ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. liii.

An Act for ſettling the Right of Patronage or Preſentation of or to a Chapel to be called *Stanſted Chapel*, in the Pariſh of *Stoughton*, in the County of *Suſſex*. [20th *June* 1817.]

WHEREAS the Reverend *Lewis Way* Clerk, Maſter of Arts, is ſeized of or well entitled in his Demeſne as of Fee to the Manor of *Stanſted*, and the Capital Manſion Houſe, Meſſuages, Lands, and Hereditaments thereto belonging or appertaining, ſituate in the Pariſh of *Stoughton*, in the County of *Suſſex*, and in the Dioceſe of *Chicheſter*: And whereas the ſaid Capital Manſion Houſe is ſituate at the Diſtance of at leaſt Three Miles from the Pariſh Church of *Stoughton* aforeſaid, by Reaſon whereof, and of the Want of a direct Communication by a Public Highway between the ſaid Pariſh Church and Manſion Houſe, and alſo from the Badneſs of the Bye Roads at moſt Times in the Year, the ſaid *Lewis Way* and his Family and Servants, being the Occupiers of the ſaid Manſion Houſe, are frequently prevented attending the Celebration of Divine Service at the Pariſh Church of *Stoughton* aforeſaid: And whereas the ſaid *Lewis Way*, out of Reverence and Regard for Religion, and for the Purpoſe of providing for the more regular Attendance at the Celebration of the Ordinances thereof by the Occupiers for the Time being of the ſaid Manſion Houſe, hath lately at his own ſole Expence cauſed a certain ancient Building, ſtanding on a Piece of Land in a convenient Situation in the Pariſh of *Stoughton* aforeſaid, to be converted into a Chapel, and is deſirous that the ſame may be ſet apart and appropriated for the Service of Almighty God, as and for a Place of Divine Worſhip according to the

Rites and Ceremonies of the United Church of *England* and *Ireland* for ever: And the ſaid *Lewis Way* hath alſo ſet apart and appropriated a certain Piece of Land, near to or adjoining the ſaid Chapel, to be uſed as a Cemetery or Burial Ground and Chapel Yard: And whereas the ſaid *Lewis Way* hath alſo (by Indenture of Bargain and Sale duly enrolled in His Majeſty's High Court of Chancery, and bearing Date the Twenty-firſt Day of *March*, in the Year of our Lord One thouſand eight hundred and ſeventeen) appointed, conveyed, and aſſured unto certain Truſtees therein named the ſaid Chapel, Cemetery or Burial Ground, and Chapel Yard, and alſo a certain Meſſuage or Dwelling Houſe, Farm, Lands, and Hereditaments, ſituate in the Pariſh of *Weſtbourne*, in the ſaid County, upon certain Truſts therein reſpectively declared, and hereinafter referred to; that is to ſay, as to, for, and concerning the ſaid Chapel, Cemetery or Burial Ground and Chapel Yard, upon Truſt to procure the ſame to be duly conſecrated and licenſed as therein mentioned, and afterwards upon Truſt for ſuch Clergyman, Parſon, or Miniſter in Holy Orders to officiate therein as ſhall from Time to Time be duly and legally preſented, admitted, and licenſed thereto; and as to the ſaid Meſſuage or Dwelling Houſe, with the Garden and Appurtenances, upon Truſt for the Miniſter for the Time being of the ſaid Chapel; and as to the Farm, Lands, and Hereditaments therein mentioned, upon Truſt to demiſe or let all or any Part thereof in Manner therein mentioned, and to pay the Rents, Iſſues, and Profits thereof, from Time to Time as the ſame ſhall be received, unto ſuch Clergyman, Parſon, or Miniſter in Holy Orders as ſhall be duly and legally preſented, admitted and licenſed to the ſaid Chapel, and to his Succeſſors, to and for his and their ſole Uſe, Benefit, and Advantage; and the ſaid *Lewis Way* hath alſo by the ſame Indenture of Bargain and Sale appointed and demiſed other Hereditaments therein deſcribed or referred to, and which are of the Annual Value of One thouſand Pounds and upwards, unto the Truſtees therein named, for a Term of Two thouſand Years, upon Truſt to raiſe from Time to Time, in Manner therein mentioned, ſuch Sum of Money as ſhall be ſufficient for rebuilding and repairing the ſaid Chapel, Cemetery or Burial Ground, Chapel Yard, Meſſuage or Dwelling Houſe, with their Appurtenances, and for keeping the ſame in good and ſubſtantial Repair; and alſo upon Truſt to raiſe an Annual Sum, not exceeding Ten Pounds, for the Clerk and Sexton of the ſaid Chapel, and alſo all ſuch Sums as ſhall be ſufficient to provide for the decent Adminiſtration of the Holy Sacraments in the ſaid Chapel, and to provide decent Surplices and Gowns for the Miniſter, and proper Books and other Articles and Things required for the due Celebration of Divine Service; and alſo to raiſe from Time to Time ſuch Sum and Sums of Money as with the Rents to be reſerved on the Leaſe or Leaſes to be granted of the Meſſuage, Farm, and Lands therein-before mentioned, ſhall make up the clear Yearly Sum of One hundred Pounds of lawful Money of *Great Britain*, for the Benefit of the ſaid Miniſter: And whereas the Right Reverend Father in God *John*, by Divine Permiſſion, Lord Biſhop of *Chicheſter*, is the Patron of the Vicarage or Pariſh Church of *Stoughton* aforeſaid, and the ſame Church is ſituated in the Dioceſe of *Chicheſter*; and the Reverend *Robert Hardy* Clerk is the preſent Vicar or Incumbent of the ſaid Pariſh Church: And whereas *John* Lord Biſhop of *Chicheſter*, as Patron as well as Diocеſan of the ſaid Vicarage or Pariſh Church of *Stoughton*, and the ſaid *Robert Hardy*, as the Vicar or Incumbent thereof, have ſeverally conſented, as far in them lay, that the Right of Patronage or Preſentation of or to the ſaid Chapel, ſo

erected as aforesaid, shall be secured to and vested in the said *Lewis Way* during his Life, and from and after his Decease in the Lord or Lords, Lady or Ladies for the Time being of the Manor of *Stansted* aforesaid for ever: And whereas the Right of Patronage or Presentation of or to the said Chapel cannot be secured to or vested in the said *Lewis Way*, and the Lord or Lords, Lady or Ladies for the Time being of the said Manor of *Stansted*, without the Aid and Authority of Parliament: Wherefore Your Majesty's most loyal and dutiful Subject, the said *Lewis Way*, doth most humbly beseech 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, That the Right of Patronage, free Disposition, Nomination and Presentation, of, in, and to the said new Chapel, shall, immediately after the same Chapel shall have been consecrated according to the Usage of the United Church of *England* and *Ireland*, appertain to, and the said Right of Patronage, free Disposition, Nomination and Presentation, are hereby vested in and settled upon the said *Lewis Way*, for and during the Term of his natural Life; and from and after his Decease in and upon the Lord or Lords, Lady or Ladies (for the Time being) of the Manor of *Stansted* aforesaid for ever, freed and absolutely discharged, acquitted, released, and exonerated from all Estates, Rights, Interests, Claims, and Demands whatsoever of the said Bishop and Vicar respectively, and their respective Successors, and of all Persons claiming or to claim by, from, or under them or either of them.

Settlement of the Right of Presentation.

II. And be it further enacted, That as soon as the said Chapel shall have been consecrated as herein-before mentioned, the same shall for ever thereafter be called by the Name of *Stansted Chapel*, in the Parish of *Stoughton*, in the County of *Sussex*; and that such Clergyman or Minister in Holy Orders, duly qualified according to Law, as shall be legally presented, and shall afterwards be admitted and licensed thereto by the Bishop of the Diocese, shall, after such Presentation, Admission, and Licence, be deemed and taken by virtue of this Act to be incorporated and made one Body Politic or Corporate, by the Name of The Chaplain or Minister of *Stansted* Chapel, in the Parish of *Stoughton*, in the County of *Sussex*, and shall have perpetual Succession, and shall be able to sue and be sued by that Name in all Courts of Law and Equity in this Realm.

Name of Chapel, and Chaplain incorporated.

III. And be it further enacted, That in case the said *Lewis Way* or his Assigns during his Life, or after his Decease in case the Lord or Lords, Lady or Ladies (for the Time being) of the said Manor of *Stansted*, shall for the Space of Six Calendar Months next after the said Chapel shall have been consecrated, or for the Space of Six Calendar Months next after any Vacancy in the said Chapel shall happen, omit, neglect, or refuse to present a proper Clergyman or Minister in Holy Orders, duly qualified according to Law, to officiate or perform Divine Service therein, then and in such Case, and so often as the same shall happen, the Right of Nomination and Presentation of a Chaplain or Minister to the said Chapel shall lapse to the Ordinary, and from him to the Metropolitan, and from the Metropolitan to the Crown, according to the Course of Law in Presentative Livings or Benefices; and that the Right of Nomination and Presentation of a Chaplain or Minister to the said Chapel shall and may be recovered and recoverable, and the Incumbency thereof shall and may cease and be determined, in like Manner and by

In case of Default in making Presentation, the Right to lapse in the usual way.

by the like Methods as the Right of Preſentation to and Incumbency in Preſentative Livings or Benefices may by Law be recovered and may ceaſe and be determined.

Duty of the Chaplain.

IV. And be it further enacted, That the Chaplain or Miniſter for the Time being of the ſaid Chapel ſhall and he is hereby required and enjoined, on the Morning, Afternoon or Evening of every *Sunday* or Lord's Day throughout the Year, and on the Morning, Afternoon or Evening of *Chriſtmas Day* and *Good Friday*, and of all Days which ſhall be ſet apart by His Majeſty's Proclamation to be obſerved as Days of Faſting or Thankſgiving, to read in the ſaid Chapel the Morning or Evening Prayers and other Service preſcribed in the Book of Common Prayer or Public Liturgy of the Church of *England*; and further, that ſuch Chaplain or Miniſter for the Time being ſhall alſo, and he is hereby required and enjoined, on every *Sunday* or Lord's Day throughout the Year, and on every *Chriſtmas Day* and *Good Friday*, in the Morning, Afternoon or Evening, and in the Morning, Afternoon or Evening of every other Day which ſhall be ſet apart by His Majeſty's Proclamation to be obſerved as a Day of Faſting or Thankſgiving, to deliver or preach a Sermon in the ſaid Chapel; and further, that ſuch Chaplain or Miniſter for the Time being ſhall alſo, and he is hereby required and enjoined to adminiſter the Holy Sacrament of the Lord's Supper in the ſaid Chapel, when and ſo often as by Law is required in the Caſe of the Parochial Church of *Stoughton* aforeſaid.

Duty of Chaplain as to other Offices.

Baptiſms, &c. to be regiſtered in the Pariſh Regiſter.

V. And be it further enacted, That it ſhall be lawful for the Chaplain or Miniſter for the Time being of the ſaid Chapel, and he is hereby required and enjoined, when thereunto requeſted by or on Behalf of any Inhabitant of the ſaid Pariſh of *Stoughton*, to adminiſter the Holy Sacrament of Baptiſm in the ſaid Chapel, and to perform the Office of the Churching of Women therein, and alſo to perform the Office of Burying in the ſaid Cemetery or Burial Ground and Chapel Yard; and that every Baptiſm and Burial, ſo to be performed in the ſaid Chapel, Cemetery or Burial Ground and Chapel Yard, ſhall, upon a Certificate thereof, to be forthwith ſigned and tranſmitted by the Chaplain or Miniſter of the ſaid Chapel, or the Curate thereof for the Time being, to the Vicar or Curate for the Time being of the Pariſh Church of *Stoughton* aforeſaid, be duly regiſtered in the public Regiſter of the ſaid Pariſh Church of *Stoughton*, and the Chaplain, Miniſter, or Curate for the Time being of the ſaid Chapel is hereby required and enjoined forthwith to ſign and tranſmit ſuch Certificate as aforeſaid, without receiving or demanding any Fee or Reward; and the Vicar or Curate for the Time being of the ſaid Pariſh Church of *Stoughton* is hereby required and enjoined forthwith on the Receipt of every ſuch Certificate, and without receiving or demanding any Fee or Reward, to regiſter every ſuch Baptiſm and Burial, ſo certified as aforeſaid, in the public Regiſter of the Pariſh Church of *Stoughton* aforeſaid.

Accuſtomed Fees to be paid to the Vicar of Stoughton.

VI. And be it further enacted, That for every Baptiſm, Churching of a Woman, and Burial to be performed in the ſaid Chapel, there ſhall be paid to the Vicar for the Time being of the ſaid Pariſh of *Stoughton*, and to the Clerk or Sexton of the Pariſh Church of *Stoughton*, the like Fees reſpectively as if ſuch Baptiſm, Churching of Women, and Burial, had been performed in the ſaid Pariſh Church of *Stoughton*, and in the Burial Ground thereof.

VII. And

Remedy of Vicar of the Parish Church for the accustomed Fees.

VII. And be it further enacted, That in case of any Refusal or Neglect of or by any Person or Persons to pay the Amount of the said several accustomed Fees to the Vicar and Clerk and Sexton for the Time being of the said Parish Church of *Stoughton*, the same shall and may be recovered by the said Vicar and Clerk and Sexton respectively of the said Parish Church, in such Manner as any Surplice Fees demanded and taken at the said Parish Church may be recovered.

Appointment of Clerk and Sexton.

VIII. And be it further enacted, That it shall be lawful for the Chaplain or Minister for the Time being of the said Chapel to nominate and appoint any Person, from Time to Time as he shall think fit, to officiate as Clerk and Sexton of the said Chapel, and also from Time to Time, with the Consent in Writing of the Bishop of the Diocese of *Chichester* for the Time being, but not otherwise, to displace and remove such Clerk and Sexton.

Pews and Seats vested in Mr. Way, but not to be let, &c. by him.

IX. And be it further enacted, That the several Seats or Pews within the said Chapel shall be, and they are hereby declared to be, vested in the said *Lewis Way* for and during the Term of his natural Life, and, from and after his Decease, in the Lord or Lords, Lady or Ladies for the Time being of the Manor of *Stansted* aforesaid, for ever; but nevertheless it is hereby declared, that the said *Lewis Way* or his Assigns, or the Lord or Lords, Lady or Ladies for the Time being of the said Manor of *Stansted*, shall not, under any Pretence whatsoever, have, receive, take, or demand, from any Person or Persons whomsoever, any annual or other Sum or Sums of Money, Rent or Rents, Fee or Reward whatsoever, for the Use and Occupation of any Seat or Seats, Pew or Pews, in the said Chapel; and that all Covenants, Contracts, Bonds, Obligations, or Agreements whatsoever for securing the Payment of any Sum or Sums of Money, Rent or Rents, Fee or Reward, for the Use and Occupation of such Seat or Seats, Pew or Pews, shall be absolutely null and void, both at Law and in Equity, to all Intents and Purposes whatsoever; and that if any Action or Suit shall be commenced against any Person or Persons upon or in respect of any such Covenant, Contract, Bond, Obligation, or Agreement, the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Hearing to be had thereupon: Provided always, that Sittings or Benches in the said Chapel, sufficiently spacious to accommodate at least Fifty Persons, shall be appropriated and set apart for the Use of Poor Persons resorting thereto for ever.

Seats for the Poor.

No new Parish to be made.

X. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to make any new Parish, or to affect or alter any Payments or Assessments, either Parliamentary or Parochial.

Saving the Jurisdiction of the Archbishop, Bishop, and Vicar.

XI. Provided always, and be it hereby further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, change, diminish, or impeach any Estates, Rights, Titles, Interests, Property, Privilege, or Jurisdictions, Claims or Demands, of the Archbishop of *Canterbury* and the Bishop of *Chichester* respectively, and their respective Successors (except as far as regards the Right of Presentation so vested in and settled upon the said *Lewis Way* for his Life, and after his Decease in and upon the Lord or Lords, Lady or Ladies for the Time being of the Manor of *Stansted* aforesaid), or any Rights,

Privileges, Tithes, Offerings, Oblations, Obventions, or other Ecclesiastical Dues, Fees, Gratuities, Gifts, Presents, Advantages, Emoluments, or Benefits which the Vicar for the Time being of the said Vicarage of *Stoughton*, or the Clerk for the Time being of the said Parish Church of *Stoughton*, would or might have, claim, or enjoy or be entitled to if this Act had not been made (except only as aforesaid).

General Saving.

XII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every Person and Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, all such Estates, Right, Titles, and Interest, (other than and except such as are meant and intended to be barred and destroyed by this Act) which they, every, or any of them had and enjoyed before the passing of this Act, or could or might have had or enjoyed in case this Act had not been passed.

Public Act.

XIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

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