## CHAPTER 81.

An Act for disannexing the Rectory of Somersham from the Office of Regius Professor of Divinity in the University of Cambridge, and for making better provision for the Cure of Souls within the said Rectory; and for other purposes. [18th August 1882.]

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WHEREAS His late Majesty King James the First, for the increase of the stipend of the regius professor or reader of divinity in the University of Cambridge, did by his Letters Patent bearing date the twenty-sixth day of August, in the third year of his reign, grant to the chancellor, masters, and scholars of the said University of Cambridge and their successors all that his advowson, donation, free disposition, and right of patronage of the Rectory of Somersham (together with Colne and Pidley, and other chapelries, rights, members, and appurtenances) in the county of Huntingdon, and did by the same Letters Patent signify and declare it to be his royal will and pleasure that the said rectory should for ever thereafter be held and enjoyed by the said professor for so long time as he should continue in the said office, and did thereby further signify and declare his royal will and intention to be that an Act of Parliament should be obtained for that purpose:

And whereas by an Act passed in the tenth year of Her late Majesty Queen Ann for, amongst other things, confirming and rendering more effectual the said Letters Patent, it was enacted that the canonry and rectories in the said Act mentioned should be annexed to the offices or places also in the said Act mentioned, namely, among others, that the said Rectory of Somersham, and all members, tithes, lands, tenements, hereditaments, profits, and emoluments whatsoever thereto belonging, or in anywise appertaining, or with the same used or enjoyed, was and should thereby be united and for ever annexed unto the said office or place of regius professor of divinity, and should be held and enjoyed by

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the person already placed in the said office or place; and by such other person or persons as should from time to time for ever thereafter be placed and put into the said office or place in as full and ample manner to all intents and purposes as if they were duly presented, nominated, admitted, instituted, and inducted thereunto; and the said professor or reader and his successors for the time being, during such time or times only as they should continue in the said office or place, should by virtue of such office or place for ever thereafter have and hold the said rectory without any presentation, admission, institution, or induction, or any other act or thing whatsoever to entitle them thereunto, and should be and were thereby declared to be during their continuance in the said office or place full and perfect incumbents of the said rectory to all intents and purposes whatsoever; and that so often as it should happen that the said office or place should become void by death, resignation, or otherwise, the said rectory should at the same time become void, and the person that should be placed in such office or place so become void should by virtue of such office or place only have and enjoy the said rectory for so long time as he should continue in such office or place and no longer: And it was thereby provided that the said professor should celebrate divine service and perform all other parochial duties relating to the cure of souls within the said rectory which any other rector of the said rectory had theretofore done and performed, and were by law obliged to do and perform, or should allow to learned and able curates to be licensed by the bishop or ordinary of the diocese who should be constantly residing within the said rectory such competent salaries and stipends as the said bishop or ordinary should judge sufficient: And it was thereby also provided that neither that Act nor anything therein contained should excuse or be construed to excuse the said professor from the payment of first fruits and tenths, or from the payment of all dues of what kind soever to the bishop or other ordinary who before the making of that Act had lawful right to claim the same, or from canonical obedience to the bishop or ordinary of the said diocese, but such professor should be obliged to make payment thereof:

And whereas it has been found that by reason of the duties belonging to his office of professor the said regius professor is unable to celebrate divine service and to perform in person the other parochial duties relating to the cure of souls within the said rectory, and it is expedient that the said regius professor should devote himself entirely to the duties of his office of professor, and

that divine service should be celebrated and all other parochial duties performed within the said rectory by some person appointed for that purpose with permanence of tenure:

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:

Short title.

**1.** This Act may be cited for all purposes as the Somersham Rectory Act, 1882.

Commencement of Act.

**2.** This Act shall commence and take effect from and after the time of the next and first avoidance of the office or place (in this Act called the office) of regius professor or reader of divinity in the University of Cambridge (in this Act called regius professor) which shall happen after the passing of this Act, or from and after any earlier time at which the person holding at the time of the passing of this Act the office of regius professor shall, by writing under his hand addressed and sent to the chancellor, masters, and scholars of the University of Cambridge (in this Act called the chancellor, masters, and scholars), and also to the bishop or ordinary of the diocese, resign the Rectory of Somersham, in the county of Huntingdon; and the person so holding the office of regius professor is by this Act authorised to resign the same rectory accordingly without resigning the office of regius professor.

Rectory of Somersham to be disannexed from regius professorship.

**3.** Immediately after the commencement of this Act the Rectory of Somersham (in this Act called the rectory), together with Colne and Pidley, and other chapelries, rights, members, and appurtenances, in the county of Huntingdon, and all members, tithes, lands, tenements, hereditaments, profits, and emoluments whatsoever belonging or in anywise appertaining to that rectory or with the same used or enjoyed (all of which are in this Act included under the expression the rectory), shall be severed and for ever disannexed from the office of regius professor; and the person who shall after the commencement of this Act be the regius professor for the time being shall no longer by virtue of his office have or hold the rectory or become the incumbent thereof.

Rectory vested in the University of Cambridge.

**4.** After the commencement of this Act the rectory and all the estate and interest therein which the regius professor as rector thereof or his successors has or had, or would have had therein if this Act had not been passed, shall, without any conveyance thereof or any assurance in law other than the provisions of this Act, forthwith become and be vested in the chancellor, masters, and scholars for ever for the purposes and subject to the provisions of this Act,

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and the chancellor, masters, and scholars shall for ever thenceforth receive all the tithes, rents, profits, and emoluments payable in respect of the rectory to the rector thereof for the time being.

University to have powers of rector.

**5.** After the commencement of this Act the chancellor, masters, and scholars shall, for the purpose of enforcing payment of all tithes, rents, profits, and emoluments of the rectory, and of obtaining possession of all tithes, lands, tenements, and other hereditaments becoming vested in them under this Act, and of recovering the rents and profits thereof, have and enjoy all rights, powers, and remedies at law and in equity of a rector of the rectory duly presented and instituted or collated and inducted thereto.

Neither professor nor university to have cure of souls.

**6.** After the commencement of this Act neither the regius professor for the time being nor the chancellor, masters, and scholars shall be required, nor shall it be lawful for him or them by virtue of the office of regius professor or of rector of the rectory, to celebrate divine service or perform any other parochial duties relating to the cure of souls within the rectory, or to appoint any curate or curates for such purposes or any of them, and neither the regius professor for the time being nor the chancellor, masters, and scholars shall owe any canonical obedience to the bishop or ordinary of the diocese within which the rectory is or may be situated.

Vicarage constituted with cure of souls.

**7.** After the commencement of this Act there shall by virtue of this Act be constituted a vicarage of Somersham (in this Act called the vicarage), and for the purpose of celebrating divine service and performing all other parochial duties relating to the cure of souls within the rectory there shall be appointed a duly qualified clerk to be the vicar of Somersham (in this Act called the vicar), who shall celebrate divine service and perform all other parochial duties relating to the cure of souls within the rectory which the regius professor as rector of the rectory, or the curate or curates appointed by him, has or have usually done or performed, or was or were by law obliged to do or perform, and the vicar shall owe canonical obedience to the bishop or ordinary of the diocese within which the rectory is or may be situated.

Patronage of vicarage vested in bishop of diocese.

**8.** The perpetual advowson, donation, free disposition, and right of patronage of the vicarage shall be and the same is by this Act vested in the bishop or ordinary of the diocese, who shall from time to time collate some fit and proper person to the vicarage.

Rectory income to be divided between

**9.** After the commencement of this Act the chancellor, masters, and scholars shall out of the tithes, rents, profits, and emoluments of the rectory pay all expenses, charges, and other outgoings,

including the costs of repairing the chancel of the parish church of Somersham and of the two churches in Colne and Pidley, at any time before the passing of this Act paid by the regius professor as rector, other than the salaries or stipends of any curates appointed for the celebration of divine service and the performance of other parochial duties relating to the cure of souls within the rectory, and shall divide the net annual surplus of such tithes, rents, profits, and emoluments, after payment thereout of all such outgoings as aforesaid, into twenty equal parts, and shall pay ten of such parts to the regius professor for the time being, and shall pay the remaining ten of such parts to the vicar for the time being for the benefit of himself and of his two curates as herein-after provided.

Regius professor and vicar.

**10.** The vicar shall appoint and constantly provide at least two learned and able curates (to be duly licensed by the bishop or ordinary of the diocese), who shall be resident within the rectory, to assist him in the celebration of divine service, and the performance of all other parochial duties relating to the cure of souls within the rectory, and the vicar shall in every year, out of the income represented by the ten parts to be paid to him as by this Act provided of the said annual surplus, pay and apply three of such parts to the curate assigned to Pidley and two other such parts to the curate assigned to Colne.

Vicar to employ two curates.

**11.** The vicar shall by virtue of his office of vicar have, hold, occupy, and enjoy for his own use, so long as he continues vicar, the rectory house at Somersham, and the garden and ground belonging thereto and usually occupied therewith.

Vicar to have rectory house.

**12.** Every vicar of Somersham shall have all such claims, rights, remedies, and powers of recovery against the rector or vicar his predecessor, or against the representatives of the rector or vicar his predecessor, in respect of dilapidations to the rectory house, garden, and ground as would have belonged to or been possessed by the person succeeding to the office of regius professor against his predecessor in that office, or against the representatives of such predecessor, if this Act had not been passed.

Vicar to be responsible for dilapidations.

**13.** All first fruits and other dues which before the passing of this Act have been payable in respect of the rectory upon the appointment of any person to the office of regius professor shall after the commencement of this Act become due and be payable upon the collation of a vicar to the vicarage, and first fruits or other dues shall no longer become due or be payable in respect of the rectory

First fruits to be payable on collation of vicar.

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upon the appointment of any person to the office of regius professor.

First fruits to be paid out of rectory income.

**14.** The chancellor, masters, and scholars shall out of the tithes, rents, profits, and emoluments received by them as rectors of the rectory pay all first fruits and tenths, and payments so made shall be outgoings within the meaning of this Act payable before the division by this Act directed to be made of the net annual surplus of the tithes, rents, profits, and emoluments of the rectory.

Provision as to costs of this Act.

**15.** All costs of or incident to preparing, obtaining, and passing this Act shall be paid by the chancellor, masters, and scholars.

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