



ANNO SECUNDO

VICTORIÆ REGINÆ.

Cap. 17.

An Act to enable the Trustees of the Estates devised by *William Hulme* Esquire to appropriate certain Parts of the accumulated Fund arising from the said Estates towards the Endowment of Benefices, the building of Churches, and for other Purposes. [14th June 1839.]

WHEREAS by an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to enable the Trustees of the Estates devised by William Hulme Esquire to grant building Leases thereof, and to increase the Number of Exhibitioners in Brazen Nose College, Oxford, founded by the said Testator, and for other the Purposes therein mentioned,* after reciting that *William Hulme*, theretofore of *Kearsley* in the County of *Lancaster*, Esquire, deceased, did in and by his last Will and Testament in Writing, bearing Date on or about the Twenty-fourth Day of *October* in the Year of our Lord One thousand six hundred and ninety-one, declare his Will and Mind, and did thereby devise and give his Messuages, Tenements, and Lands of Inheritance in *Heaton Norris, Denton, Ashton-under-Lyne, Reddish, Manchester,* and *Harwood*, in the said County, (subject to an Estate for Life in Part of the said Premises unto *Elizabeth* his Wife, and to certain

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certain Annuities therein mentioned, which had long since determined,) unto *James Chetham* Esquire, *William Hulme* Esquire, and *William Baguley* Gentleman, and their Heirs for ever; to the Intent and Purpose that the clear annual Rents, Issues, and Profits thence arising and growing, over and above all Charges and Reprizes, should be paid and distributed to and amongst such Four of the poorest Sort of Bachelors of Arts taking such Degree in *Brazen Nose College* in *Oxford* as from Time to Time should resolve to continue and reside there by the Space of Four Years next after such Degree taken, equally and proportionably as the same Rents, Issues, and Profits should annually amount unto, and so to continue to such like Four poor Bachelors successively for ever, such said Bachelors from Time to Time to be nominated and approved of by the Warden of the Collegiate Church of *Manchester*, the Rectors of the Parish Churches of *Prestwich* and *Bury* in the said County of *Lancaster* for the Time being, and their Successors for ever; and the said Testator by his said Will declared his Mind to be, that no such Bachelors should continue to have any thing of the said Testator's Exhibition but only for the Space of Four Years, to be accounted from the Time of such Degree taken; and reciting, that by virtue of divers Conveyances the said several Trust Estates were then become legally vested in certain Persons therein named (all since deceased), in Trust for such Uses and Purposes as were in the said Will mentioned; it was (amongst other things) enacted, that it should be lawful for the said Trustees, and their Successors and Assigns, at any Time or Times thereafter, to grant, demise, or lease all or any Part of the said Trust Estate situate in the said Town of *Manchester* or within the Liberties or Precincts thereof, for such Term, and subject to such Rents, Covenants, Conditions, and Agreements, as in the said Act are particularly mentioned; and by the said Act Power was given to the said Trustees, and their Successors and Assigns, from Time to Time, and when and so often as the annual Rents and Produce of the said Trust Estate should be sufficient for that Purpose, to increase the Number of Exhibitioners to receive Benefit under the Trusts of the Will of the said *William Hulme*, so as such additional Number of Exhibitioners should be within the Descriptions and Qualifications and should be nominated according to the Mode required by the said Will, and also to make unto each of the Exhibitioners who should be thereafter nominated such yearly Allowance as to them the said Trustees, and their Successors and Assigns, should seem meet and reasonable, provided that such Allowance should never be less than Sixty Pounds nor more than Eighty Pounds, or in the like Proportion for less Time than a Year, as in and by the said Act is more particularly provided: And whereas by an Act passed in the Thirty-fifth Year of the Reign of His said Majesty King *George* the Third,

35 G. 3. c. 62. intituled *An Act to amend an Act passed in the Tenth Year of the Reign of His present Majesty, intituled 'An Act to enable the Trustees of the Estates devised by William Hulme Esquire to grant Building Leases thereof, and to increase the Number of Exhibitioners to Brazen Nose College in Oxford, founded by the said Testator, and for other Purposes therein mentioned;'* and to enable the Trustees to convey in Fee, or grant Leases for Lives or for long Terms of Years, with or without Covenants for Renewal, or for perpetual Renewal under reserved

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yearly Rents, the said Trust Estates; and to enable the Trustees to apply the Trust Monies, in making such Allowance to the Exhibitioners, as may be thought proper; and for other Purposes therein mentioned, after reciting therein (amongst other things) the said Act of the Tenth Year of the same Reign, and that by virtue of divers Conveyances the said Trust Estates were then become vested in certain Persons therein named, in Trust for such Uses and Purposes as were in the said Will and Act mentioned, it was by the Act now in recital (amongst other things) enacted, that it should be lawful for the said Trustees, and their Successors and Assigns, at any Time or Times thereafter, absolutely to grant and convey in Fee the said Trust Estates or any Part thereof, or to demise or lease the same, in such Manner, for such several Purposes, and under and subject to such Rents, Covenants, Conditions, and Agreements as in the now reciting Act are particularly mentioned; and it was thereby further enacted, that it should be lawful for the said Trustees, and their Successors and Assigns, from Time to Time to make unto each of the Exhibitioners who then were and should be thereafter nominated to take the Benefit of the said Trust such yearly Allowance as they the said Trustees should think meet and reasonable, provided that the same should never be less than Sixty Pounds nor more than One hundred and ten Pounds, or in the like Proportion for less Time than a Year, as in and by the said Act is more particularly provided: And whereas by an Act passed in the Fifty-fourth Year of the Reign of His said Majesty King George the Third, intituled *An Act for amending* 54G.3.c.205. *Two several Acts of the Tenth and Thirty-fifth Years of the Reign of His present Majesty relating to the Estates devised by William Hulme Esquire; and to enable the Trustees thereof to apply the Trust Monies in making an Allowance to and Provision for the Exhibitioners of certain Exhibitions founded by the said Testator in Brazen Nose College, Oxford, and also in founding and supporting a Lecture in Divinity in the said College, and to incorporate the said Trustees, and for other the Purposes therein mentioned,* after reciting therein (amongst other things) the said Acts of the Tenth and Thirty-fifth Years of the same Reign, and that *Edward Earl of Derby, Thomas Earl of Wilton, James Starkey, (previously described therein as James Starkey of Heywood in the County of Lancaster, Esquire,) Robert Gregge Hopwood, (previously described therein as Robert Gregge Hopwood of Hopwood in the said County of Lancaster, Esquire,) Robert Markland, (previously described therein as Robert Markland of Manchester aforesaid, Merchant,) John Entwisle of Foxholes in the said County of Lancaster, Esquire, Richard Atherton Farington of Parr's Wood in the said County of Lancaster, Esquire, William Fox of Manchester aforesaid, Esquire, and Wilbraham Egerton of Tatton Park in the County of Chester, Esquire,* were the Trustees then acting in the several Trusts of the said Will and the said recited Acts, and reciting that under the Provisions of the said recited Acts there had been for some Time past, and there then were, Fifteen Bachelors of Arts of the said College of *Brazen Nose*, nominated to receive the Exhibition of the said Testator, to whom the yearly Sum of One hundred and ten Pounds apiece had been and was then paid out of the said Trust Estates, and reciting also the great Increase in the Value of the said Estates, it was by the now reciting Act (amongst other

other things) enacted, that it should be lawful for the said Trustees and their Successors, from Time to Time and at all Times thereafter, to make unto each of the then present Exhibitioners, and to each of the Exhibitioners who should be thereafter nominated to take the Benefit of the said Trust, such yearly Allowance as they the said Trustees or their Successors should think meet, provided that the same should never exceed the Sum of Two hundred and twenty Pounds in any One Year, and that the said Allowance should not be paid to any of such Exhibitioners who should not regularly reside in the said College from the Beginning of *Michaelmas* Term to the End of Act Term in every Year, unless such Exhibitioner should have obtained such Permission as was therein-after mentioned from the said Trustees for the Time being, dispensing with his Residence at the said College, and that no such Permission should extend beyond the Power thereby given; and the said Trustees and their Successors were by the now reciting Act empowered to provide Rooms and Lodgings in *Oxford* aforesaid for the Residence and Accommodation of the Exhibitioners who were then or should thereafter be nominated to take the Benefit of the said Trust, and for that Purpose to purchase or take, either for any Leasehold Interest, or in Fee at any yearly Rents, or upon or for any Fines or Sums, in gross or in any other Manner as to them the said Trustees or their Successors should seem reasonable, any Houses, Buildings, or Land in *Oxford* aforesaid, and to alter and improve such Houses or Buildings, and make the same convenient for the Residence and Accommodation of the said Exhibitioners, or to erect any suitable and convenient Buildings upon such Land for the Purposes aforesaid; and also, by and out of the Rents and Profits of the said Trust Estates, to pay such Rents, Fines, Sums in gross, or other Consideration as should be stipulated to be paid for any such Houses, Buildings, or Land, and also to pay and discharge the Expences of altering and improving such Houses or Buildings, and making the same convenient for the Residence and Accommodation of the said Exhibitioners, or of erecting such suitable and convenient Buildings for the Purpose aforesaid, and of insuring and keeping the same in repair, and also of rebuilding the same when necessary; and from Time to Time to permit and allow the said Exhibitioners to reside in such Houses or Buildings, Rent-free, in addition to the said annual Stipends which they the said Trustees and their Successors were or should be empowered to pay to such Exhibitioners by the now reciting Act, subject nevertheless to the Regulations of the University of *Oxford* and of the said College of *Braxen Nose* made or to be made; provided that no Exhibitioner should be allowed to reside in any such Houses or Buildings for any longer Period than he should receive his Exhibition, or during only such Term or Part thereof as the said Trustees should from Time to Time determine upon; and provided that no greater Sum should be expended by the said Trustees in the actual Purchase of any such Houses, Buildings, Land, or Hereditaments than the Sum of Five thousand Pounds in the whole; and the said Trustees and their Successors were by the now reciting Act empowered to pay to a Lecturer, to be from Year to Year nominated by the Principal of the said College of *Braxen Nose* for the Time being, for the delivering Lectures in Divinity to the Exhibitioners therein, out of the Rents
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and Profits of the said Trust Estates and Monies, such yearly Allowance as they the said Trustees and their Successors should from Time to Time think proper, not exceeding the Sum of One hundred and fifty Pounds in any One Year; and that the Delivery of such Lectures should be under such Regulations as should from Time to Time be mutually agreed upon by the Principal of the said College for the Time being and the said Trustees and their Successors; and that the regular Attendance of the Exhibitioners who then were or should be thereafter nominated to take the Benefit of the said Trust at such Lectures should be enforced by the said Trustees and their Successors by making such Deductions from the Stipends and Allowances by the now reciting Act allowed to be made to the said Exhibitioners, or by subjecting the said Exhibitioners to such Penalties and Forfeitures, or by such other Means as the said Trustees and their Successors should from Time to Time think proper; and that such Divinity Lecture should be founded in the said College by the Name of "*Hulme's Divinity Lecture*;" provided that no Person should be appointed to such Office of Lecturer except he should be in Priest's Orders, and have taken the Degree of Bachelor of Divinity or Master of Arts in the said University, and be a Member of the said College; and it was by the now reciting Act further enacted, that the said *Edward Earl of Derby, Thomas Earl of Wilton, James Starkey, Robert Gregge Hopwood, Robert Markland, John Entwisle, Richard Atherton Farington, William Fox, and Wilbraham Egerton,* and such other Person and Persons as should from Time to Time be elected and chosen Trustees of the said Estates late of the said *William Hulme*, as was therein-after expressed, should be and they were thereby created One Body Politic and Corporate by the Name and Style of "*The Trustees of the Estates devised by William Hulme Esquire*," and that they and their Successors should by the same Name have perpetual Succession, and be able and capable in Law, and should at all Times thereafter by that Name hold and enjoy all and every the Messuages, Lands, Tenements, Rents, and Hereditaments, Monies and Effects whatsoever, then vested in or belonging to them as Trustees of the Estates devised by the said *William Hulme* as aforesaid, and also to take, purchase, and enjoy any Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever which they the said Trustees and their Successors were authorized to take and purchase by virtue of the now reciting Act, and also to use and exercise all the Powers and Authorities vested in them as Trustees as aforesaid by the said Will of the said *William Hulme* and the said recited Acts and also by the now reciting Act, and that they the said Trustees and their Successors might in that Name plead and be impleaded, defend and be defended, answer and be answered, in any Courts and Places whatsoever, in as ample Manner and Form to all Intents and Purposes as any Person or Persons able and capable in the Law, or any other Body Politic, might or could; and that they the said Trustees should and might have and use a Common Seal for the Affairs of them and their Successors, relating to the said Trust Estates and the Affairs of the said Trusts, on which should be engraved the Coat of Arms borne by the said *William Hulme*, and round which should be inscribed the following Words, "*Sigillum Hulmianum*;" and it was by the now reciting Act

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further enacted, that a General Meeting of the said Trustees thereby constituted should be held at a certain Place and Time therein specified, when the Trustees present at such Meeting, or the major Part of them, (the Number present not being less than Four,) should elect and choose so many honest and discreet Persons to be Trustees of the said Trust Estates as should make up the Number of the said Trustees to Twelve, which Persons so to be elected should be and were thereby declared to be Trustees of the said Trust Estates, together with the several Persons thereby constituted as aforesaid; and it was thereby further enacted, that the said Trustees and their Successors should from Time to Time have One General Annual Meeting on the First *Thursday* after the Feast of *Saint Michael* the Archangel in every Year, between the Hours of Twelve and Two o'Clock, at such Place in *Manchester* aforesaid as the said Trustees and their Successors, or the major Part of such of them as should be present at any General Meeting or Meetings of the said Trustees, should from Time to Time agree upon, at which General Annual Meeting the said Trustees and their Successors should transact all Business whatsoever relating to the said Trust Estates, and should and might from Time to Time have any other General Meeting or Meetings (besides the said Annual Meeting) so often as the Affairs of the said Trust Estates should require the same, but that Notices in Writing of every such General Meeting (except the General Annual Meeting) should from Time to Time be given to each Trustee for the Time being of the said Trust Estates, or left at his last or usual Place of Abode Ten Days at least before such Meeting should be held, which Notices should specify not only the Time and Place of such Meeting, but also the particular Objects and Purposes thereof; and that the said Trustees and their Successors, or the major Part of such of them as should be present at any General Meeting of the said Trustees, might from Time to Time elect One or more honest and discreet Person or Persons to be a Trustee or Trustees of the said Estates, in the Place of such of them as should be then dead, or should resign and give up acting as Trustees, and should signify their Intention of doing the same, or as should refuse or become incapable to act, or as should go and reside in Parts beyond the Seas, to the Intent that there might be always Twelve in Number of the said Trustees of the said Estates; and that all and every the lawful Orders, Acts, Matters, and Things whatsoever relating to the said Trust Estates, which the said Trustees and their Successors, or the major Part of such of them as should be present at such Annual or other Meeting or Meetings of the said Trustees as aforesaid, should concur in, should be valid and effectual to all Intents and Purposes whatsoever; and it was by the now reciting Act further enacted, that it should be lawful for the Nominators of the said Exhibitioners, at any Time thereafter when any Vacancy should arise in the Number of the said Exhibitioners, to nominate to the said Exhibitions Undergraduates in the said College of *Brazen Nose*, who should have then entered upon the Thirteenth Term from their Matriculation, and who should resolve and continue to reside there by the Space of Four Years next after the Commencement of such Thirteenth Term, and who should also resolve to take their Degree of Bachelor of Arts in the University of *Oxford* as soon as they should be of academical

Standing for such Degree, and that the Undergraduates so to be nominated, and residing according to the Regulations of the now reciting Act, should from Time to Time have and be entitled to the Allowances and yearly Payments thereby authorized to be made to the said Exhibitioners for the Space of Four Years, to be accounted from the Commencement of the said Thirteenth Term; provided that the said Undergraduates so to be nominated should, if prevented from taking their Degree of Bachelor of Arts, as soon as they should be of Standing for the same, be actually admitted to such Degree within Eight Months afterwards, but that in case they should not within the Space of Eight Months duly take their said Degree, then their respective Nominations should be void, and they should respectively forfeit all further Right to the said Allowances and Payments: And whereas by another Act passed in the Eighth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to enable the Trustees of the Estates devised by William Hulme Esquire to appropriate certain Parts of the accumulated Funds arising from the said Estates in the Purchase of Advowsons, and for other the Purposes therein mentioned*, after reciting therein (amongst other things) the said Acts of the Tenth, Thirty-fifth, and Fifty-fourth Years of the Reign of His Majesty King George the Third, and that at a General Meeting duly held for that Purpose the Trustees then and there present, being Four in Number, elected so many Persons to be Trustees of the said Trust Estates as made up the Number of the said Trustees to Twelve in the whole; and that since the passing of the therein last-recited Act the several Individuals who had been from Time to Time nominated to receive the Exhibitions of the said *William Hulme* had not exceeded at any one Time Fifteen in Number, but several Undergraduates in the said College of *Brazen Nose* had by virtue of the therein last-recited Act, been from Time to Time nominated Exhibitioners in common with Bachelors of Arts, and the Amount of the Exhibitions had been gradually augmented, and there was then paid out of the said Trust Estates, to or for the Use of each of the Exhibitioners, the yearly Sum of One hundred and fifty-five Pounds, namely, the yearly Sum of One hundred and twenty Pounds towards his Maintenance and Lodging, and the further yearly Sum of Thirty-five Pounds towards the Purchase of suitable Books; and that since the passing of the therein last-recited Act a Divinity Lecturer had from Time to Time been nominated by the Principal of the said College of *Brazen Nose*, and the Reverend *Joseph Burrows*, Bachelor of Divinity in the said University of *Oxford*, and a Member of the said College, was then the Lecturer in Divinity, at the yearly Salary of One hundred and five Pounds; and that since the passing of the therein last-recited Act the incorporated Trustees of the said Trust Estates had, by themselves and others, used their utmost Endeavours to carry into effect the Provisions of that Act, by which they were empowered to provide Rooms and Lodgings in *Oxford* for the Residence and Accommodation of the Exhibitioners as therein-before mentioned, but such their Endeavours had proved wholly ineffectual, and, from the Information which the said Trustees possessed, they did not foresee any Prospect of being enabled within a reasonable Period of Time to procure, either by Purchase or otherwise, any such Rooms or Lodgings; and reciting

reciting also, that at a General Meeting of the said Trustees, duly held in *Manchester* aforesaid in the Year One thousand eight hundred and twenty-six, for the Purpose of regulating the Affairs of the said Trust Estates, it appeared from the Accounts detailing the State and Condition thereof that the gross annual Income arising from such Parts of the said Trust Estates as consisted of Lands and Hereditaments amounted to the Sum of Three thousand two hundred and ninety-one Pounds Seventeen Shillings and Eleven-pence, or thereabouts, and that the accumulated Fund which had from Time to Time arisen from the surplus Rents and Profits of the said Trust Estates (invested in Government and Real Securities, and in Cash,) amounted to the Sum of Forty-two thousand two hundred and three Pounds and Four-pence, or thereabouts, and that the Dividends and Interest annually accruing from such Fund produced the Sum of One thousand six hundred and fifty-eight Pounds and Nineteen Shillings, or thereabouts, and that the Expenditure of the said Trust Estates for the then last Year amounted to the Sum of Three thousand eight hundred and twenty-eight Pounds and Eight-pence, or thereabouts, the same being the average annual Expenditure which would be required for satisfying the Trusts and Purposes of the said Testator's Will, and the therein recited Acts, or thereabouts; and that the State of the Funds of the said Trust Estates was such as not only to enable the said Trustees to satisfy and discharge the annual Expenditure to which the said Trust Estates were then subject, and such further annual Expenditure as they might at any Time thereafter be made subject to by reason of any Increase in the yearly Allowance which the said Trustees and their Successors were authorized to make to each of the Exhibitioners, and also to fulfil and execute each and every of the Trusts and Objects in the therein recited Acts particularly mentioned, but also to enable the said Trustees to enlarge the charitable Foundation of the said *William Hulme* to a very considerable Extent by an Appropriation for that Purpose as well of a Part of the then accumulated Fund, as also of such further accumulated Fund as should from Time to Time arise, and that the said Trustees did not then consider it advisable either to augment the Number of Exhibitioners receiving Benefit under the Trusts of the Will of the said *William Hulme*, or to increase the yearly Allowance which was then paid to each Exhibitioner; and that at the last-mentioned General Meeting of the said Trustees it was unanimously resolved by them that the benevolent and pious Objects of the said Testator would be best advanced by applying Part of the then existing and future Accumulations of the said Trust Estates and Monies in the Purchase of Advowsons of Livings, and by presenting thereto such Individuals, as, at the Time of the Avoidance of such Livings, actually should be or theretofore should have been Exhibitioners on the Foundation of the said Testator in the said College of *Brazen Nose*; but that the said Trustees could not effect an Enlargement of the charitable Foundation of the said Testator *William Hulme*, in the Manner proposed by them, without the Aid and Authority of Parliament; it was by the said Act now in recital, amongst other things, enacted, that from and after the passing of that Act it should be lawful for the said Trustees and their Successors, and they were thereby authorized and empowered, at all Times thereafter

thereafter to lay out and expend such Part of the Savings, Interest, or Accumulations then made or thereafter to be made from and out of the surplus Rents, Issues, Profits, and Produce of the said Trust Estates and Monies as they the said Trustees and their Successors should from Time to Time in their Discretion think necessary and proper, in purchasing the Fee Simple and Inheritance of and in Advowsons and Rights of Patronage of, in, and to any Ecclesiastical Benefices, Perpetual Curacies, Parochial Chapelries, or Donatives, with all and every the Rights, Members, and Appurtenances thereto belonging, so as the same were situate in that Part of the United Kingdom called *England*, and that the same when so purchased should from Time to Time, by good and sufficient Conveyances and Assurances in the Law, be effectually granted, conveyed, and assured unto the said Trustees and their Successors, upon the several Trusts and for the several Purposes in that Act mentioned; provided nevertheless, that such Part only of the accumulated Fund which had then arisen or which might thereafter arise from and out of the surplus Rents, Issues, Profits, and Produce of the said Trust Estates and Monies should be laid out and expended for the Purposes of that Act as, when deducted from the entire accumulated Fund for the Time being, would leave a surplus Accumulation of Twenty thousand Pounds at the least; and provided also, that the Amount to be paid for the Purchase of any One Advowson or Right of Patronage so to be purchased should not exceed the Sum of Seven thousand Pounds; and it was by the same Act further enacted, that from and after the purchasing of any Advowson or Right of Patronage of, in, or to any Ecclesiastical Benefice, Perpetual Curacy, Parochial Chapelry, or Donative, by virtue of such Act, and after the same should happen to become void, it should be lawful for the said Trustees and their Successors, and they were thereby authorized and empowered, from Time to Time to expend a competent Part of the Savings, Interest, or Accumulations then made or thereafter to be made from and out of the Rents, Issues, Profits, and Produce of the said Trust Estates and Monies in the Erection and building of any Parsonage or Glebe House for the Residence of the Incumbent to be from Time to Time presented in manner therein-before mentioned to any such Ecclesiastical Benefice, Perpetual Curacy, Parochial Chapelry, or Donative, and in the Erection of any Outbuildings whatsoever, or in making such Alterations and Improvements in or Addition to any existing Parsonage or Glebe House or Outbuildings as the said Trustees and their Successors should in their Discretion deem necessary; provided nevertheless, that the Monies so to be expended in any such Buildings or Alterations upon any One Ecclesiastical Benefice, Perpetual Curacy, Parochial Chapelry, or Donative should not exceed in the whole the Sum of Seven hundred Pounds: And whereas the said Trustees, by virtue of the Power given them for that Purpose by such last-recited Act, have since the passing thereof purchased the Fee Simple and Inheritance of and in several Advowsons and Rights of Patronage of, in, and to certain Ecclesiastical Benefices or Parochial Chapelries situate in *England*, and, holding the same upon the several Trusts and for the several Purposes in such Act mentioned, have, on the Avoidance of such Benefices or Chapelries, presented thereto such duly qualified Individuals as actually then were or theretofore

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had been Exhibitioners on the Foundation of the said Testator *William Hulme* in the said College of *Brazen Nose*; and such Part only of the accumulated Fund arising out of the surplus Rents, Issues, Profits, and Produce of the said Trust Estates and Monies has been laid out and expended for the Purposes of the said last-recited Act as, when deducted from the entire accumulated Fund for the Time being, has left at least a surplus Accumulation of Twenty thousand Pounds, pursuant to the Directions in such Act contained, the Amount paid for the Purchase of any One such Advowson or Right of Patronage not having exceeded the Sum of Seven thousand Pounds, being the largest Sum allowed by the said last-recited Act to be paid for any One such Advowson or Right of Patronage as aforesaid: And whereas the said Trustees have continued, by themselves and others, to use their best Endeavours to carry into effect the Provisions of the herein-before recited Act of the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, by which they are empowered to provide Rooms and Lodgings in *Oxford* for the Residence and Accommodation of the Exhibitioners as herein-before mentioned, but such their Endeavours have hitherto proved ineffectual, and, from the Information which the said Trustees possess, they do not foresee any Prospect of being enabled within a reasonable Period of Time to procure, either by Purchase or otherwise, any such Rooms or Lodgings: And whereas at a General Meeting of the said Trustees (the Number present being not less than Four), duly held in *Manchester* aforesaid on the First Day of *February* One thousand eight hundred and thirty-nine, for the Purpose of regulating the Affairs of the said Trust Estates, it appeared from the Accounts detailing the State and Condition thereof that the gross annual Income arising from such Parts of the said Trust Estates as consist of Lands and Real Estate amounted, on the Twenty-third Day of *June* One thousand eight hundred and thirty-eight, to the Sum of Four thousand three hundred and seventy-six Pounds Nineteen Shillings and One Penny, or thereabouts, and that the accumulated Fund which had from Time to Time arisen from the surplus Rents and Profits of the said Trust Estates which was invested in and consisted of Government and other Securities, and a Cash Balance in hand, amounted in Value on the said Twenty-third Day of *June* to the Sum of Twenty-eight thousand and five Pounds Seventeen Shillings and Four-pence, or thereabouts, and that the Dividends and Interest annually accruing from such Funds and Securities produced the Sum of Nine hundred and twenty-two Pounds Seventeen Shillings and Four-pence, or thereabouts, making together an aggregate annual Income of Five thousand two hundred and ninety-nine Pounds Sixteen Shillings and Five-pence, and that the Expenditure of the said Trust Estates for the last Year ending on the said Twenty-third Day of *June* amounted to the Sum of Four thousand nine hundred and thirty-three Pounds and Ten-pence, or thereabouts, but which Expenditure exceeds the average annual Expenditure which will be required for satisfying the Trusts and Purposes of the said Testator's Will and the said recited Acts, inasmuch as in such Expenditure appearing by the said Account is included a Sum of Two thousand one hundred and eighteen Pounds Eight Shillings and Ten-pence for new Buildings and general Works and Improvements on the Farms,

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which

which greatly exceeds the annual Average of Expenditure for these Purposes: And whereas the State of the Funds of the said Trust Estates is such as not only to enable the said Trustees to satisfy and discharge the annual Expenditure to which the said Trust Estates are now subject, and such further annual Expenditure as they may at any Time hereafter be made subject to by reason of any Increase in the yearly Allowance which the said Trustees and their Successors are authorized to make to each of the said Exhibitioners; and also to fulfil and execute each and every of the Trusts and Objects in the said recited Acts particularly mentioned, but also to enable the said Trustees still further to enlarge the charitable Foundation of the said *William Hulme* by a further Appropriation for that Purpose as well of a Part of the said present accumulated Fund as also of such further accumulated Fund as shall from Time to Time arise: And whereas the said Trustees do not at present consider it advisable either to augment the present Number of Exhibitioners receiving Benefit under the Trusts of the Will of the said *William Hulme*, or to increase the yearly Allowance which is now paid to each Exhibitioner: And whereas the said Trustees have unanimously resolved that the laudable Objects of the said Testator would be further advanced by applying Part of the present and future Accumulations of the said Trust Estates and Monies to the Endowment of such Churches or Chapels as they have already purchased or may at any Time hereafter purchase or obtain the Advowson of or Right of Patronage to by virtue of the Powers vested in them for that Purpose by the said last-recited Act, or by virtue of any other Act or Acts now or hereafter to be passed, and that it would be expedient that the said Trustees should have the Power of erecting Parsonage Houses, or contributing to the Erection of Parsonage Houses, as Residences for the Incumbents of those Churches or Chapels of or to which the said Trustees have purchased or otherwise acquired, or hereafter may purchase or otherwise acquire, the Advowson or Right of Patronage, and of building or of contributing to the building of additional Churches or Chapels in *England* or *Wales*, and of providing a Fund for the endowing and repairing the same, pursuant to the Provisions of any present or future Acts, to the Intent that the said Trustees by virtue thereof may obtain the Right of Patronage to such Churches or Chapels, and that the Powers and Provisions of the said recited Acts should be otherwise amended and enlarged; but the said Trustees cannot carry such beneficial Objects into execution without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects, the Trustees of the Estates devised by *William Hulme* Esquire, do most humbly beseech Your Majesty that it may be enacted; and 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 from and after the passing of this Act so much of the said recited Act passed in the Eighth Year of the Reign of His Majesty King *George* the Fourth as directs that such Part only of the accumulated Fund which had then arisen or which might thereafter arise from and out of the surplus Rents, Issues, Profits, and Produce of the said Trust Estates and Monies should be laid out and expended for the Purposes

So much of recited Act of 8 G. 4. as directs a surplus accumulated Fund of 20,000*l.* to be left, repealed.

Limiting the Amount of the surplus accumulated Fund to be reduced.

of the said Act as, when deducted from the entire accumulated Fund for the Time being, would leave a surplus Accumulation of Twenty thousand Pounds at the least, shall be and the same is hereby repealed, and that in lieu thereof the said accumulated Fund for the Time being shall never in any Event be diminished or reduced by the said Trustees or their Successors for the Purposes of the said last-recited Act or this Act below the Sum of Five thousand Pounds, and that it shall never be diminished or reduced for the Purposes of the said last-recited Act or this Act below the Sum of Ten thousand Pounds, unless with the Consent in Writing of Three Fourths of the whole Number of Trustees for the Time being already appointed or hereafter to be appointed by virtue of the before-recited Act of the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, such Consent in Writing to be signified at a Meeting of the said Trustees to be duly held for such Purpose.

Trustees empowered to lay out a Portion of the surplus Funds in the Endowment of Ecclesiastical Benefices, &c. purchased by them.

II. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the said Trustees and their Successors, (all of whom shall at all Times be Members of the United Church of *England* and *Ireland*;) and they are hereby authorized and empowered, at all Times hereafter to lay out and expend such Part of the Savings, Interest, or Accumulations now made or hereafter to be made from and out of the surplus Rents, Issues, Profits, and Produce of the said Trust Estates and Monies as they the said Trustees and their Successors shall from Time to Time in their Discretion think necessary and proper, (but subject to such Restriction as aforesaid as to the Diminution of such Accumulation,) in the endowing or augmenting the Endowment of such Ecclesiastical Benefices, Perpetual Curacies, Parochial Chapelries, or Donatives, the Advowsons or Rights of Patronage whereof the said Trustees have purchased or otherwise acquired, or hereafter may purchase or otherwise acquire, whether the same shall have been purchased or acquired in consideration of such Endowment or Augmentation or otherwise howsoever, under and by virtue of the last-recited Act, or any other Act or Acts now or hereafter to be passed; and every such Endowment or augmented Endowment shall be effected by an Instrument in Writing under the Common Seal of the said Trustees; and such Instrument shall be registered in the Registry of the Diocese in which the Church or Chapel so endowed, or the Endowment whereof shall be so augmented, is locally situate, and shall be and is hereby declared to be good and valid to all Intents and Purposes: Provided always, that in the Case of any such Endowment or augmented Endowment the said Trustees or their Successors shall not in any One Case expend in respect of such Endowment or the Augmentation thereof a Sum exceeding Seven thousand Pounds in the whole, whether effected at One Period or at different Periods.

Trustees authorized to build or endow Churches or Chapels to the Intent that they may

III. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the said Trustees and their Successors, and they are hereby authorized and empowered, to lay out and expend such Part of the said Savings, Interest, or Accumulations now or hereafter to be made as aforesaid (subject to such Restriction as aforesaid) as they the said Trustees and their Successors shall

shall from Time to Time in their Discretion think expedient, in the building or contributing to the building of additional Churches or Chapels in *England* or *Wales* for the Performance of Divine Service therein according to the Rites of the United Church of *England* and *Ireland*, and in the Endowment or in the contributing to the Endowment of any such Churches or Chapels, and in providing a Fund for the Repairs thereof, to the Intent that they the said Trustees and their Successors may, by means of such building and Endowment, and such Provision for the Repairs of such Churches and Chapels, obtain the perpetual Right of Patronage thereof, and the Right of Presentation or Nomination thereto, under and by virtue of an Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend and render more effectual an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty, intituled 'An Act to amend the Acts for building and promoting the building of additional Churches in populous Parishes,'* and of another Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend and render more effectual the Church Building Acts,* or of either or both of them, or any other Act or Acts already passed or hereafter to be passed, or by any other Ways or Means whatsoever; and the said Trustees and their Successors are hereby authorized and empowered to lay out and expend such Part of the said Savings, Interest, or Accumulations now or hereafter to be made as aforesaid (subject to such Restriction as aforesaid) as they the said Trustees and their Successors shall find necessary for the Purposes aforesaid, and also for the providing and setting apart, or contributing to the providing and setting apart, a Fund for the repairing, enlarging, or rebuilding of any such Churches or Chapels of which they have acquired or may acquire the Right of Presentation, which they shall wholly or in part so build and endow for the Purpose of obtaining the perpetual Patronage thereto, under and by virtue of the Two Acts herein-before last mentioned or either of them, or any other Act or Acts already passed or hereafter to be passed, or otherwise howsoever, and for the Payment of any incidental or other Expences attending the Performance of Divine Service therein: Provided always, that no such building or Endowment, wholly or in part, and no such enlarging or rebuilding, erected or made by such Trustees or their Successors, shall altogether exceed in any One Case the Sum of Seven thousand Pounds, and that no such Fund for Repairs and Expences (exclusive of building, enlarging, or rebuilding,) shall exceed in any One such Case the Sum of Three hundred and fifty Pounds, nor shall the same be reckoned exclusive of or be in addition to the Sum of Seven thousand Pounds lastly herein-before mentioned.

obtain the Patronage thereof; and to enlarge or rebuild and to provide a repairing Fund for such Churches or Chapels.

1 & 2 W. 4. c. 38.

1 & 2 Vict. c. 107.

IV. And be it further enacted, That the said perpetual Right of Patronage, or Right of Presentation or Nomination, so obtained by the said Trustees and their Successors, shall be held and exercised by them upon the several Trusts and for the several Purposes mentioned in the herein-before recited Act of the Eighth Year of the Reign of His Majesty King *George* the Fourth; and the said Trustees and their Successors are hereby authorized and empowered, within the Space of Five Calendar Months next after the Consecration or

The perpetual Patronage of such Churches or Chapels to be exercised for the Purposes of the Trust.

[Private.]

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Avoidance

Avoidance of any such endowed Church or Chapel, and their obtaining such Patronage or Right of Presentation or Nomination thereto, from Time to Time to nominate, from and out of the Number of Persons who shall either then be or shall have previously been Exhibitioners on the Foundation of the said *William Hulme*, such Individual as the said Trustees and their Successors may think proper, and who shall be qualified as herein-after mentioned; (that is to say,) the said Individual shall have taken his Degree of Bachelor of Arts in the University of *Oxford*, and shall have entered into Holy Orders, and shall also in other respects be capable of being and shall be ready and willing to be presented or nominated to any such endowed Church or Chapel; and the said Trustees and their Successors are hereby authorized and empowered, within the said Five Calendar Months, to present the Individual so nominated thereto.

If Trustees omit to present within Five Months the Bishop of the Diocese to present to the Church or Chapel.

V. Provided always, and be it further enacted, That if the said Trustees and their Successors shall at any Time or Times hereafter omit, within the Space of Five Calendar Months next after the Right of Patronage as aforesaid has accrued, or the happening of any Avoidance, to make such Nomination and Presentation as they are herein-before authorized and empowered to make, then and in such Case it shall be lawful for the Bishop of the Diocese for the Time being in which such Church or Chapel is situate, after the Expiration of the said Five Calendar Months, to nominate, from and out of the Number of such Persons as at the Time of any such Avoidance shall be or shall have previously been Exhibitioners on the Foundation of the said *William Hulme*, such Individual as shall be in all respects qualified as herein-before mentioned, and as the said Bishop for the Time being may think proper, and to collate such Individual to any such endowed Church or Chapel.

Parsonage Houses and Glebe may be purchased by Trustees for Incumbents of Benefices purchased by such Trustees.

VI. And be it further enacted, That from and after the purchasing or acquiring any Advowson or Right of Patronage of, in, or to any Ecclesiastical Benefice, Perpetual Curacy, Parochial Chapelry, or Donative, by virtue of the before-recited Act, whether the same were or shall be purchased or acquired before or after the passing of this Act, and whether the same be endowed by virtue of this Act or not, it shall and may be lawful for the said Trustees and their Successors, after the same shall happen to become void, to expend a competent Part of the Savings, Interest, or Accumulations now or hereafter to be made from and out of the Rents, Issues, Profits, and Produce of the said Trust Estates and Monies, (subject to such Restriction as aforesaid,) in or towards the Purchase of any Parsonage or Glebe House for the Residence of the Incumbent to be from Time to Time appointed to any such Ecclesiastical Benefice, Perpetual Curacy, Parochial Chapelry, or Donative, and also in or towards the Purchase of any Quantity of Glebe Land for the Use and Benefit of such Incumbent, or, in the Event of no such Parsonage or Glebe House being purchased, to erect and build on any Land so purchased a Parsonage or Glebe House for the Residence of the Incumbent for the Time being, such Glebe Land, if purchased, being taken and considered as Part or in whole of such Endowment as aforesaid, and the Money expended in the Purchase thereof being considered as

Part or the Whole, as the Case may happen, of the Money authorized to be appropriated for the Purpose of such Endowment as aforesaid: Provided always, that the Cost of purchasing or erecting any such Parsonage or Glebe House shall not in any One Case exceed in the whole the Sum of Seven hundred Pounds.

Cost thereof not to exceed in the whole 700*l*.

VII. And whereas the Time of the General Annual Meeting of the said Trustees as appointed by the before-recited Act of the Fifty-fourth Year of the Reign of His Majesty King *George* the Third has been found inconvenient, and it is expedient that the Period thereof should be altered; be it therefore enacted, that so much of the last mentioned Act as directs the General Annual Meeting of the said Trustees and their Successors to be holden on the First *Thursday* after the Feast of *Saint Michael* the Archangel shall be and the same is hereby repealed, and that in lieu thereof such General Annual Meeting shall from and after the passing of this Act be holden in every Year on the First *Wednesday* next following the First *Monday* after the Feast of *Saint Michael* the Archangel.

Time of General Annual Meeting altered.

VIII. And be it further enacted, That the said Trustees and their Successors, as Patrons of any Ecclesiastical Benefice, Perpetual Curacy, Parochial Chapelry, or Donative, purchased or acquired by virtue of this Act, shall be and they are hereby declared to be capable of transacting, performing, and exercising every Act, Business, Power, and Authority whatsoever which the Patron or Patrons of any the like Ecclesiastical Benefice, Perpetual Curacy, Parochial Chapelry, or Donative, Church or Chapel, now is, are, or hereafter may be by Law capable of transacting, performing, and exercising.

Trustees under this Act to possess all the Powers given by Law to Patrons of Ecclesiastical Benefices.

IX. And be it further enacted, That in addition to the Powers, Provisions, Regulations, and Directions contained in this Act, all the Powers, Provisions, Regulations, and Directions contained in the said Acts of the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, and of the Eighth Year of the Reign of His Majesty King *George* the Fourth, and which are herein-before recited, relating to the General Annual Meeting and to other General Meetings of the said Trustees and their Successors, and to all the lawful Orders, Acts, Matters, and Things in which the said Trustees and their Successors, or the major Part of them present at any such annual or other Meeting should concur, (except as far as any of the Provisions thereof are altered or repealed by this Act,) shall be applied, observed, and enforced for executing the several Trusts, Purposes, and Objects of this Act, as fully and effectually to all Intents and Purposes as if the same had been repeated and specially enacted with reference to the several Trusts, Purposes, and Objects of this Act.

Power of 54 G. 3. and of 8 G. 4. extended to this Act.

X. And be it further enacted, That all the Costs, Charges, and Expences whatsoever incident to and attending the obtaining and passing of this Act, and in making and completing such Purchases, and Endowments as aforesaid, and otherwise carrying the Trusts and Purposes of this Act into execution, shall be fully paid and satisfied from and out of the surplus Rents and Profits of the said Trust Estates

Expences of this Act.

Estates of the said Testator *William Hulme*, or from and out of the Savings and Accumulations made or to be made therefrom, and the said Trustees and their Successors are hereby authorized and empowered to pay and satisfy such Costs, Charges, and Expences accordingly.

General
Saving.

XI. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his and their Heirs, Executors, Administrators, and Successors, claiming any Use, Estate, Trust, Interest, Benefit, or Advantage of, in, to, or out of the said Messuages, Lands, Tenements, Hereditaments, and Premises of the said Testator *William Hulme*, or any Part thereof, (other than and except the several Persons claiming any Use, Trust, Estate, Interest, Benefit, or Advantage of, in, to, or out of the said Hereditaments and Premises by virtue of or under the Will of the said Testator, so far as their respective Estates, Rights, and Interests are intended to be barred or affected by this Act,) all such Estate, Right, Title, Interest, Claims, and Demands whatsoever, both at Law and in Equity, of, in, to, or out of the same Hereditaments and Premises respectively, as they, any or either of them, had before the passing of this Act, or could or might have had and enjoyed in case this Act had not been passed.

Act as
printed by
the Queen's
Printers to
be Evidence.

XII. And be it lastly enacted, That this Act shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom; and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1839.