

AT the Court at *Osborne House, Isle of Wight*,
the 15th day of *January*, 1878.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS by an Act passed in the first session of the Parliament holden in the first and second years of the reign of Her present Majesty, intituled "An Act to abridge the holding of benefices in plurality, and to make better provision for the residence of the clergy," after reciting that "Whereas from the increase of population, or from other circumstances, it may be expedient that two or more benefices which have been heretofore united or which may be hereafter united under the provisions of this Act should be disunited," it is amongst other things, enacted, "That when two or more benefices shall have been united, or may be hereafter united into one benefice, and with respect to his own diocese it shall appear to the Archbishop of the Province, or the Bishop of any diocese shall represent to the said Archbishop of the Province, that one or more of the benefices within his diocese, of which such united benefice shall consist, may be separated therefrom with advantage to the interests of religion, the said Archbishop shall enquire into the circumstances of the case; and if on such enquiry it shall appear to him that such union may be usefully dissolved, so far as respects such benefice or benefices, he shall six weeks at least before certifying such inquiry to Her Majesty as hereinafter directed, cause, with respect to his own diocese, a statement, in writing, of the facts, and in all other cases a copy, in writing, of the aforesaid representation to be affixed on or near the principal outer door of the church or in some public and conspicuous place in each of the benefices forming part of the united benefice, with notice to any person or persons interested that he, she, or they may within such six weeks show cause, in writing, under his, her, or their hands to the said Archbishop against any such disunion: and if no sufficient cause be shown within such time, the Archbishop shall certify the inquiry and consent, when the patron's consent is necessary, to Her Majesty in Council, and thereupon it shall be lawful for Her Majesty to issue an Order for separating such last-mentioned benefice or benefices from such united benefice, and for declaring the rights of patronage of the several patrons, if there be more than one patron, and such Order shall be registered in the registry of the diocese to which such united benefice shall belong, which Order the Registrar of such diocese, immediately on the receipt thereof, is hereby required to register accordingly, and thereupon immediately if such united benefice shall be then vacant, otherwise on the first avoidance thereof, such union shall be ipso facto dissolved, so far only as regards such benefice or benefices so proposed to be separated from such united benefice, but in all other respects shall remain in full force and effect, and thenceforward such last-mentioned benefice or benefices shall be and be deemed and taken to be a separate and distinct benefice or benefices to all intents and purposes whatever as if no such union had taken place, and the patron or patrons thereof shall and may according to the terms of such Order present or nominate thereto respectively, and so from time to time upon each and every avoidance of the same: Provided always, that no benefices which have been united for more than sixty years before the passing of this Act shall be disunited

"without the consent in writing of the patron or patrons thereof."

And whereas by the same Act of the first and second years of the reign of Her present Majesty it is amongst other things also enacted "that whenever two or more benefices which have at any time been united into one benefice shall be disunited and become separate benefices under the provisions of this Act it shall be lawful for Her Majesty in Council, on the recommendation of the Archbishop of the Province with the consent of the patron or patrons of such benefices respectively (such consent to be signified in writing under the hands of such patron or patrons), to assign and attach such portion of the glebe lands, tithes, moduses, rent-charges or other endowments or emoluments belonging to or arising or accruing within the limits of such united benefice to each of such benefices respectively, as to Her Majesty in Council shall seem fit, notwithstanding such proportion of glebe land, tithes rent-charges, moduses or other endowments or emoluments, or any part thereof, may not arise or accrue within the limits of the benefice to which the same shall be so assigned and attached as aforesaid, or may not have belonged thereto, and also to divide and apportion between such benefices all such charges and outgoings as before the disunion thereof were imposed upon the whole united benefice."

And whereas the Lord Bishop of Lincoln on the eighth day of April one thousand eight hundred and seventy-five made a representation to the Archbishop of Canterbury in the words following:—

"To the Most Reverend Archibald Campbell Lord Archbishop of the Province of Canterbury.

"I Christopher Lord Bishop of Lincoln do hereby represent to your Grace that it appears to me that the disunion of the united benefice consisting of the vicarage of North Wheatley and the rectory of Saundby in the county of Nottingham and diocese of Lincoln by the separation of the rectory of Saundby from the vicarage of North Wheatley may be made with advantage to the interests of religion.

"Witness my hand the eighth day of April in the year of our Lord one thousand eight hundred and seventy-five.

"C. Lincoln.

"Signed in the presence of—

John Wild, Tetney Vicarage, Clerk."

And whereas the said Archbishop did thereupon inquire into the circumstances of the case and the said Bishop did thereupon send to the said Archbishop a statement of circumstances and consent of patron in which it was among other things stated as follows: That it is proposed that in case the separation of the said rectory of Saundby from the said vicarage of North Wheatley shall be carried into effect by an Order of Her Majesty in Council it shall be provided by such Order in Council that all and singular the tithe rent-charges and other payments or compositions in lieu of tithes and all the glebe lands and other endowments and emoluments belonging or reputed to belong to the said vicarage of North Wheatley and also all such surplice fees Easter offerings and other emoluments usually payable to the incumbent of a parish or benefice as shall arise within or in respect of the said vicarage and parish of North Wheatley shall continue to belong to the vicar of the said vicarage and that by the same Order in Council there shall be assigned and attached to the said vicarage of North Wheatley