



Church Building Act 1822

1822 CHAPTER 72

XIII In Cases in which the Rectorial Tithes, &c. shall be surrendered by Impropiators, &c. for the Purpose of converting Vicarages into Rectories, the Commissioners shall direct the same to be done accordingly.

And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to convert any Vicarage of any Parish or Place, or the separate Divisions of any Vicarage of any Parish or Place, divided under the said recited Acts or this Act, into a Rectory or Rectories instead of a Vicarage Or Vicarages, in any Case in which the Owner or Owners entitled in Fee Simple to the Rectory or Tithes, if an Improprate Rectory, or the Patron entitled in Fee Simple of a Sinecure Rectory, and also the Incumbent of the Sinecure Rectory of any such Parish or Place, if the same shall not be void at the Time of any such Conversion, and the Person or Persons (if any) entitled to the absolute Interest in any Lease granted of the Sinecure Rectory or Glebe or Tithes thereof; shall be willing to restore and release and reunite the Tithes and Glebe, and all other Rectorial Rights, Dues, and Emoluments of any such Parish or ; Place, or of any such Proportion of any such Parish or Place, as shall be satisfactory to such Commissioners, to the Incumbent or Incumbents of such Parish or Parishes, or Place or Places, and his or their Successors for, ever: and in every such Case such Surrender, Restoration, or Release, shall be made in such Form and by such Instrument as the Commissioners shall direct; and the said Commissioners shall, by an Instrument in Writing under the Seal of the said Commissioners, direct such Alteration to be made, and Conversion of toy such Vicarage or Vicarages into a Rectory or Rectories, from the Period specified in such Instrument, and upon the Conditions as to the Transfer, Restoration, or reuniting of Tithes, Glebe, or other Rectorial Rights, Dues, and Emoluments therein mentioned; which Instrument shall be registered in the Registry of the Diocese in which the Parish shall be locally situate, and inrolled in the High Court of Chancery; arid such Parish or Parishes, Place or Places, shall for ever therefrom be deemed and taken to be, to all Intents and Purposes, a Rectory or Rectories, without Prejudice nevertheless to the) Rights and Interests of any other Persons; and the Incumbent or Incumbents of any such Vicarage or Vicarages shall thereupon become and be deemed to be the Rector or Rectors of such Parish ok Parishes, or divided Parishes, or Place or Places, without any newt) Induction or Proceeding whatever, and shall be entitled to; have and use and exercise all such Remedies for the Recovery of their Tithes, Glebe, and all other Rectorial Rights,

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Dues, and Emoluments, as Rectors of such Parishes, or divided Parishes, as fully and effectually to all Intents and Purposes, as if such Parishes had been Rectories, and such Incumbents respectively had been in due Form of Law inducted as Rectors therein; and it shall be lawful for the Said Commissioners in every such Case, immediately after the passing of this Act, and before any such Transfer and Division can be finally arranged, made, and completed, to accept and confirm any such Restoration or Release and Reunion of any such Tithes, and accept and record the Consents or Engagements in relation thereto, of any such Impropiator, Patron, or Sinecure Rector and Incumbent (if there shall have been any Incumbent to consent at the Time of such Conversion), and Tenant or Tenants, if any, and to proceed to the completing of any such Transfer or Division upon such Consent, for the Purpose of converting any such Vicarage into a Rectory or Rectories; and all such Consents shall in any such Case be valid and binding upon the Heirs and Successors, and Executors and Administrators respectively, of any such Impropiator, Patron, or Sinecure Rector and Incumbent, Tenant or Tenants, if any Death or Changes shall thereafter occur in any such Patronage or Incumbency, as fully and effectually to all Intents and Purposes as if the Consent had been given and Transfer made by the Impropiator, Patron, or Sinecure Rector and Incumbent, Tenant or Tenants, for the Time being, when the Arrangement and Division shall be finally completed: Provided always, that no Incumbent shall in any such Case become liable to the Maintenance or upholding or Repair of more than One House of Residence in any such Parish or Place ; and when in any such Parish or Place there shall be more than One House belonging to the Church or Chapels thereof, the Bishop of the Diocese shall decide, order, and declare which shall thereafter be deemed the House of Residence, and be upheld and maintained and repaired as such ; and the Order of the Bishop in relation thereto shall be registered in the Registry of the Diocese, and a Duplicate Copy of such Order deposited and be kept in the Chest of the Church or Chapel of such Parish or Place.