old Parochial

Parochial Church or Chapel of *Saint Mary, Todmorden*, situate in the same Chapelry, and that all the Endowments, Emoluments, and Rights of or belonging to the said old Church or Chapel of *Saint Mary*, or to the Incumbent thereof, shall be deemed to be transferred to the said new Church of *Christ Church*, and to the said Rev. *Anthony John Plow*, or other the Incumbent thereof, and his Successors for ever: Provided that such Transfer and Substitution shall be deemed to have taken place at the Date of the said Sentence of Consecration, but not so as to prejudice any Person in respect of past Transactions.

The old Church of Todmorden to become a Chapel of Ease.

28. From and after the passing of this Act the Freehold of the said old Church or Chapel of *Saint Mary* shall be vested in the Incumbent for the Time being of *Christ Church* aforesaid, and the same old Church or Chapel of *Saint Mary* shall be deemed to be a Chapel of Ease to *Christ Church* aforesaid, and shall be served by the said Rev. *Anthony John Plow*, or other the Incumbent of *Christ Church* for the Time being, or by his Assistant Curate, duly licensed, and during the Incumbency of the said Rev. *Anthony John Plow* it shall not be lawful, without his Consent in Writing, to withdraw the said old Church or Chapel of *Saint Mary* from his Superintendence and Control by assigning a District thereto, or by specifying it as the Parish Church of a new District, or otherwise howsoever; and it shall be lawful for the said Ecclesiastical Commissioners during such Time, prior to the Date of the vesting of the said Glebe Lands in them, as they shall see fit, to provide, out of the Fund under their Control, the annual Sum of One hundred and fifty Pounds in respect of the Services of the said Chapel of Ease.

Reducing the Number of Churchwardens and Sidesmen of the Parish of Rochdale.

29. 'And whereas there are Ten Churchwardens and Ten Sidesmen of the Parish of 'Rochdale, and having regard to the Limits of the District belonging to the Parish Church 'the said Number is found to be inconveniently large:' Be it enacted, That for the future Two Churchwardens and Two Sidesmen only shall be elected for the said Parish, One Churchwarden and One Sidesman being chosen by the Vicar, and the other Churchwarden and the other Sidesman being chosen by the Persons entitled to take part in such Election.

Repeal of the 55 G. 3. c. lxxx. (*Local.*)

30. 'And whereas under the Provisions of a Local Act of Parliament passed in the 'Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An* 'Act for building a Chapel of Ease in the Town of Rochdale in the County Palatine of 'Lancaster, certain Persons were appointed Trustees for building and erecting a Church or 'Chapel of Ease in the Town of *Rochdale* for the Use of the Inhabitants of the said Town 'and Parish, and receiving Rates for the Purpose of building the said Chapel, and providing 'a House for the Residence of the Minister and Curate thereof; and it was amongst other 'Things enacted, that the Trustees should sell the Fee Simple and Inheritance of the Pews 'and Seats not appropriated to the Poor, and apply the Proceeds in or towards paying 'off the Building Debts, with a Proviso that on every such Sale a yearly Rent should be 'affixed to the Pew or Seat, so that such Rents might amount in the whole to not less 'than Two hundred and twenty Pounds *per Annum*, out of which the Trustees were to 'pay the annual Sum of Two hundred Pounds to the Minister, and Fifteen Pounds to 'the Clerk; and the Proprietors of Pews or Seats were empowered to appoint a Lecturer, 'to be paid by voluntary Subscription, and to appoint to the Offices of Church or Chapel 'Warden, and Clerk, and Organist, and were made liable to a Rate to provide for certain 'Expenses of Divine Service, and for interior Repairs; and it was further enacted, that 'for the Purposes of that Act it should be lawful for the Trustees to levy a Rate on the 'Occupiers of all Houses, Buildings, Lands, Tenements, and Hereditaments in the Town 'of *Rochdale* not exceeding One Shilling in the Pound in any One Year: And whereas in 'pursuance of the said Act a Chapel and House were duly built and provided by the said 'Trustees, the Sites whereof were and still are respectively vested in them, and the said 'Chapel was consecrated by the Title of "*St. James, Wardleworth*," and by an Order of 'Her Majesty in Council dated the Twenty-fifth Day of *May* One thousand eight hundred 'and forty-four, and published in the *London Gazette* on the Thirtieth Day of *November* 'One thousand eight hundred and forty-four, a District was assigned thereto: And whereas 'the Pews or Seats were duly so let in pursuance of the Provisions of the said Act, but 'the greater Part of the Proprietors are dead or not to be found, and their Representatives

'cannot

'cannot be traced, by reason whereof the Rents reserved on the Sale of such Pews or Seats 'cannot be recovered, and the said Pews or Seats cannot be effectually allotted to new 'Residents in the District, and the Powers vested in the Proprietors cannot conveniently 'be exercised: And whereas the Number of the Trustees named in the said Act is now 'much reduced, and no Sum of Money is due under the said Act upon the Security of any 'Rate or otherwise, and no Attempt has been made to levy any Rate for many Years: And 'whereas it is expedient that the said Church or Chapel, and the District assigned thereto, 'should be brought under the Operation of the general Law relating to "New Parishes:"' Be it enacted, That the said Act of the Fifty-fifth Year of His late Majesty King *George* the Third shall be and the same is hereby repealed, excepting Sections Seventeen, Twenty-three, Twenty-four, Twenty-five, and Twenty-six, but not excepting the Proviso to such Twenty-fifth Section.

St. James, Wardleworth, to be placed under the Provisions of 19 & 20 Vict. c. 104.

31. Notwithstanding the said Order of Her Majesty in Council, dated the Twenty-fifth Day of *May* One thousand eight hundred and forty-four, the Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter One hundred and four, and the Acts therein referred to, shall, subject to the Provisions of this Act, be applicable to the said District, and to the Church or Chapel and Incumbent thereof, and to all Persons and Things connected therewith, as if the said District had been constituted by an Order of Her Majesty in Council in pursuance of the said Acts, issuing on the Day of the passing of this Act, and the said Church or Chapel had been specified as the Parish Church: Provided that all relevant general Provisions of this Act shall be deemed to include the Case of *St. James, Wardleworth*, without its being specifically named.

Vesting Freehold of the Church and Parsonage in the Incumbent.

32. The Freehold of the Site of the said Church or Chapel and of the House of Residence, with the Appurtenances thereof respectively, is hereby vested in the Incumbent and his Successors for ever.

Half the Pews to be free, and the Remainder to be dealt with under the Church Building Acts.

33. From and after the Augmentation of the Benefice of *Saint James, Wardleworth*, under this Act One Half Part at least of the whole Number of Pews or Sittings in the said Church or Chapel of *Saint James, Wardleworth*, shall be declared by the Ecclesiastical Commissioners and the Bishop of the Diocese to be free Sittings, such Sittings to be selected by the Bishop of the Diocese, so that, having regard to Position and Convenience, they may be as advantageously situated as the remaining Moiety of the Pews and Sittings; and it shall be lawful for the said Commissioners to deal with the said remaining Moiety and the Rents thereof in manner provided by an Act of the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, having regard to the existing statutory Modifications thereof.

58 G. 3. c. 45.

Short Title.

34. For all Purposes of Recital or Reference it shall be sufficient to mention this Act as "The *Rochdale* Vicarage Act, 1866."

FIRST SCHEDULE.

All that Messuage or Dwelling House called or known by the Name of the Vicarage, together with the Coach House, Stabling, Barn, Shippon, Outbuildings, Pleasure Grounds, Yard, Gardens, and Croft or Enclosure of Land, with the Appurtenances, situate and being in the Borough of Rochdale aforesaid, bounded on the Northerly Side thereof by Land sold to the Corporation of Rochdale for public Purposes, on the Easterly Side in part by the said Land sold to the said Corporation, in other Part by other Part of the said Glebe Land, and in other Part by the old Churchyard, on the Southerly Side by other Part of the said Glebe Land called Broadfield, and by a public Footway leading to the said Broadfield, and being also the Carriageway leading to the said Vicarage, and on the Westerly Side by other Part of the said Glebe Land called Sparrow Hill, and which said Pleasure Ground, Gardens, Lands, and Premises contain by Estimation about Three Acres and a Half of Land, and are enclosed on all Sides by Walls or Flag Fences, except where they abut on the Land sold to the said Corporation.

SECOND SCHEDULE.

St. Chad (Saddleworth).	The Holy Trinity (Dobcross).
Christ Church (Todmorden).	St. Anne (Lydgate).
The Holy Trinity (Littleborough).	St. Alban (Rochdale).
St. James (Milnrow).	St. James (Wardle).
Christ Church (Healey).	St. Paul (Norden).
St. Peter (Walsden).	St. Martin (Castleton Moor).
St. James (Wardleworth).	St. Mary (Rochdale).
St. John (Smallbridge).	St. Clement (Spotland).
St. Thomas (Friarmere).	

THIRD SCHEDULE.

St. James (Wardleworth).	St. James (Milnrow).
St. Mary (Rochdale).	St. Alban (Rochdale).
The Holy Trinity (Littleborough).	

CAP. LXXXVII.

An Act to amend the Foreign Jurisdiction Act. [6th *August* 1866.]

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:

Power for Queen in Council to assign Jurisdiction to Courts in British Dominions in Cases within Foreign Jurisdiction Acts.

1. It shall be lawful for Her Majesty in Council from Time to Time, if and when it seems fit, by Order in Council made under the Foreign Jurisdiction Acts, to assign to or confer on any Court in any of Her Majesty's Possessions out of the United Kingdom any Jurisdiction, Civil or Criminal, Original or Appellate, which Her Majesty in Council might lawfully by any such Order assign to or confer on any Court in any Country or Place out of Her Majesty's Dominions within which Her Majesty has Power or Jurisdiction, and from Time to Time by any such Order to make such Provisions and Regulations as to Her Majesty in Council seem meet respecting the Exercise of the Jurisdiction so assigned or conferred, and respecting the Enforcement and Execution of the Judgments, Decrees, Orders, and Sentences of any such Court, and respecting Appeals therefrom; and every such Order shall be effectual to vest in the Court to which it relates the Jurisdiction expressed to be thereby assigned or conferred, and the same shall be exercised subject and according to the Provisions and Regulations aforesaid.

Short Titles. 6 & 7 Vict. c. 94. 28 & 29 Vict. c. 116.

2. This Act may be cited as "The Foreign Jurisdiction Act Amendment Act, 1866," and the Act of the Session of the Sixth and Seventh Years of Her Majesty's Reign, (Chapter Ninety-four,) "to remove Doubts as to the Exercise of Power and Jurisdiction "by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, "and to render the same more effectual," may be cited as "The Foreign Jurisdiction Act, 1843," and that Act and The Foreign Jurisdiction Act Amendment Act, 1865, and this Act may be cited together and are in this Act referred to as the Foreign Jurisdiction Acts.