



Bodleian Libraries

UNIVERSITY OF OXFORD

This book is part of the collection held by the Bodleian Libraries and scanned by Google, Inc. for the Google Books Library Project.

For more information see:

<http://www.bodleian.ox.ac.uk/dbooks>



This work is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 2.0 UK: England & Wales (CC BY-NC-SA 2.0) licence.

The DUTIES of the PAROCHIAL CLERGY of the
CHURCH of ENGLAND Considered,



I N A

C H A R G E

D E L I V E R E D

T O T H E C L E R G Y

O F T H E

D I O C E S E O F B A N G O R ,

A T T H E

P R I M A R Y V I S I T A T I O N

H E L D I N T H E

M O N T H S O F A U G U S T A N D S E P T E M B E R , 1784.

John

B Y

J O H N , L O R D B I S H O P O F B A N G O R .

T O W H I C H I S A D D E D ,

An APPENDIX, containing Directions concerning the Instruments
proper to be brought for obtaining Orders, &c.

Together with some other Matters.

L O N D O N :

Printed for LOCKYER DAVIS, in Holborn, Printer to the Royal Society.

M D C C L X X X V .



THE
BISHOP OF BANGOR'S
C H A R G E
TO HIS
C L E R G Y.

REVEREND BRETHREN,

WHEN his Majesty was graciously pleased to translate me to the See of Bangor, upon the promotion of my worthy Predecessor to the highest station in our Church, I resolved to take the first opportunity of calling you together; but, not having been able, after so short a residence among you, to obtain a compleat knowledge of the state and condition of this Diocese, I can only address you now on general Topics; and as nothing can be more suitable to a Meeting of this kind than to consider the Duties, which our Church requires of her parochial Clergy, I shall confine myself chiefly to that point.

With respect to the general nature of our Office, that can be determined only by Scripture; and there we are called *Christ's immediate Servants; Stewards of his Household; Dispensers of his Word and Sacraments; his Messengers; his Watchmen;* and the
B *Shepherds*

Shepherds of his Flock : And these figurative Titles, which are so frequent in the New Testament, do not only serve to instruct us in the general nature of our Office, but they excite us also to a faithful discharge of it ; as we can have no right to these honourable appellations, unless we endeavour to deserve them by our extraordinary labour, care, and diligence. But what are the particular Duties of this Office ? And where are the Bounds to be placed, beyond which our obligation cannot be reasonably supposed to go ?

If we should consult the writings of some of the most eminent Fathers of the Christian Church, and be obliged to believe the account they have given us of the difficulties of the pastoral Office, we should find them so great and so many, that no one, who had, or who intended to preserve a good conscience, would venture to engage in such a service*. It hath, I confess, been always matter of surprize to me, that men, who were as remarkable for their wisdom and learning, as they were for their religion, should write in so desponding a manner on this subject ; should exert all their skill in finding out difficulties and discouragements ; in a word, should take so much pains to describe an office, which was to be undertaken by some, as impossible to be duly executed by any. They were certainly great Orators ; but, on this occasion, they misapplied their talents, as it is a false, and mischievous eloquence, which, when treating of general Duties, raises them so high, that they become too hard and difficult for common practice ; so that what God commands us all to do, and by commanding shews, that we all have power to accomplish, these Men would persuade us, that few or none can perform ; and therefore, instead of animating and encouraging us, as they ought, they do all they can to throw us into despair. But what is the true state of the case ? what is it, that may be reasonably required of all, who undertake this Office ? What are those bounds, and rules, which being

* Chrysofom, Jerome, Gregory Nazianzen, and others.

duly observed, a good Man may satisfy himself, that he hath discharged his Duty competently well ?

Now, in order to clear up this matter, let it be remarked, that though, as it was just now observed, the general nature of our Office is to be determined by the word of God, yet the particular obligation of every one to his own Flock is to be settled by the Laws and Constitutions of the Church and Kingdom, to which he belongs, and what the extent of that is among us is well explained in our Service of Ordination: for there we are told, that the Ministers of our Church are to teach *the People committed to their care and charge*: Are to use public and private admonitions, as well to the sick as the whole, *within their cures*: Are to set forward gentleness, peace, and love, among all Christian People, and especially among those, who shall be *committed to their charge*. From all which it plainly follows, that the Cure of Souls committed to Ministers of our Church is not a vague, indefinite, undetermined Thing, but is limited as to *Place, Persons, and Duties*.

But some there are, who will allow of no such Limitations: Who tell us, that the word of God ought not to be bound: That the ministerial Duties ought not (as the words in the Office of Ordination imply) to be confined within certain Districts; and that it would be more for the interest of Religion, if parochial Inclosures were thrown open, and all had full liberty to exercise their gifts, where-ever they were called.

Now, in answer to this, it may be observed, that Religion can be supported for a continuance in no Country without places of public Worship; and no public Worship can be maintained in order and decency, without a particular form of Profession, and a stated and fixed Ministry. To any man, who considers the general nature of the Thing, this will be evident; and History and Fact confirm it: For, as soon as Christianity had gotten footing in the world, places of public Worship were provided in different parts; and, pretty early in the second century, the Bishop of Rome began to

assign precincts to each Church, and to appoint to each Presbyter a certain compass, whereof he should take the charge alone *. From hence may be dated the origin of Parishes; and as this Institution served, not only to propagate, but to preserve Religion, so it was followed in all parts of Christendom; and in the seventh century, when the Inhabitants of this Isle had, in general, embraced Christianity, parochial Cures began to be settled here, and by degrees arrived at that regular state, in which we now behold them †; and though this division of a country into Parishes was at first purely ecclesiastical, being made for the purposes of Religion only; yet it has been adopted since by the State, and confirmed by Law, and some of the most important parts of our civil Police depend now on keeping parochial Bounds clear and distinct: They therefore, who wish at this time to throw open these Inclosures, because they are not coeval with Christianity, and because the Gospel was at first preached and propagated without any such help, deserve no more attention, than those, who are for overthrowing all Dominion and Property in lands and estates, because there was a time, when there was no such division of Property; and because there is no express command of God concerning it; and yet so necessary was it found to be, on the increase of Mankind, that it was universally adopted; and the great object now of every well constituted Government is to secure to Individuals the quiet possession of their respective rights.

But though the division of countries into Parishes, and the establishing of a regular settled Clergy in consequence thereof, are very antiént Institutions, and have been all along considered as the best means for promoting unity, peace, and order in Religion, together with real edification; yet the success of this wise Provision depends, in great measure, on the conduct of the Clergy themselves; and this brings me to consider more particularly, what those Duties are, which our Church requires of her parochial Clergy.

* Hooker, Book V. Sect. 80.

† Hooker, *ibid.*

And the first thing which I shall take the liberty of recommending to your notice, is a grave and devout performance of all the public Offices of the Church*.

The well reading of the Common-Prayer tends as much to the edification of our Audience, as any thing we can do, and, as such, is a matter of great importance.

In all the public Offices of the Church of England, the Minister is, as it were, the mouth of the Congregation: His voice is to reach their ears, and to keep their thoughts fixed and intent on the solemn business, in which they ought, at that time, to be wholly occupied; and their devotion must necessarily depend very much on the way and manner, in which this part of our function is performed.

If the Minister therefore be not audible and distinct in his delivery, the end of reading will be lost, which is to be heard and understood; or if he be careless and indifferent, it is in vain to hope, that the People will be serious and attentive; or if he be cold and unaffecting, it is not to be expected, that his Congregation will be zealous and devout: in a word, if he doth not pour forth his prayers and praises in a distinct, earnest, and solemn manner, so as to fix the attention of his hearers, so as to kindle their affections, quicken their devotions, and at length raise their minds above all worldly cares and concerns, the end of public Worship will be, in great measure, defeated, and one of the most powerful means of Edification very much obstructed.

I am well aware, that what I am now recommending is not equally in the power of every one, because all are not, in an equal degree, possessed of those talents, without which no one can arrive at any great excellence in the performance of this part of his Duty. A melodious voice, a sweet cadence, and a graceful manner of reading, are, properly speaking, gifts of nature, and fall to the share of very few; but they who are not favoured with these rare

* Addison's Works, vol. II. p. 357. 8vo edit.

endowments, may yet, with care and attention, learn to read distinctly and devoutly: and indeed this the Rubric requires of all, who officiate in our Church, and repeatedly enjoins the same; and as it enjoins no more, than what is presumed to be in the power of every one, it is the duty of every one to attain it; and more especially, as the edification of the people depends so much on the way and manner, in which the public Service of the Church is performed.

And as the well reading of the Common-Prayer will promote the edification of our Hearers, so will it also secure the credit and honour of the Liturgy itself.

They, who dislike our forms, and on that account dissent from us, are apt to object against our Liturgy, as being cold, lifeless, and unaffecting: But there is no force in the objection, because what is represented by them as cold and lifeless, is nothing more than grave and serious; and ought not all public Liturgies to be so? But though the objection has no force in itself, yet we may give it a great deal, by reading the service in a supine, cold, and unaffecting manner. Some, even of our own members, are too much disposed to despise and undervalue this part of our public Worship, because it is drawn up ready to the Minister's hand, and requires no other qualification but that of bare reading: But we find, by experience, how soon this dislike to a stated form of prayer vanishes; and with what reverence and devotion the public service of our Church is attended to, where it is read audibly, distinctly, and solemnly.

Thus much for the well Reading of the Common-Prayer.

The next Duty, that I shall mention, is Preaching. I need not tell this Audience, that, at the time of the Reformation, none were permitted to exercise this part of their Function, except such, as were eminent for their learning, and prudence, when compared with the rest of their Brethren. But knowledge having been much diffused within the last century, and the Clergy having, in general,
the

the advantage of a learned and liberal education, all, without distinction, are admitted now to preach in the Churches, where they serve* ; and as this mode of Instruction has been always held in great esteem, and may be made very useful to the cause of Religion, it deserves no ordinary degree of your care and attention †. It will not however be necessary to give you many directions concerning the way and manner, in which this part of your duty may be best performed ; as most excellent models and examples are to be found of every kind in the writings of our Divines, and particularly of those, who flourished towards the end of the last, and the beginning of this century. But though it will be needless, for this reason, to trouble you with a set of rules ; yet it may be proper to observe, that as the sole end of preaching is edification, you ought ever to have this in view, and to address your Congregation in such a manner, that you may be understood by the greatest part of it. A Preacher, who says, what is adapted only to a few, or intelligible but to here and there one of a more cultivated understanding, cannot be said to execute his Office well. There are perhaps times and places, when abstruse subjects, and nice points of learning and criticism may be introduced ; but these opportunities are very rare, and nothing of this kind can ever be proper before a popular Audience ; and that is the case, of which I am now speaking. In a word, what I would recommend is, that, when you are preparing and considering your discourses, you would recollect the state and condition of your Congregation, their spiritual wants and necessities, their capacities, and the extent of their knowledge, and in consequence of that, make choice of proper subjects, and treat them in such a way, as is most likely to inform and affect the greatest part of your hearers. Every good Clergy-

* Burn's Eccles. Law, vol. II. p. 279.

† Vide Erasmi Præfat. ad Eccles.

man would wish to inform all, and affect all; but, that being impossible, when he is addressing an Audience, which consists of persons, of different ages, capacities, and tempers, his chief endeavour should be to inform and affect the most, and that is best done in plain sense expressed in plain and familiar language.

It can hardly be necessary to observe, that what has been said above, concerning the great advantage of reading the Service of the Church in a distinct, grave, and solemn manner, will be equally applicable to the Duty of Preaching, as the effects and impressions of all discourses from the pulpit depend upon no one circumstance more, than the manner, in which they are delivered. Men of learning and abilities are apt to complain, that good sense, expressed in proper language, doth not, on many occasions, meet with so favourable a reception, as compositions of little or no merit, when they happen to be delivered with more grace and energy: But, instead of falling into such complaints, they ought to recollect, that thus it always hath been, and thus it always will be, when we address mixed and popular Assemblies, and should, in consequence thereof, endeavour to recommend good sense, by giving it the further ornament of good elocution; and indeed it will be in vain to hope for success in any other way, it being most certain, that nothing tends more to promote the credit of a Preacher, or the edification of his Hearers, than a distinct and graceful manner of speaking; and I need not add, how incumbent therefore it is upon you, both in justice to yourselves, and the People committed to your charge, to acquire as good a share as you can of so very useful a qualification.

Another thing, which claims the attention of the Parochial Minister, is the Catechising, or Instructing of the young People of his Parish *. The great excellence and usefulness of this is so universally allowed, that little need be said in recommendation of it. He that would reform the world effectually, must begin with

* Hooker, book V. sect. 18.

the young part of it, and train them in the ways of virtue and piety. Religion, in this respect, resembles arts and sciences, and like them, is best learned, when we are young, and most susceptible of good impressions; and if that season of our age should happen to be neglected, little progress will be made afterwards in any thing, which is good and praise-worthy.

It is plain, that this was the opinion of our Church, when she set forth her Catechism, that excellent summary of Christian Belief and Christian Duty, which is so short and concise, and yet so full and clear, that no Church, I believe, of any age or country hath ever produced any thing superior, or even equal to it*.

And as our Church early shewed how useful and necessary she thought this mode of Instruction, so have her best and ablest Members constantly concurred in opinion with her, as is evident from the innumerable comments and expositions, which have, from time to time, been published of this Catechism. Many of which are drawn up by persons of great piety and knowledge, and some by men, not more eminent for their high stations, than for their religion and learning. The main care indeed of the education of Children must always lie upon Parents; but Ministers ought, not only to put them in mind of their Duty, but should help them all they can by instructing the youth in that easy and familiar way, which is called catechising; and what ought to recommend this still farther to your attention is, that this is the most likely method of making your discourses from the pulpit of any use; for, as they generally presuppose a knowledge of the first principles of Christianity, little or no advantage can be derived from them, unless some care is taken to teach the youth this previous knowledge in some other way. Lastly, we cannot omit this part of our office without bringing a great disgrace upon ourselves, as Friends to the Reformation: For a neglect of preaching and catechising was one of the

* See Wheatley's Rational Illustration of the Common-Prayer, pag. 351.

accusations against the Church of Rome; and at the Reformation she was so sensible of the justice of this charge, that both these ways of religious Instruction were most strictly enjoined by the Council of Trent *. Would it not therefore be a great reflection upon us, who call ourselves Protestants, and pretend to have a zeal for the Reformation and the true Religion, to be neglectful of those things, which our Adversaries have learned from us, and now glory in them? I mean diligence in preaching and catechising: Which none can despise, who have any value for Religion: None can neglect, who have any regard for the interest or honour of their Profession.

And when Children are come to a competent age, and have been sufficiently instructed in our Church-catechism, the Rubric enjoins, that they should be then brought by the Minister to the *Bishop*, to be confirmed: And here I cannot help calling to my mind the decent and solemn manner, with which this Rite was administered in the primitive Church, and what great benefits to Religion and Virtue arose from thence; and though it is not to be expected that this Institution, in the present state of the world, should be restored to its antient solemnity and reverence; yet something would be done towards it, if those, who are, in any way, intrusted with the instruction of Children, would improve in them those natural principles of *Justice* and *Truth*, of *Honesty* and *Thankfulness*, of *Simplicity* and *Obedience*, which God hath planted in their very *Creation*; would teach them to resist the *first insinuations* of *Vice*; would fill their minds with great and honourable notions of the *Privileges* of being made *Members of Christ*, *Children of God*, and *Heirs of Heaven*; would instruct them fully in the *Extent* and *Obligation* of all the *Duties* of the Christian Life, which, in their *Baptism*, they engaged to perform; and, when they are thus qualified and prepared, would bring them to receive, at *Confirmation*, the *Completion of Baptismal Grace*, and a joyful *Assurance of Glory* and *Im-*

* Sess. 4. c. 4. De Reform.

mortality, if they shall persevere in their Faith and their Obedience to the end. Such an attention as this, could not but be followed with the happiest consequences ; and as it would go a great way towards bringing this Rite into more credit and esteem, than it hath been of late, I cannot doubt but that I shall have the concurrence of your most sincere endeavours *.

Another Duty incumbent on the Parochial Clergy is that of Visiting the Sick ; and though our Church has provided a Service for this purpose, which is of good general use, and ought never to be omitted ; yet no one will, I hope, think he has done all that may be reasonably expected from him, because he readily attends, when he is sent for, and barely reads over the Office, as it stands in our Liturgy. Indeed, our Church requires much more than this from her Ministers, as may be seen from the Rubric of this and other of the Services ; and if she had not, she would have been guilty of a very blameable omission. As men are most susceptible of religious impressions, and have the truest sense of their spiritual concerns, when they are visited with sickness, or any other calamity, a diligent Pastor will watch such opportunities, and take occasion from thence to advise, reprove, and exhort those, who are under his care, in such a manner, as is most suitable to their particular state and condition ; and if he conducts himself, at such seasons, with a due degree of prudence and discretion, he may be happy in turning some to righteousness, who might otherwise have lain down and perished in their sins. Cases will, I am aware, sometimes arise, which require the greatest caution and circumspection : But if the directions, which our Church gives in the Rubrics of this Office are carefully read, and properly understood, you may always inform yourselves, how you ought to act ; and your conduct, under such guidance, will never fail to meet with the approbation of all serious well-judging persons.

* See Dr. Clarke's Essay on Confirmation.

Thus have I stated some of the principal Matters incumbent on the Parochial Clergy : and though we may infer from thence, that the Charge they have undertaken is of great importance, as well as of great difficulty ; yet, it being confined to *Place*, and *Persons*, and *Duties*, as was observed above, all may, I hope, with a due degree of diligence, so far fulfil it, as to be able to give a good account to God, each of his Stewardship ; especially if they endeavour to make their Ministry successful by a proper care of their lives and conversation.

A Minister, who is not of a sober and unblemished life, can do but little good in his station. His prayers and discourses will have but little weight and authority : His People will not fail, in the midst of his best performances, to call to mind the irregularities of his conduct, and to reproach him severely for them : They will be evermore applying to him such passages as these : *Why dost thou preach my laws, and takest my covenant in thy mouth ? whereas thou hatest to be reformed, and hast cast my words behind thee. Thou that teachest another, teachest thou not thyself* ?* Why do you exhort us to lead godly and sober lives by arguments, which have no effect at all on yourself ? Such reasonings as these are, I confess, very weak, and will be found so, when properly sifted and examined : For it doth not follow, that the Minister believes not what he teaches, because his life is not conformable to his doctrine ; nor will his people be released from their obligation to any one rule, because he lives in open violation of it. But though we should allow this, in point of argument, to be true, yet who reasons, in this manner, on this subject ? For do not all expect, that the Minister should go before his People in the ways of righteousness : That he should, by his example, prove, that the rules he has laid down are practicable, and that the ways of Religion are, in general, much more easy and pleasant, than men are apt to imagine ?

* Psalm l. 16, 17. Romans ii. 21.

And this expectation is grounded, partly on the nature of his Office and Calling, which is to teach all truth, and to live in the practice of it; and partly on his own solemn promises and engagements, when he was ordained, by which he willingly undertook to be a pattern to his Flock in *all godly conversation*. This is the reason, why vice appears so particularly odious and detestable in those, who are Ministers of the Word of God: Why their offences give a deeper wound to Religion, than the crimes of other Men.

And as open and scandalous sins will, in a manner, frustrate the good end of our Institution; will take off all the weight from our reproofs and exhortations, and make some suspect the truth of the very principles of Religion, when we suffer them to have so little influence on ourselves: So shall we not be able to maintain that dignity of *Character*, that *Respect* and *Authority*, which are absolutely necessary to make our Ministry successful, unless we go one step farther, and shew ourselves *in all things patterns of good works* *.

It is not sufficient for a Preacher of Righteousness to avoid open and scandalous sins; but he ought to be an example to others in all those excellent virtues, which adorn our Christian Profession, not only in *temperance*, *justice*, and *charity*, but in a *readiness* to do good to all; in *forgiveness* of injuries, in *humility*, in *meekness*, in *patience*, and *submission* to the Divine Will; and were our parochial Clergy thus holy and exemplary in their conversation, they would shine as Lights among their People, and, by first gaining their esteem and respect, would find it no difficult task afterwards to impress their minds with a due sense of their religious obligations.

Before I dismiss this subject, it will be material to observe, that the performance of these Duties supposes you to be constantly resident among your People, since not any of them can be duly discharged by one, who absents himself from his Cure.

* Titus ii. 7.

It hath been remarked, that there is no command in Scripture for personal residence ; and the reason is, because the nature of our undertaking requires it. Constant attendance upon the Flock, or People of Christ, follows so plainly from the description of the pastoral Office in the sacred Writings, that there could be no occasion for mentioning it, as a distinct and particular duty.

And as the obligation to residence follows from the very nature of the Office itself ; so doth it receive no small force from the very solemn promise, which every one makes at his Ordination, that *He will teach the People committed to his Charge* ; and from the Engagement he enters into at his Institution, when he voluntarily undertakes the *Cure of Souls* within certain limits. These limits, indeed, are fixed by human Authority, yet, since he has taken upon himself such a charge, it lies upon his conscience to pay a personal attendance on the duties of his Office, within those particular bounds.

But is the Minister of a Parish therefore obliged to perpetual residence ? Is there no case, in which he may be released from this obligation ? No situation, where his personal attendance may be dispensed with ?

That the obligation to residence may be, in some cases, dissolved, there is no doubt : All infirmities, either of body or mind, which render an incumbent incapable of performing his duty, are cases of that sort. For as residence is presumed to be of no great value, but for the sake of performing the duty, it is of little consequence to the Church and Religion, where a man resides, who is utterly incapable of doing any part of the parochial duty. Such cases as these speak for themselves : But are there not other cases, other circumstances, which are expressly allowed by the Canon, and Statute-law to be excuses for non-residence ? Certainly there are ; and though no man can doubt, but that it is just and reasonable, that the Legislature should have a power of making such laws, and distributing such indulgences ; yet, before a Clergyman has recourse to a mere
2
legal

legal exemption to discharge himself from a duty, to which he is bound by the strongest obligations, he ought to recollect, that a Leave or Licence of non-residence is not granted, as a favour to any person, but is founded in the general consideration of the Good, that may arise from it, and can therefore then only be justified, when the Service, of the Church, or of the State, makes it reasonable *. This is the rule, by which every good man will try his own particular case; and if he finds, that it is not within the meaning of the Law, he will not attempt to shelter himself under it, as the being within the bare letter, can afford no comfort, when the reason and spirit are against us; and it will be but a small thing to be dispensed with here on earth, and freed from penalties, if we are to be accountable hereafter at a Bar, where no ill founded privileges or exemptions can be admitted.

But if an Incumbent can be legally absent from his Cure only for such special causes, as are expressly allowed by the Laws of the Realm; and that it is still always a matter for him to consider, whether his particular case doth, in good conscience, come within the spirit and intent of such Laws: If this be the case, what is to be said of that privilege, which several persons have of holding two Benefices, by which means constant residence is rendered absolutely impossible on one †?

The observation which was made just now, will be very proper also in this place, viz. That every indulgence and dispensation of this kind being supposed to have for its end the general Interest and Good of Religion in the Kingdom, no man ought to make use of it, till he is satisfied, that he is a fit object of it; and that his

* The Canon-law mentions divers cases, in which residence may be dispensed with, and these were afterwards allowed by the Legislature of this kingdom, 21 Hen. VIII. c. 13. 28 Hen. VIII. c. 13. Hooker, book V. sect. 81, throughout, where the Author discusses the subject of residence, with his usual judgment and moderation.

† 21 Henry VIII. c. 13.

case is one of those, which the Legislature had in view, when this liberty was granted.

Some of the antient Canons were very severe against Pluralities; and there would not have been the least colour or pretence for them, if the Church had continued to enjoy what she was possessed of, when those Canons were made *; but the revenue of the parochial Clergy having been much impaired since that time by appropriations, and other Devices †, it often happens, that one Benefice doth not afford a competent maintenance, and in such cases even those Canons permitted two to be united for a *better support*; and there is much more reason for allowing this indulgence now to a married Clergy, than there could be, when celibacy was enjoined.

It is however much to be lamented, that pluralities should be necessary on any occasion; but in the present state of many of our parochial Cures, what else can be done? Cases may, I know, be put, where Dispensations for holding two Benefices would be very improper; and if any such are granted, they are abuses of the privilege allowed by Law, and what no good and conscientious man will make use of; but still it must be admitted, that under some circumstances, as things now stand, nothing can be more reasonable, than such an Indulgence; and when it is properly administered, it may be justified on the best and most unexceptionable grounds.

* So late as the third and fourth Lateran Council very strict Canons were made against Pluralities.

By the third, which was held in 1179, under Alexander III. Pluralities are restrained, and every person admitted *ad Ecclesiam, vel ecclesiasticum Ministerium*, is bound *residere in Loco et Curam per seipsum exercere*.

By the fourth, which was held in 1215, under Innocent III. it is ordained, that if any person having one Benefice with Cure of Souls, accepts a second, his first is declared void *ipso jure*. These Canons were received in England, and are at this time part of our Ecclesiastical Law.

† Kennet's Case of Appropriations, &c.

These

These then are the Duties, which our Church requires of her parochial Clergy; and these they are bound to perform both by Law and Conscience: But if it should so happen, that they neglect their important Charge, and so demean themselves, as to dishonour God, disgrace Religion, and give just cause of Offence to those, who are under their care, what is to be done then? The answer is easy: They are liable to heavy penalties, which it is the business of the Ordinary to inflict, as well as to correct all such irregularities: And this would naturally bring me to inquire into the power and authority of the Diocesan; but as I shall, I hope, never have occasion to proceed to a rigorous exertion of any part of the power vested in me, I shall wave this inquiry for the present, and add nothing more, but my most earnest prayers, that God would be pleased to enable us all so to discharge our good Office, that, when we have finished our course here, we may give an account to Him both of ourselves, and of all committed to our care, with *joy and not with grief*; and may receive that *Euge*, which is far above all earthly Honours, and Preferments; *Well done, thou good and faithful Servant; enter thou into the joy of thy Lord.*

A P P E N D I X.

T H E C O N T E N T S.

- I. *DIRECTIONS concerning the Instruments, which are proper to be brought and presented to the Bishop for obtaining Orders, Licence to a Curacy, and Institution to a Benefice; and also concerning the Things which the Laws require to be done after the obtaining of a Licence or Institution.*
- II. *An Act for the better Maintenance of Curates, 12 Anne, Stat. 2. c. 12.*
- III. *An Abstract of an Act to promote the Residence of the Parochial Clergy, by making provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the use of their Benefices, 17 Geo. III. c. 53.*
- IV. *A Schedule, containing the Forms of the several Instruments, which are to be made use of in the Execution of the foregoing Act.*



I.

DIRECTIONS concerning the Instruments, which are proper to be brought and presented to the Bishop for obtaining Orders, Licence to a Curacy, and Institution to a Benefice; and also concerning the Things, which the Laws require to be done after the obtaining of a Licence or Institution.

FOR ORDERS.

EVERY Person, who applies for Orders, is required to exhibit to the Bishop Letters Testimonial of his good Life and Conversation *; a Certificate of his Age from the Register-book, under the Hands of the Minister and Church-wardens of the Parish where he was born †; and also a Nomination or Appointment to some Cure, upon which he is to be ordained ‡. This Nomination is generally called a Title, and is so termed in the Canon.

It sometimes happens, that Titles to Cures are procured for the sole purpose of obtaining Orders, without any intention of serving the Cures; and as such a practice is a shameful imposition on the Bishop, and destroys the wise end of the thirty-third Canon, which was to prevent the needless multiplying of Clergymen beyond what the present exigences of the Church require, the Form under-mentioned, is proposed to be the standing Form of all Titles in the Diocese of *Bangor*; and as the Incumbent solemnly declares therein, that the Title is not fraudulent, but true and real, it is hoped, that no false Titles will be given hereafter.

* Canon 34.

† This is necessary, that the Direction of the Rubric and Canon, as to the age of Deacons and Priests, may be duly observed. See Preface to the Service of Ordination, and Canon 34.

‡ Canon 33.

THE FORM OF A TITLE.

“ To the Right Reverend John Lord Bishop of *Bangor*.
 “ These are to certify your Lordship, that I *A. B.* Rector [or
 “ Vicar] of _____ in the County of _____ and
 “ your Lordship’s Diocese of *Bangor*, do hereby nominate and
 “ appoint *C. D.* to perform the office of a Curate in my Church
 “ of _____ aforesaid; and do promise to allow him the
 “ yearly sum of _____ for his maintenance in the
 “ same, and to continue him to officiate as Curate in my said
 “ Church, until he shall be provided with some other certain
 “ place, where he may exercise his ministerial Function, unless
 “ on account of any Fault by him committed he shall be law-
 “ fully removed from performing the Office of a Curate in my
 “ said Church by your Lordship or your Successors. And I hereby
 “ solemnly declare, that I do not fraudulently give this Certificate
 “ to entitle the said *C. D.* to receive Holy Orders, but with a
 “ real intention to employ him in my said Church according
 “ to what is before expressed. Witness my hand this
 “ day of _____ in the year of our Lord *.”]

If the application be for *Priest’s* Orders, the Person applying is to exhibit his Letters of Orders for *Deacon* to the Bishop.

The Rules, which have been hitherto mentioned, are to be observed in Conformity to the Rubrics and Canons of our Church; and to these divers other wholesome Rules have been added in Royal Injunctions, and of late years in Letters sent by the Archbishops to the Bishops of their Province, from whence all that is necessary for our present purpose has been extracted, and is of the following Tenor †.

* This Form of a Title is not exactly the same as that, which has been in general use for some years past, it being thought advisable to make some alterations, in consequence of what fell from the Court of King’s Bench, when Judgment was given in the Cause of Martyn against Hind. See Cowper’s Reports, p. 437. Douglass’s Reports,

p. 137.

† See Bishop Sparrow’s Collection of Canons, &c.

That

That you require of every Person who desires to be admitted to Holy Orders, that he signify to you his Name and Place of Abode, and transmit to you his Testimonial, and a Certificate of his Age duly attested, with the Title upon which he is to be ordained, at least twenty Days before the Time of Ordination; and that he appear on *Wednesday*, or at farthest on *Thursday*, in *Ember-Week*, in order to his Examination.

That you admit not any Person to Holy Orders, who, having resided any considerable Time out of the University, does not send to you, with his Testimonial, a Certificate, signed by the Minister, and other credible Inhabitants of the Parish, where he so resided, expressing that Notice was given in the Church, in Time of Divine Service, on some *Sunday*, at least a Month before the Day of Ordination, of his Intention to offer himself to you to be ordained at such a Time: And that, upon such Notice given, no Objections have come to their Knowledge for the which he ought not to be ordained.

That you admit no Letters Testimonial, on any occasion whatsoever, unless it be therein expressed, for what particular End, and Design, such Letters are granted; nor unless it be declared, by those who shall sign them, that they have personally known the Life and Behaviour of the person for the Time by them certified, and do believe in their Conscience, that he is qualified for that Order, Office, or Employment, to which he desires to be admitted.

That in all Testimonials sent from any College or Hall, in either of the Universities, you expect that they be signed, as well as sealed; and that among the persons signing, the Governor of such College, or Hall, or, in his Absence, the next Person under such Governor, with the Dean, or Reader of Divinity, and the Tutor of the Person to whom the Testimonial is granted (such Tutor being in the College, and such Person under the Degree of Master of Arts), do subscribe their Names.

That you admit not any Person to Holy Orders upon Letters Dismissory, unless they are granted by the Bishop himself, or Guardian

of the Spiritualities *sede vacante*, nor unless it be expressed in such Letters, that he, who grants them, has fully satisfied himself of the Title and Conversation of the Person, to whom the Letter is granted.

FOR A LICENCE TO A CURACY.

Every Person, who applies for a Licence to a Curacy ought to bring a Nomination from the Incumbent, wherein the Salary proposed to be allowed for serving the Cure is to be particularly mentioned, that the Bishop may judge, whether it is sufficient, or not.

He is to exhibit his Letters of Orders to the Bishop; to produce Letters Testimonial from the College; or if he come not immediately from a College, then to procure them from the Clergy in the neighbourhood, where he has resided for some time before, if in the Bishop's own Diocese; but in case he comes from another Diocese, then he is to bring Letters Testimonial from the Bishop or Ordinary of the Diocese or Place from whence he comes*.

AFTER A LICENCE HATH BEEN GRANTED.

Within three months after any person hath obtained a Licence, he is required to read in the Church where he officiates the Declaration appointed by the Act of Uniformity, "That he will conform to the Liturgy of the Church of England, as it is now by Law established;" and also the Certificate of his having subscribed it before the Bishop †.

FOR INSTITUTION TO A BENEFICE.

The Presentation is to be brought to the Bishop, and left with him for his Consideration. The Letters of Orders of Deacon and

* Canon 48.

† 13 and 14 Car. II. c. 4. sect. xi.

Priest of the person presented are to be exhibited to the Bishop*. Testimonials also of his former good Life and Behaviour are to be produced †; and if he come from another Diocese, then Testimonials are to be brought from the Bishop or Ordinary of the Diocese, or place, from whence he comes.

AFTER INSTITUTION.

The person instituted is to compound for the payment of the First Fruits at the office of First Fruits ‡, unless the Benefice be discharged from this payment, as being a Rectory not exceeding ten Marks, or a Vicarage not exceeding ten pounds in the King's Books §, or else as not exceeding 50*l.* per annum clear value, in which case it is discharged from the payment of Tenths, as well as First Fruits ||.

—To carry the Bishop's Mandate of Induction to the proper office of the Archdeacon, or person, to whom it is directed; and if it is directed in the first instance (as is the case in the Diocese of Bangor) to all and singular the Clerks in the Diocese, then he is to apply to any one of these for Induction.

Within two months after actual Possession he is to read the morning and evening prayers, and declare his assent and consent thereunto, unless he is dispensed with by the Ordinary upon some lawful impediment **.

Within three months after Institution he is to make the Declaration in the Church, "That he will conform to the Liturgy of the Church of England, as it is now by Law established;" and then to read the Certificate of his having subscribed it before the Bishop ††.

* Canon, 39.

‡ 26 H. VIII. c. iii. f. 2.

§ 5 Ann. c. xxiv. f. 1.

†† Ibid. f. 11.

† Canon, 39.

§ 1 Eliz. c. iv. f. 29.

** 13 and 14 Car. II. c. 4. f. 6.

* Within two months after Induction, to read the XXXIX Articles, in the time of Common Prayer, with declaration of his unfeigned assent thereunto †.

It will be advisable for him to procure Certificates, of his Induction, and of his having read the Common Prayer, made the Declaration, &c. &c. and the following, or the like forms may be made use of.

CERTIFICATE OF INDUCTION.

We whose names are underwritten do hereby certify and declare, that A. B. Rector of C. within the Diocese of D. in the County of E. was in the presence of us inducted into the real, actual, and corporal possession of the Church of C. aforesaid, together with all the rights, profits, and appurtenances thereunto belonging, by F. G. Rector of H. on the day of in the year of our Lord by virtue of certain Mandatory Letters under the Hand and Seal of Bishop of [or I. K. Archdeacon of L. in the said Diocese] and directed to all and singular the Clerks, &c. &c. And all this we promise to testify upon our oaths, if at any time we shall be lawfully thereunto required. In witness whereof we have hereunto set our hands, this day of in the year of our Lord .

* 13 Eliz. c. xii. f. 3.

† By the 13 and 14 of Car. II. c. 4. a Power is given to the ordinary of dispensing with the reading of the morning and evening prayers, &c. upon some lawful impediment; but no power is given by that Act of dispensing with making the declaration of conformity; nor is any power given by the 13 of Eliz. c. 12. of dispensing with the reading of the XXXIX Articles; but as many, through sickness or other lawful impediment, may be hindered from making the said declaration, and reading the said articles within the time prescribed by law, an Act was passed in 1750, which extended the Ordinary's allowance of a lawful impediment to these two cases also. This Act (23 G. II. c. 28), commonly called the Dean of Worcester's Act, was made for the relief of the Rev. Mr. Martyn, who, immediately after his Institution to the Deanry of Worcester, was disabled by illness from reading the Common Prayer, making the Declaration, &c. and had not such a Law been passed, would have been, ipso facto, deprived of his preferment.

CERTIFICATE OF HAVING READ THE COMMON PRAYER, MADE
THE DECLARATION, &c. &c.

We whose names are underwritten do hereby certify and declare, that A. B. Rector of C. within the Diocese of D. and County of E. did on the day of in the year of our Lord being the Lord's day, read in his Parish Church aforefaid, *openly, publickly, and solemnly*, the morning and evening prayers appointed to be read by and according to the Book entitled, "The Book of Common Prayer, and Administration of Sacraments, and other rites and ceremonies of the Church, according to the use of the Church of England, together with the Psalter or Psalms of David, pointed as they are to be sung or said in churches, and the form and manner of making, ordaining and consecrating of Bishops, Priests, and Deacons," at the time thereby appointed; and after such reading thereof did *openly and publickly*, before the congregation there assembled, declare his unfeigned assent and consent to the use of all things therein contained and prescribed in these words following: "I A. B. do here declare my unfeigned assent and consent to all and every thing contained and prescribed in and by the Book entitled The Book of Common Prayer and Administration of the Sacraments and other Rites and Ceremonies of the Church according to the use of the Church of England; together with the Psalter or Psalms of David pointed as they are to be sung or said in Churches; and the Form or Manner of making, ordaining, and consecrating of Bishops, Priests, and Deacons;" *Also* that he did *publickly and openly* on the day and in the year aforefaid [if it is done on the same day; but if it is done on any other day, then the same must be set forth accordingly, or it may be certified separately in a separate certificate] in the Parish Church aforefaid, in the presence of the Congregation then assembled, in the time of divine Service, read a certificate under the hand and

seal of the Right Rev. Father in God the Lord Bishop of C. [or as the case shall be] in these words following [here insert the very words of the Certificate] and immediately after the reading thereof, at the same time, and in the same place, the Congregation aforesaid, being then and there present, did read the Declaration or Acknowledgment contained in the said certificate, to wit, "I *A. B.* do declare, that I will conform to the Liturgy of the Church of England, as it is now by Law established." And lastly that he did on the day and in the year aforesaid read the articles of Religion, commonly called the XXXIX Articles, agreed upon in Convocation in the year of our Lord one thousand five hundred sixty and two, in the Parish Church aforesaid, in the time of Common Prayer there, and did declare his unfeigned assent thereunto. And these things we promise to testify upon our oaths, if at any time we shall be lawfully thereunto required. In witness whereof we have hereunto set our hands this day of in the year of our Lord .

Finally He is, within six Calendar Months after his Admission, to take the oaths of Allegiance, Supremacy, and Abjuration, and subscribe the Declaration against Transubstantiation; either in one of the Courts of Westminster, or at the General Quarter Sessions of the County, City, or Place, where he shall reside*.

II.

An Act for the better maintenance of Curates.

12 Ann. Stat. 2. C. 12.

Whereas the Absence of Beneficed Ministers ought to be supplied by Curates that are sufficient and licensed Preachers, and no Curates or Ministers ought to serve in any Place without the Examination and Admission of the Bishop of the Diocese or Ordinary

* 1 G. Stat. II. c. 13. 9 G. II. c. 26.

of the Place having Episcopal Jurisdiction: But nevertheless, for want of sufficient Maintenance and Encouragement for such Curates, the Cures within that part of Great Britain called England have been in several Places meanly supplied: For Remedy whereof, *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, That if any Rector or Vicar having Cure of Souls shall, from and after the nine and twentieth day of September in the year of our Lord one thousand seven hundred and fourteen, nominate and present any Curate to the Bishop or Ordinary, to be licensed, or admitted to serve the Cure of such Rector or Vicar in his Absence, the said Bishop or Ordinary, having Regard to the Greatness of the Cure, and the Value of the Ecclesiastical Benefices of such Rector or Vicar, shall, on or before the granting such Licence, appoint, by writing under his Hand and Seal, a sufficient certain Stipend or Allowance, not exceeding fifty pounds *per Annum*, nor less than twenty pounds *per Annum*, to be paid or answered at such Times as he shall think fit, by such Rector or Vicar, to such Curate, for his Support and Maintenance. And if it shall appear to the Bishop or Ordinary, upon Complaint or otherwise, that any Curate of such Rector or Vicar, licensed or admitted before the said nine and twentieth Day of September, in the year of our Lord One thousand seven hundred and fourteen, hath not a sufficient Maintenance, it shall be lawful to and for the said Bishop or Ordinary, to appoint him a certain Stipend or Allowance, in like Manner as before mentioned; and in case any Difference shall arise between any Rector or Vicar, and his Curate, touching such Stipend or Allowance, or the payment thereof, the Bishop or Ordinary, on Complaint to him made, shall summarily hear and determine the same; and, in case of Neglect or Refusal to pay such Stipend or Allowance, may sequester the profits of such Benefice, for or until payment thereof.

III.

An Abstract of An Act to promote the Residence of the parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the use of their Benefices.

17 G. III. c. 53.

I. The Preamble sets forth that many of the Parochial Clergy, for want of proper habitations, reside at a distance from their Benefices, by which means the Parishioners lose the advantage of their instruction and hospitality: For remedy whereof, It is enacted that after the 24th of June 1777, whenever the Incumbent of any Rectory, Vicarage, Chapelry, or perpetual Curacy, where there is no house, or where the house is so ruinous, or mean, that one year's neat income will not be sufficient to rebuild, or put it into proper repair with the necessary offices, shall think fit to apply for the assistance intended to be given by this Act, He is to procure from some experienced workman or surveyor a certificate containing a state of the condition of the buildings, and of the value of the timber and other materials fit to be employed or to be sold, also a plan and an estimate of the work proposed to be done (such state and estimate to be verified on oath before some Justice of the Peace or Master in Chancery ordinary or extraordinary) and these He is to lay, together with a just and particular account in writing signed by himself, and verified upon oath to be taken as aforesaid, of the annual profits of the Benefice, before the Ordinary and Patron, and having obtained their consent to such proposed new buildings or repairs, by writing under their respective hands in the Form contained in the schedule annexed N^o 1. *It shall and may be lawful* for such Incumbent to borrow at interest such sum of money as the said estimate shall amount to, after deducting the value of the timber and other materials, which may be thought proper to be sold, provided that such sum after this deduction shall not exceed two years neat produce

produce of such Benefice ; and in settling the neat produce, all outgoings are to be deducted, except salaries to Curates; and as a security for the money so to be borrowed, *It shall and may be lawful* for such Incumbent to mortgage the glebe, tithes, and other profits of such Benefice to such person who shall advance the same, by one or more Deed or Deeds, for the term of *twenty five* years, or until the money so borrowed with interest, and such charges as may attend the recovery thereof, shall be fully paid ; which Mortgage-deed shall be made, in the form contained in the said schedule, (N^o 2.) and shall bind every succeeding Incumbent, until the principal, and interest, and costs shall be paid off.

II. Every such Mortgagee shall execute a Counterpart of every such Mortgage, to be kept by the Incumbent for the time being ; and a copy of every such Deed of Mortgage shall be registered in the office of the Ordinary's Registrar, such copy having been first examined by him with the Original, which Officer shall register the same and be entitled to a fee of five shillings for so doing ; and every such Deed shall be referred to upon all necessary occasions, the person inspecting the same paying one shilling for every such search ; and the said Deed, or a Copy thereof certified under the hand of the said Registrar, shall be allowed, as legal evidence, in case any such Mortgage-deed shall happen to be destroyed.

III. Whenever the principal and interest shall be in arrear for the space of forty days, the Mortgagee may recover the same, and the costs attending the recovery thereof, by distress and sale, in such manner as rents may be recovered by Landlords from their Tenants by the laws in being.

IV. The money so borrowed shall be paid to such person, as shall be nominated to receive the same for the purposes aforesaid, by the Ordinary, Patron, and Incumbent, by writing under their hands in the form contained in the schedule (N^o 3). such Nominee having before the receipt of such money given a Bond to the Ordinary with sufficient surety in double the sum so borrowed, with condition
for

for his duly accounting for the same according to the Directions of this Act; the Bond and Condition to be in the Forms contained in the schedule N^o 4 and 5 *; and the receipt of the said Nominee shall be a sufficient discharge to the person advancing the money, and shall be in the form expressed in the said schedule (N^o 6.) *; and the said Nominee shall enter into contracts with proper persons for such works as shall be approved by the Ordinary, Patron and Incumbent, and shall be specified in an instrument and signed by them in the form as aforesaid (N^o 1.) and shall have the care of the execution of such contracts, and shall pay the money for such works according to the terms of such agreements, and shall take proper receipts for the same; and as soon as such works shall be completed, and the money paid, shall make out an account of his receipts and payments, together with the vouchers for the same, and enter them in a Book, fairly written, which shall be signed by him, and laid before the Ordinary, Patron, and Incumbent, and examined by them, and when allowed by writing under their respective hands in the form contained in the schedule (N^o 7) such allowance shall be a full discharge to the Nominee; and if any balance shall remain in the hands of such Nominee, the same shall be laid out in some farther lasting improvement on the premises, or applied in discharge of the said principal debt at the discretion of the Ordinary, Patron, and Incumbent, or two of them, of whom the said Ordinary shall be one, by order signed by them in the form contained in the schedule (N^o 8), and an account also shall be kept, made out, and allowed, of such farther disbursements in manner aforesaid: All which accounts, when made out and allowed, shall be deposited, with the Vouchers, in the hands of the said Registrar and kept by him for the use of the Incumbent for the time being, who shall have a right to inspect the same

* The Forms N^o 4, 5, 6, and 7, are directed by an Act in 21 Geo. III. c. 66. which was made to explain and amend the Act 17 G. III. c. 53.

whenever occasion shall require, paying to such Registrar one shilling for every inspection.

V. The Ordinary, before he shall signify his consent, shall cause an enquiry to be made, and certified to him by the Archdeacon, Chancellor of the Diocese, or other proper persons living near the parish, where such buildings are proposed to be made, in the form for that purpose specified in the said schedule, (N^o 9.) of the condition of such buildings at the time the Incumbent entered upon such Benefice, how long such Incumbent had enjoyed the same, what money he had received, or may be entitled to, on account of Dilapidations, and in what manner he had laid out what he had so received; and if it shall appear to them, that such Incumbent had, by wilful negligence, suffered such buildings to go out of repair, then to certify the same to the Ordinary, and also the amount of the damage, which they had sustained by the wilful neglect of such Incumbent; and such Incumbent, if the Ordinary requires it, shall pay the same to the Nominee, towards defraying the expences of Building or Repairs, before the Ordinary shall give his consent.

VI. The Incumbent of every such Benefice, in cases where such Mortgage shall be made, and his Successors, is and are required to pay the Interest arising upon every such Mortgage yearly, as the same shall become due, or within one month after, and also *five pounds per cent. per annum* of the money originally advanced upon such Mortgage, by yearly payments, and every such Incumbent, who shall not reside *twenty weeks* in each year upon such Benefice, computed from the date of the said Mortgage-deed, shall, instead of the said sum of *five pounds per cent. per annum*, pay *ten pounds per cent. per annum* of the money originally advanced as aforesaid, by yearly payments, such payments to be respectively made at the same time such interests shall be paid, until the whole of the said principal money and interest shall be discharged;

charged* ; and every such Incumbent, who shall pay only *five pounds per cent. per annum* of the money originally advanced, shall deliver to the Mortgagee a certificate under the hands of two Rectors, Vicars, or Officiating Ministers of some parishes near adjoining, signifying that he had resided *twenty weeks* upon the said Benefice within the year, for which such payment became due, which certificate shall be in the form contained in the schedule (N^o 10.); and every such Incumbent shall annually, at his own expence, from the time such buildings shall be compleated, insure, at one of the publick offices in London or Westminster, the house and other buildings against accidents by fire, at such sum of money as shall be agreed upon by the Ordinary, Patron, and Incumbent ; and in default of the payment of principal or interest, or neglect of the Incumbent to make such insurance, the Ordinary shall have power to sequester the profits of the Benefice, till such payment or insurance shall be made.

VII. That the payment of such year may be properly adjusted between the Successor and the late Incumbent, or his Representatives, in case the avoidance shall happen by death, in such pro-

* By the Act of 17 Geo. III, c. 53. *It was enacted*, that every such Incumbent, if resident, shall pay five pounds *per centum per annum*, and, if non resident, ten pounds *per centum per annum*, of the principal remaining due ; and as these words, if literally understood and observed, would render the discharge of the whole principal sum impracticable, and by that means discourage persons from lending money upon such security, it was enacted (21 G. III. c. 66.) that the Incumbent of every Benefice, the profits of which had, or should be mortgaged for building, repairing, &c. shall, from the passing of the said Act, pay to the Mortgagee, over and besides the interest of the principal money due, the sum of five pounds *per centum per annum*, if resident, and the sum of ten pounds *per centum per annum*, if non-resident, of the *money originally advanced upon such mortgage*, until the whole of the said principal money shall be discharged.

In this Abstract the clause which was amended by the 21st of Geo. III. c. 66, is purposely left out, and the clause, as it stands amended by that act, is inserted : and this is the only amendment which was made, except the addition of four forms, which are mentioned in the schedule, N^o 4, 5, 6, and 7.

portions

portions as the profits of such Benefice shall have been received by them respectively, for the year in which such avoidance shall happen, *It is enacted* that if any difference shall arise in adjusting the proportions aforesaid, the same shall be determined by two indifferent persons, the one to be named by the Successor, and the other by the last Incumbent, or by his Representatives, in case the avoidance shall happen by death; and in case such Nominees shall not be appointed within two calendar-months after such avoidance, or if they cannot agree in adjusting such proportions within the space of one month, after they shall have been appointed, the same shall be determined by some neighbouring Clergyman, to be nominated by the Ordinary, whose determination shall be final, which nomination and determination shall be made according to the forms contained in the said schedule (N^o 11. N^o 12.) as near as conveniently may be.

VIII. Where there shall be no house upon a Benefice exceeding in clear yearly value one hundred pounds, or being one, the same shall be in such a state of decay as aforesaid, and the Incumbent shall not reside in the parish twenty weeks within one year, computed from the 1st day of January, *It shall* be lawful for the Ordinary, with the consent of the Patron (in case the Incumbent shall not think fit to lay out one year's income, where the same may be sufficient to put the house and buildings in proper repair, or to make such application for building or repairing as is allowed by this Act) to procure such estimate and certificate as is herein directed, and at any time within the course of the succeeding year to proceed in the execution of the purposes of this Act, in such manner as the Incumbent is authorized to proceed, and to execute such Mortgage; which shall be binding upon the Incumbent and his Successors, and he and they shall be liable to pay the interest, principal, and costs; and every such Incumbent and his Representatives shall be respectively liable to the proportion of the payments for the year, which shall be growing at the time of the death of

such Incumbent or avoidance of such Benefice; which said interest, principal, and costs, may be recovered against such Incumbent, his Successors, or Representatives, respectively, by action of debt, in any Court of Record.

IX. All sums of money received by suit or compositions from the Representatives of any former Incumbent, and not laid out in the repairs of the buildings, shall be applied in part of the payments under the estimate as aforesaid; and all money thereafter received, if the same cannot be had before such buildings are completed, and the money paid for the same, shall be applied in payment of the principal then due, as far as the same will extend; or, in case the said Mortgage-money shall have been discharged, such money arising from dilapidations shall be paid into the hands of the Nominee, or of some other person to be nominated by the Ordinary, Patron, and Incumbent, in case such Nominee shall be dead, or shall decline to act; to be laid out in making some additional buildings or improvements on the premises, to be approved of by the Ordinary, Patron, and Incumbent; and in the meantime, if such buildings shall not be necessary, then in trust to lay out the same in Government or other good securities, and pay the Interest thereof to the Incumbent for the time being.

X. Where new buildings are necessary to be erected for the residence of the Incumbent, the Ordinary, Patron, and Incumbent, may contract, or authorize the Nominee to contract, for the absolute purchase of any house in a situation convenient for the residence of such Incumbent, and not at a greater distance than one mile from the Church; and may also contract for any land adjoining to such house, or to the house belonging to any parochial Benefice, having no glebe lying near the same, not exceeding two acres, if the annual value of such Benefice shall be less than one hundred pounds, nor two acres for every one hundred pounds *per annum* if of greater value, and may cause the purchase-money for such house to be paid out of the money to arise under the powers of this Act: in which cases the said Buildings and
Lands

Lands shall be conveyed to the Patron, in trust, for the sole use of the Incumbent for the time being, and shall be annexed to such Church, and go in succession with the same for ever; but no contract so made by the Nominee shall be valid, until confirmed by the Ordinary, Patron, and Incumbent; and every such purchase-deed shall be in the form contained in the schedule (N^o 13) and shall be registered in such manner, and in such Office, as the other deeds are directed to be registered.

XI. When any such Land situated as aforesaid, shall be thought fit to be taken and used as a convenience for such Benefice, the purchase-money, or equivalent for such Land, shall be raised and had by sale or exchange of some part of the Glebe or Tithes of such Benefice, which shall appear to the Ordinary, Patron, and Incumbent, most convenient for that purpose; and every such sale or exchange shall be by deed, in the form in the said schedule, or to that effect, and registered as before directed. (N^o 14).

XII. The Governors of Queen Ann's Bounty may, for promoting the purposes of this Act, lend any sum not exceeding *one hundred pounds*, in cases where the Benefice does not exceed the clear annual improved value of *fifty pounds*, and the same security for the repayment of the principal sum shall be made, as is before mentioned, but *no interest* shall be paid; and in cases where the annual value of such Benefice shall exceed the sum of *fifty pounds*, the said Governors may lend any sum not exceeding two years income of such Benefice upon such security as aforesaid, and subject to the regulations of this Act, and at an Interest for the same not exceeding *four pounds* for one hundred pounds by the year.

XIII. Any College or Hall within the Universities of Oxford or Cambridge, or any other Corporate Bodies, being Patrons of Benefices, may lend any sum of money, of which they have the power of disposing, for building, repairing, or purchasing any houses for the habitation and convenience of the Clergy, being Incumbents on Benefices in the patronage of such College, or Hall,

or

or Corporate Body, upon the security directed by this Act for the repayment of the Principal, without taking any Interest.

XIV. Whenever the Patron of any Benefice, to which the provisions of this Act are proposed to be extended, shall happen to be a Minor, or under any other legal disability, the Guardian, &c. of such Patron may transact the several matters for him, who shall be bound thereby, as if he had been of full age, &c. and had himself done such Act, and given his consent thereto.

XV. All Acts, herein before required to be done by the Ordinary and Patron, shall be done by the Ordinary alone, when the Ordinary shall happen to be the Patron of the Benefice, and no deed, bond, or any other instrument under this Act, shall be charged with any stamp duty, or fee of Office, except as herein before mentioned.

XVI. In all cases, where any act is required to be done by the Ordinary, such Ordinary being a Body corporate aggregate, every such act shall be done under the Seal of such Body Corporate.

XVII. In all cases, where any Chapelry or perpetual Curacy is in the nomination of the Rector or Vicar of the parish, wherein the same is situated, the consent of such Rector or Vicar, together with the consent of the Patron of such Rectory or Vicarage shall be necessary in all such matters, wherein the consent of the Patron is required by the former provisions of this Act.

XVIII. Whenever any dispute shall arise touching the residence of the Incumbent, with respect to any of the matters contained in this Act, the same shall be determined by the Ordinary.

XIX. The Patron, Ordinary, and Incumbent, or any two of them, of which the Ordinary to be one, may by writing under their hands make the Nominee any allowance not exceeding five pounds for every hundred pounds so to be expended.

XX. In all cases, where the patronage of any Benefice before described shall be in the Crown, and such Benefice shall be above the yearly value of *twenty pounds* in the King's Books, the consent
of

of the Crown to the several proceedings under this Act shall be signified by the Lord High Treasurer, or First Lord Commissioner of the Treasury for the time being; but if such Benefice shall not exceed the yearly value of *twenty pounds* in the King's Books, then such consent shall be signified by the Lord High Chancellor, Lord Keeper of the Great Seal, or Commissioners of the Great Seal for the time being; or if such Benefice shall be in the Patronage of the Crown in right of the Duchy of Lancaster, then such consent shall be signified by the Chancellor of the Duchy for the time being, by writing under their respective hands, in the form contained in the schedule (N^o 15.); and in all cases, where such deed is required to be executed by the Patron as well as the Ordinary and Incumbent, such deed shall be valid, if executed by the Ordinary and Incumbent only, after such consent shall have been obtained from the said Lord High Treasurer, &c. as the case shall be, provided such consent shall be registered at the Office aforesaid.

XXI. Any Archbishop, Bishop, or any Ecclesiastical Corporation Sole or Aggregate, being Lord of any Manor, within which there shall be any Waste or Common Lands, parcel of the Demesnes, lying convenient for the House and Buildings and other purposes of this Act, may grant a part of such waste or common lands in perpetuity for those purposes, leaving sufficient for the several persons having right of Common, and obtaining the consent of the Lessee of such Lands, if the same shall be in Lease.

IV.

A Schedule, containing the Forms of the several Instruments, which are to be made use of in the Execution of the foregoing Act.

N^o I.

FORM of the CONSENT of the Ordinary and Patron, (to be written on Parchment).

A. B. Rector, Vicar, &c. (*as the case shall be*) of the Parish, Chapelry, or perpetual Curacy, (*as the case shall be*) of in the County of under the Jurisdiction of the Ordinary, having produced to us the said Ordinary, and Patron of the said Church and Living, a Certificate under the Hand of a skilful and experienced workman, or surveyor, of the state and condition of the Buildings upon the Glebe belonging to the said Church, Chapelry, or perpetual Curacy, (*as the Case shall be*) and of the Value of the Timber, and other Materials, thereupon, fit to be sold, or employed about such Buildings; and also a Plan, made by the said of the Work proposed to be done by new Buildings and Repairs upon the said Glebe, and an estimate of the Expence attending the same, after applying the said materials, or the money to arise from the sale thereof, in such Buildings and Repairs; and also a particular account in writing, signed by the said *A. B.* of the annual Profits of such Living, and of the Rents, Stipends, Taxes, and other Outgoings, annually issuing thereout, verified upon Oath, pursuant to the directions of an Act, passed in the seventeenth

1

year

year of the reign of his Majesty King George the Third, to promote the Residence of the Parochial Clergy, by making provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the use of their Benefices; and having considered such certificate, plan, and account: Now, we do approve thereof; and do consent, that such Buildings and Repairs shall be made as therein specified; and that the said *A. B.* do borrow and take up at Interest the Sum of _____ being the estimate of the expences, after deducting the value of the Timber, and other Materials, thought proper to be sold, and which appears to us, from the said account, a sum not exceeding two years neat Income and Produce of the said Living; which Money is to be paid to (a Person nominated by us and the said *A. B.*) and applied according to the direction of the said Act.

N^o 2.

FORM of the MORTGAGE.

THIS Indenture, made the _____ Day of _____ in the _____ year of the reign of his Majesty _____ and in the year of our Lord _____ between the Reverend _____ Rector or Vicar, &c, of the Parish Church, Curacy, or Chapelry, of _____ in the County of _____ and the Diocese of the Bishop of _____ of the one part; and _____ of _____ of the other part. Whereas the said _____ pursuant to the directions of an Act, passed in the seventeenth year of the reign of his Majesty King George the Third, intituled, *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the use of their Benefices,*

G

hath

hath obtained the consent of the Ordinary of the said Dioceſe, and the Patron of the ſaid Church and Living, to borrow and take up at intereſt the ſum of to be laid out and expended in building, rebuilding, *or* repairing (*as the caſe ſhall be*) the Parſonage-houſe, and other neceſſary offices, upon the Glebe belonging to the ſaid Church, Chapel, *or* Curacy, as appears by an inſtrument, ſigned by the ſaid Ordinary and Patron, hereunto annexed: And whereas the ſaid hath agreed to lend and advance the ſum of upon a Mortgage of the Glebe, Tythes, Rents, and other profits and emoluments, of the ſaid Living, purſuant to the direction and the true intent and meaning of the ſaid Act: Now this indenture witneſſeth, that the ſaid in conſideration of the ſum of Five Shillings to him in hand paid, and of the ſum of paid at or before the Sealing and Delivery hereof, into the hands of (a perſon *or* perſons (*as the caſe ſhall be*) nominated by the ſaid Ordinary, Patron, and Incumbent, to receive the ſame, purſuant to the direction of the ſaid Act (which nomination is alſo hereunto annexed) and which receipt of the ſaid Sum of the ſaid have *or* hath acknowledged, by an indorſement on the back of this Deed) hath granted, bargained, fold, and demiſed, and by theſe Preſents doth grant, bargain, ſell, and demiſe unto the ſaid his Executors, Administrators, and Aſſigns, all the Glebe Lands, Tythes, Rents, Moduſes, Compoſitions for Tythe, Salaries, Stipends, Fees, Gratuities, and other Emoluments and Profits whatſoever, ariſing, coming, growing, renewing, or payable to the Rector, Vicar, *or* Incumbent (*as the caſe ſhall be*) of the ſaid Living in reſpect thereof, with all and every their Rights, Privileges, and Appurtenances thereunto belonging, to have, hold, receive, take, and enjoy the ſaid Premiſſes, with their and every of their appurtenances, unto the ſaid his Executors, Administrators, and Aſſigns, from henceforth, for and during the term of

years, fully to be complete and ended, in as full, ample, and beneficial manner, and with such remedies and powers for obtaining and recovering the same, and every part thereof, to all intents and purposes, as the said _____ his Successors, Rectors, Vicars, &c. (*as the case shall be*) of the said Church, could or might, or ought to have held, enjoyed, received, taken, or recovered the same, if these presents had not been made: [* And the said *A. B.* for himself, his heirs, executors, and administrators, doth hereby covenant, promise, and agree, to and with the said _____ his executors, administrators, and assigns, that he the said *A. B.* during the time he shall continue Rector, Vicar, &c. of the said Parish Church, shall and will well and truly pay, or cause to be paid, unto the said _____ his executors, administrators, or assigns, interest for the said sum of _____ or so much thereof as shall remain due at the end of every year, to be computed from the day of the date of these presents, after the rate of _____ *per centum per annum*, by yearly payments; the first of the said payments to begin and be made on the _____ day of _____ next; and also, at the several times before mentioned for payment of the interest, as aforesaid, shall and will well and truly pay, or cause to be paid, the sum of five pounds *per centum per annum* of the said principal sum of _____ being the money originally advanced, in case the said *A. B.* shall be resident upon the said Living for the time mentioned in, and according to the true intent and meaning of the said Act; and in case the said *A. B.* shall not reside upon the said Living during the time mentioned in, and according to the true intent and meaning of the said Act, he shall pay, or cause to be paid, the sum of ten pounds *per centum per*

* In cases where the Mortgage by this Act directed is to be made by the Ordinary and Patron alone, without the Incumbent, this Covenant and Proviso are to be omitted, and the Form is to be varied in such other respects as shall be necessary.

annum of the said principal sum of being the money originally advanced, by such yearly payments as afore-*annum*, and shall and will continue such respective payments of the said interest, and on account of the said principal money, so long as he shall continue Rector, Vicar, &c. (*as the case shall be*) of the said Parish and Parish-church, unless all the said principal money, and interest for the same, shall be sooner paid and discharged. Provided always, and these presents are upon this condition, That if the said *A. B.* and his Successors shall well and truly pay, or cause to be paid, the said principal money, and interest for the same, in manner and at the times afore-*annum*, according to the true intent and meaning of the said Act, and of these presents, and also all costs and charges which shall have been occasioned by the non-payment thereof, these presents, and every thing herein contained, shall cease and be void. Provided also, That it shall and may be lawful for the said *A. B.* and his Successors, peaceably and quietly to hold, occupy, possess, and enjoy, all and singular the said Glebe Lands, Tythes, Rents, Moduses, Composition for Tythes, Stipends, Fees, Gratuities, and other Emoluments and Profits whatsoever, arising, or to arise, from or in respect of the said Living, until default shall be made by him or them respectively in the payment of the interest and principal, or some part thereof, at the times and in the manner afore-*annum*. In witness, &c.

* This form differs a little from that which is given in the Schedule annexed to the 17th Geo. III. c. 53. and for the reason of this difference, see Note p. 34.

N^o 3.

APPOINTMENT of the NOMINEE,

(To be written on parchment.)

WE whose names are subscribed, being the Ordinary, Patron, and Incumbent, of the Rectory, Vicarage, &c. of
 within the County of _____ and Diocese of the Bishop of _____
 do hereby nominate and appoint
 of _____ to receive the money authorized to be raised by an Act, passed in the seventeenth year of the reign of his Majesty King George the Third, intituled, *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the Use of their Benefices* for the purpose of building, rebuilding, repairing, or purchasing, the Parsonage-house, &c. *(as the case shall be)* to the said Rectory, Vicarage, &c. belonging, and to pay and apply the same, and to enter into contracts with proper persons for such buildings or repairs, and to inspect and take care of the execution of such contracts, and to take such receipts and vouchers, keep such accounts, and do and perform all such other matters and things, which nominees are authorized and required to do and perform in and by the said Act, the said _____ having given security for the due application thereof, according to the direction of the said Act. Given under our hands, this _____ day of _____

N^o 4.

N^o 4.

FORM of BOND, to be given by the Nominee and his Surety,
pursuant to the direction of the said Act.

OBLIGATION of the Bond (*in the common form of obligations*)
from *A. B.* (*describing him as in the form of receipt N^o 6.*) and *C. D.*
of *etcetera* (*describing the surety*) to (*describing the*
Ordinary) in the penal sum of (*to be double the sum for*
which the security is to be given, etcetera, etcetera.)

N^o 5.

FORM of the CONDITION of the said BOND.

THE Condition of the above Obligation is such, That if the
said *A. B.* (*naming the Nominee as before mentioned*) shall and do
justly and truly pay and account for the sum of re-
ceived by him this day from *C. D.* being the Person to whom a
mortgage hath been this day made and executed of the Glebe,
Tithes, Rents, and other Profits and Emoluments, of the Rectory
(*Vicarage, etcetera, as the Case shall be*) of for the pur-
pose of building (*rebuilding, or repairing*) of the said Rectory,
etcetera (as the case shall be) according to the true intent and meaning
of two several Acts of Parliament, passed in the seventeenth and
twenty-first years of the reign of his Majesty King George the Third,
for those purposes; then this Obligation to be void, or otherwise
to remain in force.

A. B.

C. D.

N^o 6.

N^o 6.

RECEIPT *to be signed by the Nominee for the money which shall be borrowed and paid into his hands, pursuant to the direction of the said Act.*

I *A. B.* being the person nominated by the Ordinary, Patron, and Incumbent, of the Rectory (Vicarage, *etcetera, as the case shall be*) of _____ in the County of _____ and Diocese of the Bishop of _____ to receive and apply the Money authorized to be borrowed by Mortgage of the Glebe, Tithes, Rents, and other Profits and Emoluments of the said _____ for the purpose of building (rebuilding, or repairing, *as the case shall be*) the Parsonage-house (or Outbuildings, *etcetera, as the case shall be*) belonging to such Living or Benefice, do hereby acknowledge to have received from the hands of *C. D.* being the person to whom such Mortgage is intended to be made, the sum of _____ being the sum for which such Mortgage or Security is to be made: And I do hereby promise to apply the same in such manner and for such purposes as are directed by the said Act:

N^o 7.

FORM *of Allowance of the Nominee's Account of the Money received and expended by him.*

WE have examined, and do hereby approve and allow the above account. Given under our hands this _____ day of _____

A. B. Ordinary.
C. D. Patron.
E. F. Incumbent.

N° 8.

FORM of ORDER of the Ordinary, Patron, and Incumbent, for laying out or applying the Surplus Money.

WE whose Names are subscribed, being the Ordinary, Patron, and Incumbent, of the Rectory, Vicarage, &c. of
in the County of _____ and Diocese of the Bishop of _____
do hereby order, That the sum of _____
now remaining in the hands of _____ the person
nominated and appointed to receive and apply the money raised for
building, repairing, &c. the Parsonage-house, &c. belonging to
the said Rectory, Vicarage, &c. under the Act of Parliament, passed
in the seventeenth year of the reign of his Majesty King George
the Third, intituled, *An Act to promote the Residence of the Pa-
rochial Clergy, by making Provision for the more speedy and effectual
building, rebuilding, repairing, or purchasing Houses, and other
necessary Buildings and Tenements, for the Use of their Benefices,*
shall be paid to _____ being the
person entitled to receive the money now remaining due on the
mortgage made of the Glebe Lands, Tythes, and other Profits and
Emoluments of the said Living, and applied in part of payment
thereof, pursuant to the direction of the said Act] or [applied in
building or repairing, &c. [describing the same] upon the Glebe be-
longing to the said Living. Given under our hands this
day of _____

N° 9.

N^o 9.

FORM of CERTIFICATE from the Two Clergymen.

WE, the Reverend *A. B.* of _____ in the county of _____
 Clerk, and *C. D.* of _____ Clerk, being
 two Clergymen within the Diocese of the Bishop of _____
 do hereby certify to the said Bishop, pursuant to the directions and
 instructions sent by him to us, That we have made enquiry into the
 state and condition of the Buildings upon the Glebe belonging to
 the Rectory, Vicarage, &c. of _____ within the said
 Diocese, at the time the Reverend _____ Clerk, the pre-
 sent Incumbent thereof, entered upon the said Living, which was
 in or about the year of our Lord _____
 and do find [That the same have been kept in due and common
 repair, without any wilful neglect (*if the case is so*)] or [That the
 same have, by wilful negligence, been suffered to go to decay, and
 that they have sustained damage, from a want of common and ordi-
 nary repair, to the amount of _____ pounds] and we
 have also enquired into the money received by the said
 for Dilapidations, from the Representatives of the former Incum-
 bent; and do find, that he hath received the sum of _____
 for such Dilapidations; and [that he hath expended the whole, or
 _____ thereof (*as the case may be*) in the necessary
 repairs of the buildings] or [that the same hath not been laid out
 or expended in repairing the buildings] upon the Glebe belonging to
 the said Living. Given under our hands, this
 day of _____

N^o 10.

FORM of CERTIFICATE of RESIDENCE.

WE, *A. B.* Rector, Vicar, or officiating Minister (*as the case shall be*) of the Parish of _____ in the Diocese of _____ Clerk, and *C. D.* Rector, Vicar, or officiating Minister (*as the case shall be*) of the Parish of _____ within the said Diocese, Clerk, which said Parishes of _____ and _____ are near adjoining to the Parish of _____ within the said Diocese, do hereby certify, That *E. F.* Rector, Vicar, or Incumbent (*as the case shall be*) of the said Parish and Parish Church of _____ afore said, hath resided upon his Living or Benefice, within that Parish, for the space of twenty weeks, between the _____ day of _____ and the _____ day of _____ last. Given under our Hands, this _____ day of _____

N^o 11.

NOMINATION of a Clergyman by the Bishop, to settle any Dispute about the Proportion of the Payments within the Year in which any Avoidance shall happen.

I THE Right Reverend _____ Bishop of _____ pursuant to the authority of an Act, passed in the seventeenth year of the reign of his Majesty King George the Third, intituled, *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the Use of their Benefices,* do hereby nominate the Reverend _____ being a Clergy-

Clergyman within my said Dioceſe, to adjuſt and determine the matter in diſpute between the Reverend Clerk, the preſent Incumbent of the Rectory, Vicarage, &c. of within my Dioceſe, and the Representatives of the the laſt Incumbent (*in caſe of his death*) or the ſaid (*in caſe of his reſignation or promotion*) concerning the due proportion to be paid by each of the ſaid parties of the principal and intereſt, which accrued due within the year, in which ſuch death or other avoidance happened, according to the direction, true intent, and meaning of the ſaid Act. Given under my hand, this day of

N^o 12.

AWARD and DETERMINATION of the Clergyman nominated by the Biſhop.

I T H E Reverend *A. B.* of in the county of and Dioceſe of the Biſhop of Clerk, having been nominated by the ſaid Biſhop, purſuant to the Power given by an Act paſſed in the ſeventeenth year of the reign of his Maſteſty King George the Third, intituled, *An Act to promote the Reſidence of the Parochial Clergy, by making Proviſion for the more ſpeedy and effectual building, rebuilding, repairing, or purchaſing Houſes, and other neceſſary Buildings and Tenements, for the Uſe of their Benefices,* to adjuſt and determine the Matter in diſpute between the Reverend Clerk, the preſent Incumbent of the Rectory, Vicarage, &c. of within the ſaid Dioceſe, and the Representatives of the laſt Incumbent (*in caſe of his death*) or the ſaid (*in caſe of his reſignation or promotion*) concerning the due Proportion to be paid by each of the ſaid Parties, of the principal and intereſt which accrued due within the year in which ſuch (death or avoidance) happened,

pened, according to the direction and true intent and meaning of the said Act; and having heard and duly considered the said matters, so referred to me as aforesaid, do award, adjudge, and determine, That the said shall pay, in respect of the interest and principal which became due within the year aforesaid, the sum of and that the said shall pay, in respect of the same, the sum of being the remainder thereof, according to the provision and direction of the said Act. Given under my hand, this day of

N^o 13.

FORM of the DEED of Purchase or Exchange of Buildings or Lands to be annexed to the Living or Benefice.

THIS Indenture, made the day of in the year of the reign of his Majesty King and in the year of our Lord between *A. B.* of of the one part; *C. D.* Ordinary of the Rectory, Vicarage, Chapelry, or Perpetual Cure (*as the case shall be*) of in the County of *E. F.* of Patron of the said Rectory, &c. and the Reverend *G. H.* Clerk, Incumbent of the said Rectory, &c. of the other part. Whereas there is no Parsonage-House belonging to the said Rectory, &c. (*or*) [the Parsonage-House belonging to the said Rectory, &c. is become so ruinous and decayed (*or so mean*) that it is not fit for the habitation of the Minister of the said Rectory, &c.] and one year's neat income or produce of the said Living or Benefice will not be sufficient to rebuild or repair the said House, with the necessary offices belonging thereto: And whereas a certain Messuage, House, or Tenement, with the Buildings thereunto belonging, situate in the property of the said *A. B.* and lying within the distance of yards from the Church (*or Chapel, as the case* case)

case shall be) of the said Rectory, &c. appears to the said Ordinary, Patron, and Incumbent, proper and convenient for the Habitation and use of the Minister of the said Rectory, &c. [and more commodious than the present House and Buildings upon the Glebe of the said Rectory, &c.] (*in cases where there are any*); and a contract hath been made, by the direction and with the approbation and consent of the said Ordinary, Patron, and Incumbent, with the said *A. B.* which is hereby ratified and confirmed by the said Ordinary, Patron, and Incumbent, for the absolute purchase of the said Messuage, House, or Tenement, and Buildings, for the price or sum of
 pursuant to the directions of an Act, passed in the seventeenth year of the reign of his Majesty King George the Third, intituled, *An Act, &c. (set forth the Title of the Act:)*

This is to be inserted when the Lands are purchased from the same Person who sells the House and Buildings.

[And whereas a contract has likewise been made with the said *A. B.* by the like direction, approbation, and consent, which is hereby likewise ratified and confirmed by the said Ordinary, Patron, and Incumbent, for the absolute purchase of the inheritance of a certain yard, garden, orchard, and piece or parcel of land, (*describing them particularly as the case shall be*) lying near or convenient to the said Messuage, House, Tenement, and Buildings, containing, by admeasurement, for the price or sum of which have been agreed by the said Ordinary, Patron, and Incumbent, to be raised by the sale (*or* exchange) of certain Lands or Tythes (*as the case shall be*) belonging to the said Rectory, &c. hereinafter described, pursuant to the powers given by the said Act; *viz. (here give a full description of the Lands so agreed to be sold)*; (*if the equivalent is to be by exchange, then after the word Incumbent, last mentioned, insert [and the said A. B. to be exchanged for] certain Lands or Tythes, &c. (as above.)*)] Now this

Indenture witnesseth, that the said *A. B.* for and in consideration of the said several sums of
 and
 to him in hand paid for the purchases aforesaid,
 said,

said, (*if both the Buildings and Lands are purchased for Money*); (*but if the Equivalent for the Land is to be by exchange, then*) (in consideration of the said sum of _____ for the purchase of the said Messuage, House, or Tenement, and Buildings, and in consideration of the Land (*or Tythes, as the case shall be*) so agreed to be exchanged as aforesaid, and intended to be conveyed to him the said *A. B.* by the said Ordinary, Patron, and Incumbent, by Indenture of equal Date herewith] the Receipt of which said sum (*or sums of money, as the case shall be*) [and acknowledgement of the said exchange] (*if the equivalent for the Land is to be by exchange*) the said *A. B.* hath admitted, by an indorsement on the back of this deed, hath granted, bargained, and sold, and by these presents doth grant, bargain, and sell (*if by exchange*) [hath granted, bargained, sold, and exchanged, with, and] unto the said *E. F.* and his heirs, all, &c. (*here insert a full description of the buildings or lands so intended to be conveyed, with their and every of their rights, privileges, and appurtenances*) to hold to the said *E. F.* and his heirs in trust, for the sole use and benefit of the said *G. H.* and his successors, Rectors, Vicars, &c. (*as the case shall be*) of the said Living or Benefice for the time being, for ever: and the said *A. B.* for himself, his heirs, executors, and administrators, doth covenant and agree to and with the said *E. F.* and his heirs, that he hath good right to convey the said Messuage, House, or Tenement, and Buildings, Lands, &c. (*as the case shall be*) and that he will warrant the same, for the Uses and Purposes aforesaid, for ever, free from all claims, charges, and incumbrances whatsoever, by, from, or under him, or any of his ancestors. In witness, &c.

N^o 14.

FORM of the DEED of Sale, or Exchange, of Lands or Tythes
belonging to the Living or Benefice.

THIS Indenture, made the _____ day of _____
in the _____ year of the reign of his Majesty King George
the _____ and in the year of our Lord
between *A. B.* Ordinary of the Rectory, (Vicarage, Chapelry, or
Perpetual Cure, *as the case shall be*) of _____ in the County
of _____ *C. D.* of _____ Patron of the said
Rectory, &c. and the Reverend *E. F.* Clerk, Incumbent of the said
Rectory, &c. of the one part, and *G. H.* of _____ of the
other part. Whereas, in the execution of an Act, passed in the
seventeenth year of the reign of his Majesty King George the Third,
intituled, *An Act, &c. (here set forth the Title of the Act)* it hath
been found convenient to purchase (or exchange, *as the case shall be*)
certain Lands, &c. (*describe particularly the Lands purchased*) lying
near and convenient to the Parsonage-House belonging to the said
Rectory, &c. (*or, if the House be lately purchased*) [lying near a
certain Messuage, House, or Tenement, and Buildings, lately pur-
chased for the habitation of the Minister of the said Rectory, &c.
under the Powers of the said Act] and it hath been found most
convenient, and agreed by the said Ordinary, Patron, and Incum-
bent, that the Glebe Lands (*or Tythes, as the case shall be*) herein-
after described, belonging to the said Rectory, &c. shall be sold, to
raise the sum of _____ being the purchase-money for
the said Lands here-in before described (*or exchanged, if the same
is to be done by exchange, in order to make an equivalent for such
Lands*) and a contract hath been made with the said *G. H.* for
the absolute sale, at the price or sum of _____ (*or ex-
change, as the case shall be*) of part of the Glebe Land (*or of the
Tythes,*

Tythes, *as the case shall be*) belonging to the said Rectory, &c. herein-after mentioned; that is to say, (*here describe the Particulars of the Land or Tythes proposed to be sold or exchanged*) which contract is hereby ratified and confirmed by the said Ordinary, Patron, and Incumbent: Now this Indenture witnesseth, that the said *A. B. C. D.* and *E. F.* in order to carry the said contract into execution, and to fulfil the purposes of the said recited Act, in pursuance of the powers thereby to them given, and in consideration of the sum of _____ the receipt whereof is acknowledged on the back of this deed; which sum hath been paid and applied in the purchase of the lands herein-before described; have, and each of them hath granted, bargained, and sold, (and exchanged, *if the same be by exchange*) and by these Presents do, and each of them doth grant, bargain, sell (and exchange, *if by exchange*) unto the said *G. H.* and his Heirs and Assigns, all, &c. (*here describe the Lands or Tythes, as the case shall be*) with their and every of their rights, privileges, and appurtenances, to hold to and to the use of the said *G. H.* his Heirs and Assigns for ever. (*If done by exchange, add the following words*) [in exchange for certain Lands which belonged to the said *G. H.* and are, by Indentures of equal date herewith, exchanged and conveyed to the said *C. D.* in Trust, for the sole use and benefit of the said *E. F.* and his Successors, Rectors, Vicars, &c. (*as the case shall be*) of the said Living or Benefice, for the time being, for ever.] And the said *A. B. C. D.* and *E. F.* do hereby severally covenant for themselves, their several Executors and Administrators, to and with the said *G. H.* his Heirs and Assigns, that they, nor any of them, have or hath done any Act whereby the said Lands (*or Tythes, as the case shall be*) can or may be incumbered; and that the said *G. H.* his Heirs and Assigns, shall and may, from Time to Time, for ever hereafter, peaceably and quietly hold and enjoy the said Glebe Lands *or Tythes (as the case shall be)* according to the true intent and meaning of the said Act, without any let, hindrance, or interruption, of or from them, or any of them. In witness, &c.

N^o 15.

FORM of CONSENT *where the Living or Benefice shall be in the Patronage of the Crown, or within the Duchy of Lancaster.*

WHEREAS the Living or Benefice of _____ within the Diocese of _____ is in the Patronage of the Crown, and rated above *or* under (*as the case shall be*) Twenty Pounds *per ann.* in the King's Books, | *or* of the Chancellor of the Duchy of Lancaster (*as the case shall be*); and application hath been made for building, (rebuilding, repairing, *or* purchasing, *or* exchanging, *as the case shall be*) the Parsonage-house or other Buildings *or* Land (*as the case shall be*) for the use of the said Living or Benefice, in pursuance of the powers given for that purpose, by an Act passed in the seventeenth year of the reign of his Majesty King George the Third, intituled, *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses, and other necessary Buildings and Tenements, for the Use of their Benefices*; now I, the Right Honourable _____ First Lord Commissioner of the Treasury, | Lord High Chancellor of Great Britain, | *or* Chancellor of the Duchy of Lancaster (*as the case shall be*) being satisfied that such building, rebuilding, repairing, purchasing, *or* exchanging, &c. (*as the case shall be*) will be an improvement and advantage to the said Living or Benefice, do hereby consent, That such Buildings, Repairs, Purchases, *or* Exchanges (*as the case shall be*) shall be made, according to the directions and the true intent and meaning of the said Act. Given under my hand, this _____ day of _____

F I N I S.

This Day are published, price 5s. in boards,

Dedicated to the KING,

DISCOURSES on Various Subjects, by THOMAS BALGUY, D. D.
Archdeacon of Winchester.

“ If I could flatter myself that these Effays have any merit, it is in steering between the Extremes of Doctrines seemingly opposite; in passing over Terms utterly unintelligible, and in forming a temperate, yet not inconsistent System.”

POPE.

Also published by the same Author, uniformly printed,

1. Divine Benevolence Asserted; and Vindicated from the Objections of ancient and modern Sceptics. 2s. 6d.
2. The late Mr. Balguy's Effay on Redemption. With a Prefatory Discourse by Dr. Balguy. 2s. 6d.
3. The late Dr. Powell's Discourses. Price 5s. in boards.
4. Effays on, 1. Scripture Metaphors; 2. Divine Justice; 3. Divine Mercy; 4. Doctrine of Satisfaction. By the Rev. W. LUDLAM, B. D. Rector of Cockfield, in Suffolk; and formerly Fellow of St. John's College, Cambridge.