



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 194.

An Act for erecting Five distinct Rectories and Parishes within the Rectory and Parish of *Simonburn*, in the County of *Northumberland*; and for separating the same from the Rectory and Parish Church of *Simonburn*; and for providing Parish Churches, Church-yards, and Parsonage Houses for the same; and for restraining the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich*, in the County of *Kent*, from presenting to the Rectory of *Simonburn*, or the said new Rectories, any other Persons than Chaplains in the Royal Navy.

[26th June 1811.]

WHEREAS the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich*, in the County of *Kent*, are seized in Fee Simple of the Advowson of the Rectory of *Simonburn*, in the County of *Northumberland*, and within the Diocese of *Durham*, and the Reverend *James Scott*, Doctor in Divinity, is Rector of the Parish of *Simonburn* aforesaid: And whereas the said Parish of *Simonburn* is very extensive, and hath in it one Parish Church, called the Parish Church of *Simonburn*, situate at one Extremity of the same Parish, and containeth

[*Loc. & Per.*]

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many

Chapels already within the Parish.

Reasons for the Act.

For extending religious Worship, and providing for Chaplains in the Navy.

Revenues of Simonburn sufficient for the new Parishes, as well as for the remaining Part of the Parish of Simonburn.

Upon Death or Cession of Incumbent, new Parish of Wark to be erected.

many Townships, Villages, Hamlets, Districts, and Quarters, which are distinguished and bounded by ancient and known Limits and Boundaries: And whereas the Districts or Hamlets of *Bellingham* and *Fallstone* are situate within the said Parish of *Simonburn*, and there are within the same respectively, Chapels built for the Use of the respective Inhabitants thereof, and the Chapel of *Bellingham* is not endowed, but is provided with an officiating Curate, by and at the Expence of the Rector for the Time being of the Rectory of *Simonburn* aforesaid, and the Chapel of *Fallstone* is endowed with Lands, the Revenues of which are small and insufficient; and the Right of Nomination and Appointment thereto belongs to the same Rector for the Time being in the Nature of an Advowson Donative; and the Reverend *Josiah Fleming* is now Curate of the said Chapel of *Fallstone*: And whereas the Inhabitants of many Parts of the said Parish of *Simonburn* cannot with Convenience repair to the said Parish Church, or the said Chapels, by reason of their remote Distance from the same, nor can the Rector of the said Parish, and the Curates of the said Chapels sufficiently attend to the religious Instruction of the Inhabitants of many Parts of the said Parish: And whereas it is expedient as well for extending the Benefit and Influence of religious Worship and Instruction to all Parts of the said Parish of *Simonburn*, as for promoting the Intention of the Institution of the said Royal Hospital at *Greenwich*, by affording the Means of providing for and rewarding Chaplains of the Royal Navy, that Five new and distinct Parishes should be erected and taken out of the said Parish of *Simonburn*, and be separated therefrom: And whereas the Revenues of the said Rectory of *Simonburn* are amply sufficient for the Maintenance of the Cure of Souls, as well within the Five new Parishes proposed to be erected as within the Residue of the said Parish of *Simonburn*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the Death, Cession or other Avoidance of the said *James Scott*, the several Townships, Hamlets, Villages, Districts or Quarters of *Wark*, *Warks Burn*, *Shitlington High* and *Shitlington Low* Quarters situate within the said Parish of *Simonburn*, and all the Messuages, Lands, Tenements, Hereditaments and Places within the accustomed or reputed Precincts or Boundaries of the same, several Townships, Villages, Hamlets, Districts or Quarters shall be thenceforth for ever thereafter severed and divided from the said Parish of *Simonburn*, and be exempted and discharged from all Dependence thereon, and from all Power, Right and Authority of the Rector and Parson for the Time being of the same Parish, and that the said several Townships, Hamlets, Villages, Districts or Quarters of *Wark*, *Warks Burn*, *Shitlington High* and *Shitlington Low* Quarters, and all the Messuages, Lands, Tenements, Hereditaments and Places within the accustomed or reputed Bounds and Precincts thereof, shall for ever thereafter form and be a distinct Parish of itself, and be called by the Name of "The Parish of *Wark*," and that the Inhabitants of the said Parish of *Wark* shall be for ever thereafter discharged and exempted of and from the Cure of Souls, Power and Authority of the Rector and Parson for the Time being of the said Parish of *Simonburn*; and that the said Rector and Parson of *Simonburn* and his Successors shall be thenceforth for ever exonerated and discharged from the Cure of Souls of the Inhabitants of

the said Parish of *Wark*, and that within the Space of Three Years after the Death, Cession or other Avoidance of the said *James Scott*, the Commissioners and Governors of the said Royal Hospital for Seamen at *Greenwich*, shall purchase such a Quantity of Land within the said Parish of *Wark*, as to the said Commissioners and Governors may appear to be necessary for the Scite of a Parish Church, for a Church Yard or Cemetery for the Burial of the Dead, for the Scite of a proper and convenient Parsonage House and Offices, and for a Garden and Glebe Land to be attached thereto, and cause such a fit and convenient Parish Church, Parsonage House and Offices to be erected and built, and shall inclose and appropriate such Church-yard or Cemetery, Garden, and Glebe Lands upon such Plan and in such Manner as the said Commissioners and Governors shall think proper; and the said Church so to be erected, and the Church-yard to be attached thereto, shall be duly consecrated, and the same Church shall be for ever thereafter a Parish Church for all the Inhabitants within the Bounds or Precincts of the said Parish of *Wark*, and shall be named and called "The Parish Church of *Wark*," and that the Expence of purchasing Land for the Purposes aforesaid, and of erecting such new Church, Parsonage House and Offices, and inclosing the Burial Ground and Garden thereto belonging respectively shall be defrayed by the Means herein-after directed.

II. And be it further enacted, That from and immediately after the new Erection of the said Parish of *Wark*, such Lands as may be so purchased by the said Commissioners and Governors as aforesaid, or as may be set out and appropriated in Manner herein-after mentioned, as and for Glebe Land for the said Parish, and all Great and Small Tithes and Moduses, or accustomed Payments for or in lieu of Great or Small Tithes, arising within the same Parish, and all *Easter Dues*, Surplice Fees, Donations and Emoluments payable for Parochial Duties within the same Parish, shall for ever thereafter be annexed to the same Parish, and belong and be paid to the Rector thereof for the Time being for ever.

Glebe Lands and Tithes annexed to the Parish of *Wark*.

III. And be it further enacted, That from and immediately after the Death, Cession, or other Avoidance of the said *James Scott*, the several Townships, Hamlets, Villages, Districts, or Quarters of *Bellingham*, *Leemailing*, *The Nook*, *Charlton East* and *West* Quarters, and *Tarretburn*, situate within the said Parish of *Simonburn*, and all the Messuages, Lands, Tenements, Hereditaments and Places within the accustomed or reputed Precincts or Boundaries of the same several Townships, Hamlets, Villages, Districts or Quarters, shall be thenceforth for ever thereafter severed and divided from the said Parish of *Simonburn*, and be exonerated and discharged from all Dependence thereon, and from all Power, Right and Authority of the Rector and Parson for the Time being of the same Parish; and that the said Chapel of *Bellingham* shall be for ever thereafter a Parish Church for all the Inhabitants of the same several Townships, Hamlets, Villages, Districts or Quarters, and shall be named and called "The Parish Church of *Bellingham*," and that the Plot of Ground now used as a Chapel-yard to the said Chapel shall be and continue for a Church-yard and Place of Burial for all such Inhabitants, and that the said Townships, Hamlets, Villages, Districts or Quarters of *Bellingham*, *Leemailing*, *The Nook*, *Charlton East* and *West* Quarters, and *Tarretburn*, and all the Messuages, Lands, Tenements, Hereditaments, and

Upon Death or Cession of Incumbent, new Parish of *Bellingham* to be erected.

Places

Places within the accustomed or reputed Bounds and Precincts thereof, shall for ever thereafter form and be a distinct Parish of itself, and be called by the Name of "The Parish of *Bellingham*," and that the Inhabitants of the said Parish of *Bellingham* shall be for ever thereafter discharged and exempted of and from the Cure of Souls, Power and Authority of the Rector and Parson for the Time being of the said Parish of *Simonburn*, and that the said Rector and Parson, and his Successors, shall be thenceforth for ever exonerated and discharged from the Cure of Souls of the Inhabitants of the said Parish of *Bellingham*.

Commissioners and Governors of Greenwich Hospital within Three Years after Doctor Scott's Death to purchase Glebe and build Parsonage House, &c. for the Rector of Bellingham.

IV. And be it further enacted, That within the Space of Three Years after the Death, Cession, or other Avoidance of the said *James Scott*, the Commissioners and Governors of the said Royal Hospital for Seamen at *Greenwich* shall, and they are hereby authorized and required to purchase such a Quantity of Land within the said Parish of *Bellingham*, as to the said Commissioners and Governors may appear necessary for the Scite of a proper and convenient Parsonage House and Offices, and for a Garden and Glebe Land to be attached thereto, and shall also within the said Space of Three Years cause to be erected and built upon such Part of the said Land, so to be purchased, as the said Commissioners and Governors may think proper, such proper and convenient Parsonage House and Offices.

Glebe Lands and Tithes annexed to the Parish of Bellingham.

V. And be it further enacted, That from and immediately after the new Erection of the said Parish of *Bellingham*, such Lands as may be so purchased by the said Commissioners and Governors as aforesaid, or as may be set out and appropriated in Manner herein-after mentioned, as and for Glebe Land for the said Parish of *Bellingham*, and all Great and Small Tithes and Moduses or accustomed Payments, for or in lieu of Great or Small Tithes arising within the same Parish and all *Easter Dues*, Surplice Fees, Donations, and Emoluments, payable for Parochial Duties within the same Parish shall for ever thereafter be annexed to the same Parish, and belong and be paid to the Rector thereof for the Time being for ever.

Upon Death or Cession of Incumbent, new Parish of Thorneyburn to be erected.

VI. And be it further enacted, That from and immediately after the Death, Cession or other Avoidance of the said *James Scott*, the several Townships, Hamlets, Villages, Districts, or Quarters of *Thorneyburn* and *Tarfett*, situate within the said Parish of *Simonburn*, and all the Messuages, Lands, Tenements, Hereditaments and Places, within the accustomed or reputed Precincts or Boundaries of the same several Townships, Hamlets, Villages, Districts or Quarters, shall be thenceforth for ever thereafter severed and divided from the said Parish of *Simonburn*, and be exonerated and discharged from all Dependance thereon, and from all Power, Right, and Authority of the Rector and Parson for the Time being of the same Parish; and that the said several Townships, Hamlets, Villages, Districts, or Quarters of *Thorneyburn* and *Tarfett*, and all the Messuages, Lands, Tenements, Hereditaments, and Places within the accustomed or reputed Precincts or Boundaries thereof, shall for ever thereafter form and be a distinct Parish of itself, and be called by the Name of "The Parish of *Thorneyburn*," and that the Inhabitants of the said Parish of *Thorneyburn* shall be for ever thereafter discharged and exempted of and from the Cure of Souls, Power and Authority of the Rector and Parson for the Time being of the said Parish of *Simonburn*, and that

that the said Rector and Parson, and his Successors, shall be thenceforth for ever exonerated and discharged from the Cure of Souls of the Inhabitants of the said Parish of *Thorneyburn*; and that within the Space of Three Years after the Death, Cession or other Avoidance of the said *James Scott*, the Commissioners and Governors of the said Royal Hospital for Seamen at *Greenwich* shall purchase such a Quantity of Land within the said Parish of *Thorneyburn* as to the said Commissioners and Governors may appear to be necessary for the Scite of a Parish Church, for a Church-yard or Cemetery for the Burial of the Dead, for the Scite of a proper and convenient Parsonage House and Offices, and for a Garden and Glebe Land to be attached thereto, and cause such a fit and convenient Parish Church, Parsonage House and Offices to be erected and built, and shall inclose and appropriate such Church-yard or Cemetery, Garden and Glebe Land upon such Plan and in such Manner as the said Commissioners and Governors shall think proper; and the said Church so to be erected, and the Church-yard to be attached thereto, shall be duly consecrated, and the same Church shall be for ever thereafter a Parish Church for all the Inhabitants within the Bounds or Precincts of the said Parish of *Thorneyburn*, and shall be named and called "The Parish Church of *Thorneyburn*;" and the Expence of purchasing Lands for the Purposes aforesaid, and of erecting such new Church, Parsonage House and Offices, and inclosing the Burial Ground and Garden thereto belonging respectively, shall be defrayed by the Means herein-after directed.

VII. And be it further enacted, That from and immediately after the new **Glebe Lands** Erection of the said Parish of *Thorneyburn*, such Lands as may be so pur- **and Tithes** chased by the said Commissioners and Governors as aforesaid, or as may **annexed to** be set out and appropriated in Manner herein-after mentioned, as and for **the Parish of** Glebe Land for the said Parish of *Thorneyburn*, and all Great and Small **Thorney-** Tithes, and Moduses or customary Payments for or in lieu of Great or **burn.** Small Tithes arising within the same Parish, and all *Easter* Offerings, Dues, Surplice Fees, Donations, and Emoluments payable for Parochial Duties within the same Parish, shall for ever thereafter be annexed to the same Parish, and belong and be paid to the Rector thereof for the Time being for ever.

VIII. And be it further enacted, That from and immediately after the **Upon Death** Death, Cession or other Avoidance of the said *James Scott*, subject to **or Cession of** the Provisions herein contained, the Township, Hamlet, or Village of **Incumbent,** *Fallstone*, and the Quarters of *Wellhaugh* and *Plashetts*, situate within **new Parish of** the said Parish of *Simonburn*, and all the Messuages, Lands, Tenements, **Fallstone to** Hereditaments, and Places within the accustomed or reputed Precincts **be erected.** or Boundaries of the same Township, Hamlet or Village and Quarters, shall be thenceforth for ever thereafter severed and divided from the said Parish of *Simonburn*, and be exonerated and discharged from all Dependence thereon, and from all Power, Right and Authority of the Rector and Parson for the Time being of the said Parish, and that the said Chapel of *Fallstone* shall be for ever thereafter a Parish Church for the Inhabitants of the said Township, Hamlet or Village of *Fallstone* and of the said Quarters of *Wellhaugh* and *Plashetts*, and shall be named and called "The Parish Church of *Fallstone*," and that the Plot of Ground now used as a Chapel-yard to the said Chapel shall be and continue for a Church-yard and Place of Burial for all such Inhabitants, and that the said Town-

ship, Hamlet or Village of *Fallstone* and the said Quarters of *Wellhaugh* and *Plashetts*, and all the Messuages, Lands, Tenements, Hereditaments and Places within the accustomed or reputed Bounds or Precincts thereof shall for ever thereafter form and be a distinct Parish of itself, and be called by the Name of "The Parish of *Fallstone*;" and that the Inhabitants of the said Parish of *Fallstone* shall be for ever thereafter discharged and exempted of and from the Cure of Souls, Power and Authority of the Rector and Parson for the Time being of the said Parish of *Simonburn*, and that the said Rector and Parson, and his Successors, shall from thenceforth for ever be exonerated and discharged from the Cure of Souls of the Inhabitants of the said Parish of *Fallstone*.

Commissioners and Governors of Greenwich Hospital within Three Years after Doctor Scott's Death to purchase Glebe and build Parsonage House, &c. for Rector of *Fallstone*.

IX. And be it further enacted, That within the Space of Three Years after the Death, Cession, or other Avoidance of the said *James Scott*, in case his Incumbency shall continue for a greater Length of Time than that of the present Curate of *Fallstone* aforesaid, but in case the Incumbency of the said Curate of *Fallstone* shall continue for a greater Length of Time than that of the said *James Scott*, then within the Space of Three Years next after the Death, Cession or other Avoidance of the said Curate of *Fallstone* aforesaid, the Commissioners and Governors of the said Royal Hospital for Seamen at *Greenwich* shall and they are hereby authorized and required to purchase such a Quantity of Land within the said Parish of *Fallstone*, as to the said Commissioners and Governors may appear necessary for the Scite of a proper and convenient Parsonage House and Offices, and for a Garden and Glebe Land to be attached thereto, and shall also within the said Space of Three Years cause to be erected and built upon such Part of the said Land so to be purchased, as the said Commissioners and Governors may think proper, such proper and convenient Parsonage House and Offices.

Glebe Lands and Tithes annexed to the Parish of *Fallstone*.

X. And be it further enacted, That from and immediately after the new Erection of the said Parish of *Fallstone*, such Lands as may be so purchased by the said Commissioners and Governors as aforesaid, or as may be set out and appropriated in Manner herein-after mentioned, as and for Glebe Land for the said Parish of *Fallstone*, all Lands now belonging or attached to the present Curacy of *Fallstone*, or which may be allotted or belong thereto, or so much thereof as shall not be conveyed in Exchange or sold under the Powers herein contained, and all Great and Small Tithes, and Moduses or customary Payments for or in lieu of Great or Small Tithes arising within the same Parish, save and except such Part of the Great and Small Tithes and Moduses, or customary Payments, for or in lieu of Great or Small Tithes which shall arise within *Wellhaugh*, within the said last mentioned Parish, and all *Easter Dues*, Surplice Fees, Donations and Emoluments payable for Parochial Duties within the same Parish, shall for ever thereafter be annexed to the same Parish, and belong and be paid to the Rector thereof for the Time being for ever.

Upon Death or Cession of Incumbent new Parish of *Greystead* to be erected.

XI. And be it further enacted, That from and immediately after the Death, Cession, or other Avoidance of the said *James Scott*, the several Townships, Hamlets, Villages, Districts or Quarters of *Smalesmouth* and *Chirden*, situate within the said Parish of *Simonburn*, and all the Messuages, Lands, Tenements, Hereditaments, and Places within the accustomed or reputed Precincts or Boundaries of the same several Townships,

ships, Hamlets, Villages, Districts or Quarters shall be thenceforth for ever thereafter severed and divided from the said Parish of *Simonburn*, and be exonerated and discharged from all Dependance thereon, and from all Power, Right and Authority of the Rector and Parson for the Time being of the same Parish, and that the said Townships, Hamlets, Villages, Districts or Quarters of *Smalesmouth* and *Chirden*, and all the Messuages, Lands, Tenements, Hereditaments and Places within the accustomed or reputed Precincts or Boundaries thereof, shall for ever thereafter form and be a distinct Parish of itself, and be called by the Name of "The Parish of *Greystead*," and that the Inhabitants of the said Parish of *Greystead* shall be for ever thereafter discharged and exempted of and from the Cure of Souls, Power and Authority of the Rector and Parson for the Time being of the said Parish of *Simonburn*; and that the said Rector and Parson, and his Successors, shall be thenceforth for ever exonerated and discharged from the Cure of Souls of the Inhabitants of the said Parish of *Greystead*; and that within the Space of Three Years after the Death, Cession or other Avoidance of the said *James Scott*, the Commissioners and Governors of the said Royal Hospital for Seamen at *Greenwich* shall purchase such a Quantity of Land within the said Parish of *Greystead*, as to the said Commissioners and Governors may appear to be necessary for the Scite of a Parish Church, for a Church-yard or Cemetery for the Burial of the Dead, for the Scite of a proper and convenient Parsonage House and Offices, and for a Garden and Glebe Land to be attached thereto, and cause such a fit and convenient Parish Church, Parsonage House, and Offices to be erected and built, and shall inclose and appropriate such Church-yard or Cemetery, Garden and Glebe Lands upon such Plan and in such Manner as the said Commissioners and Governors shall think proper; and the said Church so to be erected, and the Church-yard to be attached thereto, shall be duly consecrated, and the same Church shall be for ever thereafter a Parish Church for all the Inhabitants within the Bounds or Precincts of the said Parish of *Greystead*, and shall be named and called "The Parish Church of *Greystead*," and the Expence of purchasing Lands for the Purposes aforesaid, and of erecting such new Church, Parsonage House and Offices, and inclosing the Burial Ground and Garden thereto respectively, shall be defrayed by the Means herein-after directed.

XII. And be it further enacted, That from and immediately after the new Erection of the said Parish of *Greystead* such Lands as may be so purchased by the said Commissioners and Governors as aforesaid, or as may be set out and appropriated in Manner herein-after mentioned, as and for Glebe Lands for the said Parish of *Greystead*, and all Great and Small Tithes and Moduses, or customary Payments for or in lieu of Great or Small Tithes arising within the same Parish, and all *Easter Offerings*, Dues, Surplice Fees, Donations and Emoluments payable for Parochial Duties, within the same Parish, shall for ever thereafter be annexed to the same Parish, and belong and be paid to the Rector thereof, for the Time being, for ever.

Glebe Lands and Tithes annexed to the Parish of *Greystead*.

XIII. Provided always, and be it further enacted, That the Scites of the several Churches and Chapel and Parsonage-Houses hereby directed to be purchased or appropriated, and the several Buildings to be erected thereon,

shall Scites of Churches, &c. to be approved of by Bishop.

shall be first approved by the Lord Bishop of *Durham* for the Time being, and no such Scite shall be finally determined upon, and no such Building shall be erected in pursuance of this Act, without the Approbation of the said Bishop signified in Writing under his Hand.

Directing the Mode of raising Money for building the new Churches.

XIV. And be it further enacted, That for the Purpose of raising Money for the Purchase of such Lands as the said Commissioners and Governors are hereby directed and required to purchase, and for erecting and building such Parsonage Houses and Offices as herein-before mentioned, within the said several newly to be erected Parishes of *Wark*, *Bellingham*, and *Thorneyburn*, *Fallstone* and *Greystead* respectively, it shall be lawful for the Commissioners and Governors of the said Royal Hospital for Seamen at *Greenwich* for the Time being, to sell and absolutely dispose of, and by any Deed or Deeds enrolled in His Majesty's High Court of Chancery, to convey the Inheritance in Fee Simple of any of the Great and Small Tithes, and Moduses or customary Payments for or in lieu of Great or Small Tithes arising within *Wellhaugh* Township, in the said Parish of *Simonburn*, to any Person or Persons, either by public Auction or Private Contract, for such Price or Prices and in such Manner as to the said Commissioners and Governors shall seem expedient, and that the said Commissioners and Governors shall apply the Money to be produced by such respective Sales of Tithes, and Moduses or customary Payments for or in lieu of Tithes, arising within *Wellhaugh* Township aforesaid, in the Purchase of such Glebe Lands and in erecting and building such Parsonage Houses and Offices accordingly; and that the Receipts of the said Commissioners and Governors, or the Treasurer of the said Royal Hospital for the Time being, for the Monies to arise by such Sales respectively as aforesaid, shall exonerate the Persons respectively paying the same from all Responsibility for the Appropriation thereof.

Authorizing the Rector to take Conveyances of Glebe Lands, &c. without Licences to take in Mortmain.

XV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and Governors of the said Royal Hospital for Seamen at *Greenwich*, and their Successors, and to and for any Person or Persons whomsoever, to give, grant and convey to, or for the Use of, or in Trust for the Rectors and Parsons for the Time being of the said several newly to be erected Parishes of *Wark*, *Bellingham*, *Thorneyburn*, *Fallstone* and *Greystead*, or any or either of them, such Land as may be sufficient and necessary for the several Purposes in this Act mentioned, without any Licence to take or purchase in Mortmain, and notwithstanding any Law, Statute or Custom to the contrary, or other Impediment or Disability whatsoever.

Lands allotted for Tithes may be taken for Scites of Parsonage-houses, &c.

XVI. And whereas, under the Authority of an Act passed in the Forty-fourth Year of the Reign of His present Majesty, intituled *An Act for inclosing Lands in the Parish of Simonburn in the County of Northumberland*, and another Act passed in the Forty-fifth Year of His present Majesty, intituled *An Act for inclosing Lands in the Parish of Simonburn in the County of Northumberland*, sundry Parcels of Lands situate within the said new intended Rectories of *Wark*, *Bellingham*, *Thorneyburn*, *Greystead* and *Fallstone*, some or one of them, have been allotted to the Rector of the said Parish of *Simonburn* in lieu of Tithes, and it is expected that further Allotments will shortly be made or awarded to the Rector of the said Parish, some Parts of which Land so allotted or to be allotted may be so situate as to be convenient for some of the Purposes for which Lands

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are by this Act directed to be purchased, and other Parts of such Lands may be exchanged for Lands convenient for such Purposes; be it therefore enacted, That it shall be lawful to and for the said Commissioners and Governors of the said Royal Hospital, and their Successors, and they are hereby authorized and empowered, upon the Death, Cession or other Avoidance of the said *James Scott*, or of the said *Josiah Fleming*, as the Case may require, to set out and appropriate so much and such Parts of the said Lands as may be fit and convenient, and as they the said Commissioners and Governors may think proper, to and for the Scites of the Parsonage Houses, Gardens and Glebe Lands by this Act directed to be purchased, and the Remainder of such Lands shall, from and after the Death, Cession, or other Avoidance of the said *James Scott* and *Josiah Fleming* respectively, as the Case shall require, be vested in the said Commissioners and Governors and their Successors, and the said Commissioners and Governors and their Successors are hereby authorized and empowered either to exchange any Part of the said Lands for any other Lands which may be convenient for the Scites of such Parsonage Houses, Gardens, and Glebe Lands as aforesaid, or to sell and absolutely dispose of such Lands to any Person or Persons either by public Auction or private Contract for such Price or Prices, and in such Manner as to the said Commissioners and Governors shall seem expedient, and by Deed or Deeds inrolled in His Majesty's High Court of Chancery, to convey the Inheritance in Fee Simple of such Lands so exchanged or sold, either in Exchange for other Lands or for Money, as the Case shall require, and the Lands so conveyed in Exchange or sold, shall vest in the Persons to whom the same shall be conveyed respectively by such Commissioners and Governors according to the Terms of the Deed or Deeds by which the same shall be conveyed, and the Lands taken in Exchange shall be vested in the Rectors respectively, and their Successors, for whose Use the same shall be so taken in Exchange; and that the said Commissioners and Governors shall apply the Money to be produced by any such Sales in Aid of the Fund by this Act created, for the Purchase of Glebe Lands and Gardens, and the Erection of Parsonage Houses and Offices; and that the Receipt of the said Commissioners and Governors, or the Treasurer of the said Royal Hospital for the Time being, for the Monies to arise by such last mentioned Sales respectively as aforesaid, shall exonerate the Persons respectively paying the same from all Responsibility for the Appropriation thereof.

XVII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, and all Corporations whether Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics, Idiots and other Trustees whomsoever, not only for and on behalf of themselves and their Heirs and Successors, and also for and on Behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots or Femes Covert, and also to and for all Femes Covert who are or shall be seized in their own Right, and to and for all Persons whether Tenants for Life or Tenants in Tail, General or Special, or for Years determinable on any Life or Lives, and to and for all and every Person or Persons whomsoever who are or shall be seized, possessed of or entitled to any Lands or Grounds which the said Commissioners and Governors may think necessary or proper to purchase for the Purpose of this Act, to treat, contract and agree with the said Commissioners and Governors for the Sale thereof, or any Part

Incapacitated
Persons may
sell Lands,
&c.

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thereof,

thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in and to the same, to the said Commissioners and Governors for the Purposes aforesaid, and that all Contracts, Agreements, Bargains, Sales and Conveyances which shall be made by virtue and in pursuance of this Act shall without any Fine or Fines, Recovery or Recoveries, or other Conveyances and Assurances in the Law whatsoever, be good, valid and effectual to all Intents and Purposes, not only to convey the Estate and Interests of the Person or Persons conveying, but also to convey all Estate, Right, Interest, Use, Property, Claim and Demand whatsoever of the said several Cestuique Trusts, and all claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whomsoever are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Application
of Compensation
Money
when exceeding
200l.

XVIII. And be it further enacted, That if any Money shall be agreed to be paid for the Purchase of any Lands or Grounds purchased by virtue of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trusts, or to any Person whose Lands, Tenements, or other Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall be equal to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Commissioners and Governors, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands and Grounds, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Grounds, or affecting other Lands, Tenements, or Hereditaments standing settled to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands or Grounds which shall be so purchased as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the mean Time, and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities

Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall, from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands and Grounds so hereby directed to be purchased, in case such Purchase or Settlement were made.

XIX. Provided always, and be it enacted, That if any Money so agreed to be paid for any Lands or Grounds to be purchased for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all Cases the same shall, at the Option of the Person or Persons for the Time being intitled to the Rents and Profits of the Lands or Grounds so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners and Governors; such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

When not amounting to 200l. and not exceeding 20l.

XX. Provided also, and be it further enacted, That where such Money so agreed to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands or Grounds so purchased for the Purposes of this Act, in such Manner as the said Commissioners and Governors shall think fit, or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When less than 20l.

XXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands or Grounds or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands or Grounds at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons,

Money to be paid into Bank in case of no Title.

shall be deemed and taken to have been lawfully intitled to such Lands or Grounds according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands or Grounds or to some Estate or Interest therein.

Court of
Chaucery to
order Pay-
ment of Ex-
pences.

XXII. Provided also, and be it enacted, That when by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands or Grounds to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands and Grounds to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases to be from Time to Time made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable to be paid by the said Commissioners and Governors.

Chapel of
Ease for
Simonburn.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and Governors of the said Royal Hospital at *Greenwich*, and they are hereby authorized and required within Three Years next after the Death, Cession or other Avoidance of the said *James Scott*, to purchase such a Quantity of Land within the Township of *Humshaugh*, in the said Parish of *Simonburn*, as to the said Commissioners and Governors may appear necessary for the Scite of a Chapel of Ease to the said Parish Church of *Simonburn*, for a Chapel-yard or Cemetery for the Burial of the Dead, within the said Township of *Humshaugh*, and also to erect and build, or cause to be erected and built, a proper and convenient Chapel of Ease, to be called *Humshaugh Chapel*, and inclose and appropriate such Chapel-yard or Cemetery; and such Chapel when built and completed shall and may be consecrated, according to the Rites and Ceremonies of the Church of *England*, and the said Chapel-yard or Cemetery, when inclosed and appropriated, shall and may be consecrated for a Burial Ground, and such Chapel and Chapel-yard or Cemetery, shall for ever thereafter be used as a Chapel of Ease and additional Cemetery or Burial Ground to the said Parish of *Simonburn*.

Chapel sub-
ject to Eccle-
siastical Jurif-
diction.

XXIV. And be it further enacted, That the said last-mentioned Chapel, when the same shall have been duly consecrated, and every Minister officiating therein for the Time being, shall be subject in all respects to the ordinary Ecclesiastical Jurisdiction by Law established, and Divine Service shall be from Time to Time for ever thereafter performed in the said Chapel, according to the Rites and Ceremonies of the United Church of *England and Ireland*, as by Law established.

Appointment
of Ministers.

XXV. And be it further enacted, That after the said Chapel shall have been consecrated in Manner aforesaid, it shall and may be lawful to and for the Rector of the said Parish of *Simonburn* for the Time being, and he is hereby empowered and required to nominate under his Hand and Seal, to the Lord Bishop of *Durham* for the Time being, a fit Person (being in
Priest's

Priest's Orders) who shall have taken a Degree in one of the Three Universities of *Oxford*, *Cambridge*, or *Dublin*, and who shall have been rated and served as a Chaplain in the Navy during Three Years at the least, on board any of His Majesty's Ships actually employed in Service at Sea, and if no such can be found, any other sufficient Clerk who shall have been rated and served for Six Years on board any of His Majesty's Ships, and if no such can be found, then and then only any other sufficient Clerk who shall have been rated and served as aforesaid for any shorter Period, to be licensed to the perpetual Curacy of the said Chapel, and upon every Occasion of every future Vacancy, the said Rector for the Time being of the said Parish of *Simonburn* shall in like Manner nominate some fit Person, qualified as aforesaid, to be licensed as aforesaid; and upon Failure of every such Nomination, the Right of Nomination for that Turn shall lapse to the Lord Bishop of *Durham* for the Time being, and to the Metropolitan, and to the Crown, successively, according to the Course of Law in Cases of Presentative Benefices; and the Right of Nomination may be sued for and recovered, and the Incumbency thereof shall cease and be determined in like Manner as if the Curacy of the said Chapel was a Presentative Benefice.

XXVI. And be it further enacted, That for the Maintenance and Support of the Curate or Minister of the said Chapel of *Humshaugh* for the Time being, the Rector of the said Parish of *Simonburn* for the Time being shall pay to him the said Curate the Annual Stipend of One hundred and twenty Pounds, by Half-yearly Payments.

Stipend to Curate of Humshaugh.

XXVII. Provided always, and be it further enacted, That the Annual Stipend of the Curate or Minister of the said Chapel of *Humshaugh* for the Time being shall from Time to Time, at the Expiration of every succeeding Period of Five Years, be regulated by the Value of the Rectory of *Simonburn*, after the Division shall have taken place under the Authority of this Act, and such Annual Stipend shall be from Time to Time at the End of such succeeding Periods fixed and settled for the succeeding Five Years by the Lord Bishop of *Durham*, so as to bear the same Proportion to the Value and Profits of the Rectory of *Simonburn* at every such Period, as the Annual Stipend of One hundred and twenty Pounds aforesaid shall bear to the Value of the said Rectory at the Time the Division of the present Parish of *Simonburn* shall take place under the Provision of this Act; and it shall be lawful for the said Lord Bishop of *Durham* for the Time being from Time to Time to demand and require of the Rector of the said Rectory of *Simonburn* all such Returns of the Annual Value, Profits, and Receipts of the said Rectory in each Year as he may deem necessary and proper for the fixing and regulating such Proportions as aforesaid, which Returns the said Rector for the Time being is hereby required to make out and deliver or cause to be delivered to the Lord Bishop of *Durham* for that Purpose.

Stipend to be ascertained every Five Years.

XXVIII. And whereas the said Chapelry of *Fallstone* is a perpetual Curacy; be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect, diminish, or in any Manner to interfere with the Powers, Rights and Interests of the said *Josiah Fleming*, as Curate of the said Chapelry of *Fallstone*, during his Incumbency.

Act not to affect Curacy of Fallstone.

In case of the Death of the Curate of Fallstone during Dr. Scott's Incumbency, no Presentation to be made for a longer Period than the Remainder of such Incumbency; and in case of Dr. Scott's Avoidance, during Incumbency of the present Curate of Fallstone, Commissioners of Greenwich Hospital to receive all Tithes, &c. within the intended new Rectory of Fallstone, except such as shall belong to the Curate, and apply them in Aid of the Fund for purchasing Glebe and building Parsonage Houses, &c. and Rector of Simonburn to perform Duties, &c.

XXIX. And be it further enacted, That in case the said perpetual Curacy shall become vacant by the Death, Cession, or other Avoidance of the said *Josiah Fleming*; during the Incumbency of the said *James Scott*, no Presentation shall be made of any Person to the said Chapelry of *Fallstone*, for any longer Period than the Incumbency of the said *James Scott*; and in case of the Death, Cession, or other Avoidance of the said *James Scott*, during the Incumbency of the said *Josiah Fleming*, the Clerk who, upon the Death, Cession, or other Avoidance of the said *James Scott* shall be presented to the said Rectory of *Simonburn*, shall, during the Remainder of the Incumbency of the said *Josiah Fleming*, continue to perform for and in respect of such Parts of the said new intended Parish of *Fallstone* as shall not be within the Limits of the said Curacy, all Ecclesiastical Duties whatsoever which the Rector of *Simonburn* for the Time being would have been bound to perform if this Act had not been made; and that all and every the Tithes, Dues and other Revenues payable out of the said intended Parish of *Fallstone*, except such Portion thereof as the said *Josiah Fleming* shall in Right of his said perpetual Curacy be entitled to, and except such Portion thereof as shall arise within the said Township of *Wellbaugh*, shall, during the Remainder of the Incumbency of the said *Josiah Fleming*, be duly collected by Persons appointed and authorized by the said Commissioners and Governors, and shall be paid over, added and applied to the Fund by this Act created for the Purchase of Glebe Lands and Gardens, and the Erection of Parsonage Houses and Offices, and the said Commissioners and Governors for the Time being shall have and they are hereby invested with all such Powers and Authorities for enforcing Payment of the said last-mentioned Tithes, Dues, and other Revenues, as the Rector of *Simonburn* for the Time being would have had in case this Act had not been made.

No Clerk to be presented to *Wark*, *Thorneyburn* or *Greystead* until Churches, &c. shall have been built, and in the mean Time Rector of *Simonburn* to perform all Ecclesiastical Duties.

XXX. Provided always, and be it further enacted, That during the Period between the Death, Cession, or other Avoidance of the said *James Scott* and that at which the Churches, Church-yards, or Cemeteries for the Burial of the Dead and Parsonage Houses by this Act directed to be built and appropriated within the said newly to be erected Parishes of *Wark*, *Thorneyburn*, and *Greystead*, shall have been completed, and the said Churches and Church-yards consecrated, no Clerk shall be presented to any or either of the said last-mentioned new intended Rectories, but the Clerk, who upon the Death, Cession or other Avoidance of the said *James Scott*, shall be presented to the said Rectory of *Simonburn*, shall during such Period continue to perform for and in respect of the said newly to be erected Rectories of *Wark*, *Thorneyburn*, and *Greystead*, all Ecclesiastical Duties whatsoever which the Rector of *Simonburn* for the Time being would have been called upon to perform therein if this Act had not been made.

After Death, &c. of Dr. Scott, and until Rectors of *Wark*, *Thorneyburn* and *Greystead* shall have been inducted, Tithes, &c. to be received by Commissioners of Greenwich Hospital third Part to

XXXI. Provided also, and be it further enacted, That from and after the Death, Cession or other Avoidance of the said *James Scott*, and until the Rectors of the said intended new Rectories of *Wark*, *Thorneyburn* and *Greystead* shall have been presented and inducted, but no longer, all and singular the Tithes, Dues and other Ecclesiastical Revenues arising within the said last-mentioned new Rectories shall be collected and received by the said Commissioners and Governors for the Time being, or such Person or Persons as they shall from Time to Time, by Writing under their Common Seal, appoint to collect and receive the same; and that it shall

shall and may be lawful to and for the said Commissioners and Governors for the Time being, and they are hereby directed and required to pay and apply the Monies so to be collected and received by them as aforesaid (after Payment of all reasonable and proper Expences of Collection), in the Manner following, (that is to say) to pay and apply One equal Third Part thereof to the Rector of *Simonburn* aforesaid, and the Remainder thereof to the Fund by this Act created for the Purchase of Glebe Lands and Gardens, and the Erection of Parsonage Houses and Offices, and the said Commissioners and Governors shall have, during such last-mentioned Period, and they are hereby invested with all such Powers and Authorities for enforcing Payment of the said last-mentioned Tithes, Dues and other Revenues, as the Rector of *Simonburn* for the Time being would have had in case this Act had not been made.

be paid over to the Rector of *Simonburn*, and Remainder to be applied to Fund for purchasing Glebe and building Parsonage Houses, &c.

XXXII. And be it further enacted, That from and immediately after the Death, Cession or other Avoidance of the said *James Scott*, the Inhabitants of each new Parish to be erected by virtue of this Act shall be discharged from contributing to the Repairs of the said Parish Church of *Simonburn*, and shall be subject and liable only to the Repairs of the Church belonging to the Parish in which such Inhabitants respectively shall reside.

Inhabitants of the new Parishes discharged from the Repairs of *Simonburn* Church.

XXXIII. Provided also, and be it further enacted, That nothing in this Act contained shall alter or affect the Division of the said Parish of *Simonburn* into Townships or Districts for the Maintenance of the Poor, or for any civil Purpose whatsoever.

Act not to affect the Division of *Simonburn* into Townships for Maintenance of the Poor.

XXXIV. And be it further enacted, That the said new Parishes and Rectories of *Wark*, *Bellingham*, *Thorneyburn*, *Fallstone* and *Greystead*, when so separated from the said Parish of *Simonburn* as aforesaid, shall from the Time of such Separation be deemed and taken to be distinct Rectories and Benefices within the Diocese and Jurisdiction of the Bishop of *Durham* for the Time being, and the Rector and Parson for the Time being of the said Parish of *Simonburn* shall be thenceforth for ever thereafter discharged, debarred and excluded of and from all Rights, Interests, Pensions, Portions, Tithes, Oblations and all Profits whatsoever to the said Rectory of *Simonburn* now belonging within the Precincts of the said newly to be erected Parishes respectively, or any of them, and that the Rectory of *Simonburn* shall thenceforward consist of the Townships, Hamlets, Villages, Districts or Quarters of *Simonburn*, *Humshaugh*, *Haugton*, *Walwick*, *Rye Hill*, and *Black Carts* only.

Parishes to be deemed distinct Benefices.

XXXV. And be it further enacted, That from and after such Separation and Division as aforesaid the several and respective Rectors or Parsons of the said several intended Parish Churches of *Wark*, *Bellingham*, *Thorneyburn*, *Fallstone* and *Greystead* respectively, and their Successors, shall for ever thereafter by force and virtue of this Act, have, hold, receive, perceive, take and enjoy all such Houses, Lands, Tenements, Hereditaments, Tithes, Rents, Oblations, Mortuaries and other parochial Rights, Profits and Privileges whatsoever within the Precincts of each of the said several Parishes of *Wark*, *Bellingham*, *Thorneyburn*, *Fallstone* and *Greystead* respectively, which the Rector or Parson for the Time being of the said Parish of *Simonburn* should or might have held, received, taken or enjoyed in right of the Rectory of the said Parish Church of *Simonburn*, or which the perpetual Curate or Minister for

Rectors of new Parishes to enjoy all Rights within the same.

the Time being of the said Chapel of *Fallstone* should or might have held, received, perceived, taken or enjoyed in right of the said Chapel in case this Act had not been made; and that the Rectors and Parsons for the Time being of the said intended new Parishes of *Wark*, *Bellingham*, *Thorneyburn*, *Fallstone*, and *Greystead* respectively, shall have the same Remedies to recover all Tithes and other parochial Rights, Profits, and Privileges whatsoever within the Precincts of the said several Parishes respectively which the Rector or Parson, for the Time being of the said Parish of *Simonburn*, should or might have had, held, received, perceived, taken or enjoyed in right of the Rectory and Parish Church of *Simonburn* aforesaid, or which the perpetual Curate or Minister for the Time being of the said Chapel of *Fallstone* should or might have had, received, perceived, taken or enjoyed in right of the same Chapel in case this Act had not been made.

Enabling the Commissioners and Governors of Greenwich Hospital to defray the Expences of erecting the new Churches out of the General Funds of their Institution.

XXXVI. And be it further enacted, That it shall and may be lawful to and for the Commissioners and Governors of the said Royal Hospital, and their Successors, and they are hereby authorized and empowered to defray the Expence of erecting and building the said several intended new Churches, and in making any Additions, Enlargements or Improvements which may be necessary to the said Chapels at *Bellingham* and *Fallstone*, and in erecting and building a Chapel of Ease at *Humshaugh*, as herein-after mentioned, by and out of the General Funds of the said Royal Hospital.

Rights of Presentation vested in the Commissioners and Governors of Greenwich Hospital.

XXXVII. And be it further enacted, That from the Separation and Division of such intended new Parishes as aforesaid, the several Advowsons and Rights of Patronage and Presentation of, in, and to, as well the Rectory and Parish Church of *Simonburn*, as the said Five new Rectories and Parish Churches so to be erected and constituted by virtue of this Act, shall be vested in the said Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*, and their Successors for ever, in Trust from Time to Time to present such Clerks thereto respectively as herein-after are mentioned; and the same Commissioners and Governors shall be considered as Patrons in full Right in Trust as aforesaid of the same several Rectories, and shall and may have and maintain all such Suits and Actions as a Patron of any other presentative Benefice may have by the Laws and Statutes of this Realm, and not otherwise.

Presentations confined to Chaplains in the Navy of a certain Standing.

XXXVIII. And be it further enacted, That the said Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich*, in the County of *Kent*, for the Time being, shall, and they are hereby required within Six Calendar Months next after the Death, Cession or other Avoidance of the said *James Scott*, to present to the Ordinary Five sufficient Clerks, being in Priest's Orders who shall have taken a Degree in one of the Three Universities of *Oxford*, *Cambridge* or *Dublin*, in order to their respectively being instituted and inducted into the said Rectory of *Simonburn*, and the said new Rectories of *Wark*, *Bellingham*, *Thorneyburn*, and *Greystead*, so to be erected as aforesaid, and at the Expiration of the Incumbency of the said *Josiah Fleming*, if he shall have survived the said *James Scott*, and if he shall not have so survived the said *James Scott*, then within Six Calendar Months next after the Death, Cession or other Avoidance of the said *James Scott*, one other sufficient Clerk, in order to his being instituted and inducted into the said New Rectory of *Fallstone*, and so from Time

to Time for ever upon the Death, Cession or Avoidance of any of the Rectors for the Time being of the said Rectory of *Simonburn*, and the said new Rectories so to be erected as aforesaid to present some other sufficient Clerk or Clerks to the Ordinary for Institution and Induction into such vacant Rectory or Rectories respectively; and the Persons so at first and from Time to Time instituted and inducted as aforesaid shall be called Rectors of the said Parishes respectively, and shall be intitled to all the Profits, Advantages, and Commodities belonging to the said Benefices respectively, and shall have and enjoy all other Rights and Privileges which any Rectors or spiritual Persons may claim, or are entitled to by the Laws and Statutes of this Realm, and no otherwise, and all spiritual Persons from Time to Time presented as aforesaid, canonically instituted and inducted, shall be deemed, allowed and acknowledged as Rectors of the said Rectory of *Simonburn*, and of the said new Parishes respectively, to all Intents and Purposes whatsoever.

XXXIX. Provided always and be it further enacted, That no spiritual Person or Persons whomsoever shall be capable of being presented, instituted and inducted to the said Rectory or Parish Church of *Simonburn*, and the said five several new Rectories and Parishes to be erected and constituted by virtue of this Act, save and except only such Clerk or Clerks as shall have served and been rated as Chaplains of the said Royal Navy for Seven Years at the least, on board any of His Majesty's Ships actually employed in Service at Sea; and in case no such sufficient Clerk who shall have served as aforesaid shall be found, then a sufficient Clerk who shall have been rated and shall have served for Ten Years on board any Ship or Ships in His Majesty's Navy; and in case no Clerk having so served shall be found, then and in that Case only any other sufficient Clerk who shall have been rated and served as aforesaid for any shorter Period: Provided always, that nothing herein contained shall exclude from the Benefit of this Act any sufficient Clerk, who in the Discharge of his Duty as Chaplain in His Majesty's Navy shall have lost a Limb, or suffered any Wound or other Injury equally prejudicial to the Habit of Body to the Loss of a Limb.

None but Chaplain in the Navy capable of being Rectors of *Simonburn* and the new Rectories.

XL. And be it further enacted, That so soon as any Chaplain of the Royal Navy shall have been presented to either of the said Rectories, such Chaplain shall no longer receive or be entitled to Half-pay or any other Bounty or Allowances payable by Government to Chaplains in the Royal Navy.

Chaplains in the Navy when presented to either of the Rectories to discontinue to receive Half-pay, &c.

XLI. Provided always, and be it further enacted, That from and after the Death, Cession or other Avoidance of the said *James Scott*, the several Persons who shall from Time to Time be presented to the several and respective Rectories of *Simonburn, Wark, Bellingham, Thorneyburn, Fallstone*, and *Greystead* respectively, shall be incapable of holding with any one of the said Rectories any other of the said Rectories, or any other Ecclesiastical Benefice having Cure of Souls; and if any Person holding any one of the said Rectories shall be presented to any other of the said Rectories, or to any other Benefice having Cure of Souls, such one of the said Rectories as shall have been before held by such Person shall thereby become void; and the said Commissioners and Governors of the said Royal Hospital for the Time being shall and they are hereby required within Six

Persons presented to new Rectories not to hold any other Preferment.

Calendar Months next after such Avoidance to present to the Ordinary a sufficient Clerk, according to the Provisions of this Act, to the Rectory so avoided, and in case they shall neglect so to do, the same shall lapse to the Ordinary, who shall collate a sufficient Clerk to the Rectory so avoided, so that at no Time any one of the said Rectories shall be held by any Incumbent together with any other of the said Rectories or any other Ecclesiastical Benefice having Cure of Souls, any Dispensation or other Matter or Thing to the contrary notwithstanding.

Marriages in the Churches to be valid.

XLII. And be it further enacted, That all Marriages to be duly solemnized in the Parish Churches of the said several new Rectories and Parishes to be erected and constituted by virtue of this Act according to and in pursuance of the Provisions and Directions of an Act made in the Twenty-sixth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the better preventing clandestine Marriages*, shall be good, valid and effectual in the Law, and a Register of every such Marriage, or a Copy thereof, shall be received in all Courts of Law and Equity as Evidence of Marriage, in such and the like Manner as the Register of any Marriage solemnized in any other Parish Church is received in Evidence.

Laws concerning the Clergy extended to the new Rectories.

XLIII. And be it further enacted, That all the public and general Laws and Statutes of this Realm now in being, concerning Rectories, Parishes, Parish Churches, Rectors parochial Clergy, and parochial Officers shall be in full Force, and have Effect and Operation in all respects in regard to the said Rectory, Parish and Parish Church of *Simonburn* after the Separation therefrom of such new Parishes as aforesaid, and also to the said several new Rectories, Parishes and Parish Churches to be erected and constituted by virtue of this Act as aforesaid, and every of them, in like Manner as if the same had been at all Times separate and distinct Rectories, Parishes and Parish Churches respectively, and the same shall respectively be subject to the same Jurisdiction, Visitation and Control as the Parish of *Simonburn* is now subject to (except as otherwise directed by this Act).

Parochial Customs to continue in force.

XLIV. Provided also, and be it further enacted, That all parochial Customs, Uses, and Privileges now in force in the Parish of *Simonburn*, as now constituted, shall continue and be in force for and in respect of, and shall extend and be applied to the said Parish of *Simonburn*, after the Separation therefrom of such new Parishes as aforesaid, and also such new Parishes as aforesaid, and be used and enjoyed therein respectively, as the same might have been used and enjoyed in the said Parish of *Simonburn*, as now constituted.

Ecclesiastical Laws to continue in force for *Simonburn* and the new Parishes.

XLV. Provided also, and be it further enacted, That all Ecclesiastical Laws and Constitutions of the United Church of *England* and *Ireland*, and all Rights belonging to the Bishop of *Durham*, and the Archdeacon, Chancellor, or Official of the said Bishop, and their Successors respectively, shall continue and be in force for and in respect of, and shall extend and be applied to the said Parish of *Simonburn*, after the Separation therefrom of such new Parishes as aforesaid, and to such new Parishes, and be used and enjoyed therein respectively, as the same would have been in force for, and in respect of, and applicable to, and might have been used

and enjoyed in and for the said Parish of *Simonburn*, as now constituted.

XLVI. Provided always, and be it further enacted, That nothing in this Act contained shall affect any Suit or Suits now pending, or which hath or have been or shall be instituted by or against the present Rector of the said Parish of *Simonburn*, for or in respect of any Lands, Tithes, Commons or other Ecclesiastical Hereditaments, Rights or Dues whatsoever, of or belonging or annexed to, or pretended or claimed to belong or be annexed to the present Rectory or Parish of *Simonburn*, nor any Claim or Demand in respect of Lands, Tithes, Commons or other Ecclesiastical Hereditaments, Rights or Dues whatsoever, which the present Rector of the said Parish of *Simonburn* now has, or can or may make within the Precincts of the said Rectory of *Simonburn*, or as annexed or belonging thereto, or which the respective Rectors of the said Parish of *Simonburn*, and of the said several new Rectories and Parish Churches to be erected by virtue of this Act, can or may, from and after the Death, Cession or other Avoidance of the said *James Scott*, have or make as annexed or belonging thereto respectively.

This Act not to affect any Suit pending by or against the Rector of *Simonburn*, for any Claim in respect of the Rectory.

XLVII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, their Heirs and Successors (other than and except the said Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich*, in the County of *Kent*, and the said Lord Bishop of *Durham*, and also the Rector of the said Rectory and Parish Church of *Simonburn* aforesaid, and their respective Successors, and all other Persons, Bodies Politic and Corporate, whose respective Profits and Interests are intended to be barred by this Act, and their respective Heirs and Successors), all such Right, Title, and Interest as they or any of them had in or to the said Rectory of *Simonburn* before the passing of this Act, or could or ought to have had in case this Act had not been made.

General Savings

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

Public Act.

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