



ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XX.

An Act for the Consolidation of the Offices of
First Fruits, Tenths, and Queen *Anne's* Bounty.
[11th *April* 1838.]

WHEREAS Her most gracious Majesty Queen *Anne*, in Her Royal Bounty to the Poor Clergy of the Church of *England*, and pursuant to and by virtue of an Act of Parliament made in the Second Year of Her said Majesty's Reign, intituled *An Act for making more effectual Her Majesty's gracious Intentions for the Augmentation of the Maintenance of the Poor Clergy, by enabling Her Majesty to grant in perpetuity the Revenues of the First Fruits and Tenths, and also for enabling other Persons to make Grants for the same Purpose*, did, in and by Her Letters Patent under the Great Seal of *England*, bearing Date the Third Day of *November* in the Third Year of Her said Majesty's Reign, make, nominate, constitute, and appoint the Persons therein named to be One Body Politic and Corporate by the Name of "The Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy," with such Powers and Authorities as are therein mentioned and expressed; and did in and by the said Letters Patent give and grant unto the said Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy, and their Successors, all the Revenues of the First Fruits and

2 *Anne*, c.11.

and yearly perpetual Tenths of all Dignities, Offices, Benefices, and Promotions Spiritual whatsoever payable to Her said Majesty, Her Heirs and Successors, by virtue of any Act or Acts of Parliament whatsoever, and all Arrears of the said First Fruits and Tenths (except as therein is excepted), to be applied and disposed of by the said Governors thereby constituted to and for such Ends, Intents, and Purposes as in and by the said Letters Patent are contained and directed: And whereas by virtue of an Act of Parliament made and passed in the First Year of the Reign of Queen *Elizabeth*, intituled *An Act for the Restitution of First Fruits to the Crown*, the said Revenues of First Fruits and yearly perpetual Tenths are within the Order, Survey, Rule, and Governance of Her Majesty's Court of Exchequer: And whereas His Majesty King *Charles* the Second, by Letters Patent under the Great Seal of *England*, bearing Date the Twenty-fourth Day of *January* in the Thirty-first Year of His Reign, did give and grant unto *Marmaduke Gibbs* Esquire, his Heirs and Assigns, the Office of Remembrancer of First Fruits and Tenths in His Majesty's Court of Exchequer, to hold the said Office unto the said *Marmaduke Gibbs*, his Heirs and Assigns, by himself or by his or their sufficient Deputy or Deputies for ever, immediately and so soon after the Date of the said Letters Patent as the said Office should become vacant as therein mentioned, and which soon afterwards happened, upon Trust that he the said *Marmaduke Gibbs*, his Heirs and Assigns, should stand seised of the said Office, with the Wages, Fees, and Emoluments thereof (except as therein mentioned), for *Henry* Duke of *Grafton*, his Heirs and Assigns, as in the said Letters Patent is mentioned: And whereas by an Act passed in the Third Year of the Reign of King *George* the First, intituled *An Act for the better collecting and levying the Revenue of the Tenths of the Clergy*, it was amongst other things enacted, that from and after the Twenty-sixth Day of *December* then last past there should be One Collector or Receiver of the said perpetual yearly Tenths of all Dignities, Offices, Benefices, and Promotions Spiritual whatsoever, granted to the said Corporation of the Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy by the said first-recited Act and Letters Patent; (which had not been legally discharged by any Act or Acts since made, or otherwise,) from Time to Time to be appointed by His Majesty, His Heirs and Successors, by His or Their Letters Patent under the Great Seal of *Great Britain*, as in the said Act now in recital is mentioned; which said Collector or Receiver should be and was thereby charged and chargeable to levy, collect, and receive all such Sums of Money wherewith all and every such Dignities, Offices, Benefices, and Promotions Spiritual were charged and chargeable for and towards the Payment of the said perpetual yearly Tenths; and should pay and content the said Sums of Money yearly into the Receipt of His Majesty's Exchequer at *Westminster*, in such Manner and Form as was therein-after mentioned: And whereas under or by virtue of the several Acts and Letters Patent herein-before mentioned or referred to, and other Acts of Parliament and Letters Patent of the Crown, the said Revenue of First Fruits is now collected and received in a certain Office called the Office of First Fruits, which Office is a Branch of the said Court of Exchequer, and consists of Four Officers; *videlicet*, a Remembrancer

of First Fruits and Tenths, who holds his Office in Fee under or by virtue of the said Letters Patent of King *Charles* the Second, a Collector or Receiver, and Two sworn Clerks; and the Revenue of yearly Tenths is in the first instance collected and received by a Collector or Receiver, who holds his Office under or by virtue of the said Act of the Third Year of King *George* the First, or Letters Patent granted in pursuance thereof, and has Two Clerks for his Assistance in the Business of such Collection and Receipt; and the said Revenues of First Fruits and yearly Tenths are from Time to Time paid by the respective Collectors or Receivers thereof into the Bank of *England*, to the Account of Her Majesty's Exchequer; and the same Monies, or the Amount thereof, are or is afterwards from Time to Time paid to the Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy: And whereas the Names of the present Officers employed in the said Offices of First Fruits and Tenths for the Collection, Receipt, and Payment, in manner aforesaid, of the said Revenue of First Fruits and yearly perpetual Tenths, and the average yearly Amount of the Emoluments of all such Officers respectively, arising from Salaries and Fees, or otherwise (as stated by such Officers respectively), and the annual Expences of the said Offices for Rent, Salary to an Office Keeper, Stationery, Coals, Candles, and other incidental Matters, are set forth in the Schedule to this Act, and amount in the whole to the yearly Sum of Two thousand and twenty-two Pounds Eighteen Shillings and Elevenpence: And whereas the Method at present in use for the Collection and Receipt of the said First Fruits and Tenths by the said several Officers respectively, and the Payment of the same into the Bank of *England* to the Account of Her Majesty's Exchequer, and the subsequent Payment thereof to the Treasurer of the Governors of the Bounty of Queen *Anne*, as herein-before mentioned, is unnecessarily circuitous, complicated, and expensive; and it is therefore expedient that the said Office of Remembrancer of First Fruits and Tenths, and the said several Offices of Collectors or Receivers of First Fruits and Tenths, and the Clerkships attached to the same Offices respectively, should be abolished, and that the Collection and Receipt as well as the Expenditure and Application of the whole Revenue of First Fruits and Tenths should be placed under the Management of the said Governors of the Bounty of Queen *Anne*, and their Treasurer for the Time being under their immediate Control, by which Means the Collection and Receipt of the said First Fruits and Tenths, and the Proceedings to recover and enforce the Payment thereof, may be rendered more simple and less oppressive to the Clergy paying the same, and the Expences attending such Collection and Receipt may be greatly lessened, and the clear Revenues of First Fruits and Tenths be consequently increased for the Augmentation of the Maintenance of the Poor Clergy, as directed by the said Letters Patent of Her said Majesty Queen *Anne*: Be it therefore 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 Twenty-fourth Day of *December* next after the passing of this Act the said Office of Remembrancer of First Fruits and Tenths, the said Offices of Collectors or Receivers

Abolishing
Offices of
First Fruits
and Tenths.

Receivers of First Fruits and Tenths respectively, and the several Clerkships and other Offices attached or belonging thereto respectively, shall be and the same are hereby abolished.

Books, &c. belonging to abolished Offices to be delivered up to the Treasurer of Queen Anne's Bounty.

II. And be it enacted, That the several Records, Deeds, Books, Accounts, Papers, Vouchers, and other Documents whatsoever of or concerning the Duties and Business of the said several Offices respectively so to be abolished as aforesaid, shall, on or before the said Twenty-fourth Day of *December* next after the passing of this Act, be delivered by the several Officers or Persons now having the Custody or Possession of the same into the Hands and Possession of the Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne*, at his Office for the Time being in the City of *London* or *Westminster*, to be by such Treasurer for the Time being duly kept and preserved in his said Office, subject nevertheless to such Rules, Orders, and Regulations as the said Governors of the Bounty of Queen *Anne* shall or may from Time to Time ordain or make touching the same; and that the Barons of Her Majesty's Court of Exchequer shall, if necessary, make such Order or Orders as to them may seem meet for the Delivery of the said several Records, Deeds, Books, Accounts, Papers, Vouchers, and other Documents to the said Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne* as aforesaid.

The Treasurer of Queen Anne's Bounty to be the sole Collector of the First Fruits and Tenths.

III. And be it enacted, That from and after the said Twenty-fourth Day of *December* next after the passing of this Act the Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy shall be the one and only Collector or Receiver of all the said Revenues of First Fruits and yearly perpetual Tenths of all Dignities, Offices, Benefices, and Promotions Spiritual whatsoever, which shall thereafter be or become payable under or by virtue of any Act or Acts of Parliament, or otherwise howsoever, and of all past, present, and future Arrears of the same Revenues of First Fruits and Tenths respectively; and that the Monies to be received by such Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne* shall be from Time to Time paid and disposed of and accounted for by such Treasurer in the same Manner as the Monies which would have been received by him for or in respect of such Revenues, in case this Act had not been made, would have been paid and disposed of and accounted for.

Alteration in the Mode of collecting First Fruits and Tenths not to affect the Remedies for compelling Payment.

IV. Provided always, and be it enacted, That the Enactments herein-before contained making the said Revenues of First Fruits and Tenths payable immediately to the said Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne*, instead of being as heretofore first paid into Her Majesty's Exchequer, shall not take away, lessen, defeat, prevent, or in any way affect or alter any Writ, Process, or Remedy whatsoever heretofore in use in Her Majesty's Name in Her Majesty's said Court of Exchequer, or otherwise, for the Recovery or compelling Payment of the said Revenues of First Fruits and Tenths, or the Arrears thereof, or the Penalties for the Non-payment of the same; but that all such Writs, Process, and Remedies shall

shall and may be issued, sued, and prosecuted by or in the said Court of Exchequer in the Name of Her said Majesty, or otherwise, and in the same Manner and Form to all Intents and Purposes and as fully and effectually as if the said Revenues of First Fruits and Tenths were still payable in the same Manner and to the same Officers as before the passing of this Act; and that from and after the said Twenty-fourth Day of *December* next after the passing of this Act the said Treasurer for the Time being of the Governors of the Bounty of Queen *Anne* shall and may have and exercise the same Powers and Authorities with regard to the issuing, suing forth, and Prosecution of such Writs, Process, and Proceedings for or relating to the Recovery or compelling Payment of the said Revenues of First Fruits and Tenths, and all Penalties for Nonpayment thereof, or otherwise relating thereto, as the said Remembrancer of First Fruits, and the said Collectors or Receivers of First Fruits and Tenths respectively, whose Offices are hereby abolished, had or might have exercised immediately before the passing of this Act.

V. And be it enacted, That from and after the said Twenty-fourth Day of *December* next after the passing of this Act all Returns by the Bishops of the several Dioceses and by other Ordinaries of Institutions to Benefices, and all Returns whatsoever heretofore made to, and all Notices, Process, and other Proceedings, Charges, Discharges, Bonds, Recognizances, Estreats, Matters, and Things usually issued, done, had, received, filed, recorded, or taken by or under the Authority of the said Remembrancer of First Fruits and Tenths, or the said Collectors and Receivers of First Fruits and Tenths, and other Officers whose Offices are hereby abolished, or any of them, for the Recovery or enforcing the Payment of the said Revenues of First Fruits and Tenths, or for any other Purpose whatsoever, and which shall from henceforth be by Law required or needful to be made and delivered, issued, done, had, received, filed, recorded, or taken, shall be respectively made and delivered to, and issued, done, had, received, filed, recorded, and taken by the Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne*, or the Clerks in the Office of such Treasurer by and under his Direction, according to the Course and Practice of such Office, as fully and effectually to all Intents, Constructions, and Purposes as the same might or could have been made and delivered to, or issued, done, had, received, filed, recorded, or taken by the said Remembrancer, Collectors, and Receivers, and other Officers whose Offices respectively are hereby abolished, or any of them, before the passing of this Act.

Duties of abolished Offices to be performed by Treasurer of Queen Anne's Bounty.

VI. And be it enacted, That from and after the said Twenty-fourth Day of *December* next after the passing of this Act all such Searches, Copies, or Extracts as may now be made, taken, or obtained by any Person or Persons whomsoever in and from the Records, Books, and other Documents in or belonging to the said Offices of First Fruits and Tenths respectively, shall or may be made and taken from the same Records, Books, and other Documents, and all other similar Records, Books, and other Documents for the Time being which by virtue of this Act shall be in or belonging to the Office

Searches to be made and Copies of Documents to be obtained as heretofore.

of the Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne*, at such Time or Times, and in such Manner, and upon Payment of such Fees as the said Governors shall, under their Common Seal, order and direct; and that all such Copies or Extracts, signed and authenticated by the said Treasurer for the Time being, or such other Person or Persons as shall be appointed by him for that Purpose, shall be as available in Evidence and as valid and effectual to all Intents and Purposes as the same would by Law have been if the same had been signed, authenticated, and given before the passing of this Act by the said Remembrancer and other Officers whose Offices are hereby abolished, or any of them.

Fees for Searches, &c. to be paid to the Treasurer of Queen Anne's Bounty.

VII. And be it enacted, That in the meantime and until such Order or Orders shall be made in that respect, as are herein-after provided, all Fees for such Searches and Copies or Extracts as aforesaid, and all such other Fees, Perquisites, and other Payments whatsoever (except Salaries) as are now paid to or received by and for the Use and Benefit of the said Remembrancer and other Officers whose Offices are hereby abolished, shall be paid to and received by the said Treasurer for the Time being of the Bounty of Queen *Anne*, and shall be by him from Time to Time accounted for and paid and disposed of in the same Manner and for the same Purposes as the said Revenues of First Fruits and Tenths hereby made payable to him as aforesaid.

Account of First Fruits and Tenths payable to be sent to Clerks on Institution.

VIII. And be it enacted, That the said Treasurer for the Time being of the Bounty of Queen *Anne* shall upon or immediately after the Receipt of every Return of Institutions made by the Bishops of the respective Dioceses in *England* or *Wales*, or other Ordinaries, deliver or transmit by the Post, or otherwise, to every Clerk or other Person instituted to any Ecclesiastical Benefice, an Account or Statement in Writing of the Payments (if any) which are to be made by him for or in respect of the First Fruits and yearly Tenths of such Benefice, and of the Times and Manner of making such Payments.

Notice of Arrears to be sent to the Party omitting to pay.

IX. And be it enacted, That when and as often as it shall appear to the Treasurer for the Time being of the Governors of the Bounty of Queen *Anne* that any Person liable to the Payment of First Fruits or Tenths shall have omitted or neglected to pay the same respectively for One Calendar Month over or after the proper Time for such Payment, the said Treasurer for the Time being shall thereupon give to each such Person a Notice in Writing, or transmit the same by the Post addressed to him at the Place of Residence belonging to the Benefice or other Ecclesiastical Preferment in respect of which such Payment is required, or other his usual Place of Residence, if known to the said Treasurer, stating the Amount then appearing to be due from such Person for or in respect of First Fruits and Tenths respectively; and that such Notice shall from Time to Time be repeated as often as the said Treasurer may deem expedient; and that in particular between the Twenty-ninth Day of *September* and the Twenty-fifth Day of *December* in every Year such a Notice shall be given, sent, or transmitted as aforesaid to every Archbishop, Bishop, or other Dignitary, Rector, Vicar, or other Person from whom

whom any First Fruits or yearly Tenths, or any Sum or Sums of Money in respect thereof, may then appear to be due, to the end that the Payments of such First Fruits and Tenths may in no case be omitted or neglected through Ignorance or Inadvertence.

X. And be it enacted, That all the Laws, Statutes, and Provisions touching or concerning the said Revenues of First Fruits and Tenths, and the imposing, charging, assessing, and levying, and the true answering and Payment of the said First Fruits and Tenths, or touching the Charge or Discharge or Alteration of them or any of them, or any Matter or Thing relating thereto, which were in force immediately before the passing of this Act, and which are not hereby or hereinbefore altered or repealed, shall be, remain, and continue in their full Force and Effect, and shall hereafter be observed and put in due Execution according to the Tenor or Purport of the same and every of them in all Things, excepting such as are in or by this Act altered or repealed.

Provisions of former Acts relating to First Fruits and Tenths to continue in force, except where altered by this Act.

XI. And whereas it is fit and reasonable that a fair and proper Price or Consideration in Money should be paid out of the Funds of the said Governors of the Bounty of Queen *Anne* to *Henry Warre* Esquire, the present Remembrancer of First Fruits and Tenths, or other the Owner or Owners of the Freehold and Inheritance of such Office under the said Letters Patent of King *Charles* the Second, as and for the Purchase of or a Compensation for the Loss of the same by virtue of this Act; and that a fair and proper Compensation in Money should also be paid out of the Funds of the said Governors of the Bounty of Queen *Anne* to *George Arbuthnot* Esquire, the present Collector or Receiver of First Fruits, and to Mr. *George Gunthorpe*, the present senior sworn Clerk in the said Office of First Fruits, and to Mr. *Richard Griffiths*, the present senior sworn Clerk in the said Office of Tenths, for the Loss which they will respectively sustain by the Abolition of their said respective Offices by virtue of this Act; be it therefore enacted, That the Governors of the Bounty of Queen *Anne* shall, by and out of the Funds of their said Corporation, pay to the said *Henry Warre*, or other the Owner or Owners of the said Office of Remembrancer of First Fruits and Tenths, and the Freehold and Inheritance thereof, as and for the Purchase of or a Compensation for the Loss of the same by virtue of this Act, such a Sum of Money as shall by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, or any Three or more of them, by Warrant under their Hands, be ascertained and declared to be the fair and reasonable Value of the said Office of Remembrancer of First Fruits and Tenths, and the Freehold and Inheritance thereof.

Compensation to the Remembrancer of First Fruits and Tenths.

XII. And be it enacted, That the said Governors of the Bounty of Queen *Anne* shall, by and out of the Funds of their said Corporation, pay to each of them the said *George Arbuthnot*, *George Gunthorpe*, and *Richard Griffiths*, such Sum or Sums of Money, either annually or in gross, as shall by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, or any Three or more of them, by Warrant under his or their Hand or Hands respectively, be ascertained and declared to be a fair and reasonable Compensation for the Loss which the said last-mentioned Officers

Compensation to other Officers.

Officers respectively will sustain by the Abolition of their said respective Offices by virtue of this Act.

Title to be shown to the Office of Remembrancer.

XIII. And be it enacted, That the said *Henry Warre*, or other the Person or Persons claiming to be the Owner or Owners of or entitled to the said Office of Remembrancer of First Fruits and Tenths, shall within One Calendar Month next after the passing of this Act, at his or their own Expence, prepare and deliver to the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, or any Three or more of them, an Abstract of the Title to the said Office of Remembrancer, and the Fee and Inheritance thereof, under the said Letters Patent of King *Charles* the Second, and shall deduce and evidence a good Title to the same to the reasonable Satisfaction of the Counsel of the said Governors; and that on such good and marketable Title being deduced and evidenced as aforesaid the said Governors, or their Treasurer for the Time being, shall, upon an Order for that Purpose made by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, or any Three or more of them, pay to the said *Henry Warre*, or other the Owner or Owners of the said Office of Remembrancer of First Fruits and Tenths, and the Fee Simple and Inheritance thereof, the Sum of Money which shall in manner aforesaid have been ascertained and declared to be the fair and reasonable Price or Value of the same, and that the Receipt of the Person or Persons to whom the same Money shall be paid shall be a good and sufficient Discharge to the said Governors.

In case of not making out a good Title, Purchase Money to be paid into Court of Exchequer.

1 G. 4. c. 35.

XIV. Provided always, and be it enacted, That in case a good Title to the said Office of Remembrancer of First Fruits and Tenths, and the Fee Simple and Inheritance thereof, shall not be deduced and evidenced, then and in that Case it shall and may be lawful for the said Governors, and they are hereby required, with all convenient Speed, to pay the Sum of Money which shall have been in manner aforesaid ascertained and declared to be the reasonable Price and Value of the said Office of Remembrancer into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the said Governors of the Bounty of Queen *Anne*, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; 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 said *Henry Warre*, or other the Person or Persons, Body or Bodies, who would have been entitled to the Fees, Emoluments, and Profits of the said Office of Remembrancer of First Fruits and Tenths in case the same had not been abolished, in or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Office, or any Part or Parts, Share or Shares,

Shares, Estate or Estates, Interest or Interests thereof or therein, or Charge or Charges thereon, or affecting any other Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or 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 Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the said Office of Remembrancer of First Fruits and Tenths so hereby abolished as aforesaid stood settled or limited immediately before the passing of this Act, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and that in the meantime 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 that in the meantime and until such Bank 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 said *Henry Warre*, or other the Person or Persons, Body or Bodies, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were actually made.

XV. Provided always, and be it enacted, That if any Question shall arise touching the Title of the said *Henry Warre*, or of any other Person or Persons, Body or Bodies, to the Monies to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of or as a Compensation for the said Office of Remembrancer of First Fruits and Tenths, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the said *Henry Warre*, the present Possessor of the said Office of Remembrancer, and all and every Person or Persons claiming under him, shall be deemed and taken to have been lawfully entitled to the said Office, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of the said Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made 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 Office of Remembrancer, or to some Part or Share thereof, or to some Estate or Interest therein or Charge thereon.

XVI. And be it enacted, That the Right Reverend *Charles Thomas* Lord Bishop of *Ripon*, and the Bishop of *Ripon* for the Time being, shall be a Governor of the Bounty of Queen *Anne* for the Augmen-
Bishop of
Ripon and
Bishops of
any future
tation

new Sees to be Governors.

tation of the Maintenance of the Poor Clergy; and that in the event of the Foundation of any new See or Sees in *England* or *Wales* the Bishop or Bishops thereof for the Time being shall be a Governor or Governors of the said Bounty.

General Meeting of Governors to be held yearly.

XVII. And be it enacted, That between the First Day of *February* and the First Day of *July* in every Year, on some convenient Day and at some convenient Place in the City of *London* or *Westminster*, to be respectively appointed for that Purpose by the said Governors of the Bounty of Queen *Anne*, they the said Governors shall hold an extraordinary General Court or Meeting for the Despatch of the Business of the said Governors, and that at least Fourteen Days previous Notice of the Time and Place of such General Court or Meeting shall be yearly given in the *London Gazette*.

Account to be annually laid before Her Majesty in Council and both Houses of Parliament.

XVIII. And be it enacted, That the said Governors of the Bounty of Queen *Anne* shall, in the Month of *November* in every Year, make out in Writing a Return of all their Receipts and Disbursements during the preceding Year ending on the Thirty-first Day of *December* then last past, and of all Sums of Money which at the Time of making such Account or Return shall appear to be due or in arrear from any Person or Persons whomsoever for or in respect of First Fruits and Tenths respectively, and shall present such Account or Return to Her Majesty in Council; and that the same or Copies thereof shall, at the Commencement of the ensuing Session, be laid before both Houses of Parliament; and shall cause a Duplicate of each such Account or Return to be deposited, on or before the First Day of *December* in every Year, at the Office of the Secretary of the said Governors for the Time being, who shall keep and preserve the same respectively at his said Office; and all Persons whatsoever may at all seasonable Times have Access thereto, and be furnished by the said Secretary with Copies or Extracts thereof or of such Part or Parts thereof as they shall require, stamped with the Common Seal of the said Governors, on giving reasonable Notice to the said Secretary, and on Payment of Two Shillings and Sixpence for such Inspection, and after the Rate of Three-pence for every Seventy-two Words contained in such Copy or Extract; and all Copies of or Extracts from any of the said Duplicates of the said Accounts or Returns, purporting to be stamped with the Common Seal of the said Governors, shall be received in Evidence in all Courts and before all Judges whatsoever without any further Proof thereof.

Governors empowered to make Rules and Orders.

XIX. And be it enacted, That it shall be lawful for Her Majesty and Her Successors, under Her or Their Royal Sign Manual, from Time to Time as there shall be Occasion, and at the Recommendation of the said Governors of the Bounty of Queen *Anne*, to make Rules, Orders, Regulations, and Arrangements for the better collecting, receiving, and enforcing the Payment of the said First Fruits and Tenths, and accounting for the same, and for prescribing or regulating the Duties of the said Treasurer for the Time being with respect to the said First Fruits and Tenths, and his Receipt, Disposition, and accounting for the same, and the Number, Duties, and Employment of the Clerks or other Persons to be employed therein under the Direction

rection of such Treasurer or otherwise, and for the Remuneration of the said Treasurer, Clerks, and other Persons respectively, for the Duties performed by him and them respectively in the Matters aforesaid, either by a fixed Salary or Salaries, or by the Appropriation to him or them respectively, for his or their own Benefit, of all or any of the Fees herein-before directed to be paid to such Treasurer for the Time being, and for enforcing and carrying into more complete Operation the Objects and Purposes of this Act.

XX. And whereas it is expedient that the said Governors of the Bounty of Queen *Anne* should be empowered to adopt and use short Forms of Deeds in Cases of Purchases and Grants by way of Gift or Benefaction of Lands, Tenements, and Hereditaments, and annual Stipends, Rent-charges, or Annuities, for the perpetual Augmentation of small Livings and Cures; be it therefore enacted, That all Conveyances and Grants, either by way of Purchase or by way of Gift or of Benefaction, of Lands, Tenements, and Hereditaments hereafter to be made to or by the Direction of the said Governors and their Successors, according to the Rules and Orders established for the Regulation of the said Bounty by Letters Patent under the Great Seal of *Great Britain*, and pursuant to the Charter of Incorporation of the said Governors, and the several Acts of Parliament in that Case made and provided for the perpetual Augmentation of small Livings and Cures, may be made according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit; namely,

Deeds for Purchases, &c., to be made in the following Form.

‘ I of in consideration of [*state the*
‘ *Consideration*], do hereby grant and convey to the said Governors,
‘ their Successors and Assigns, [*or to the Rector, Vicar, Curate, or*
‘ Incumbent of the Rectory, Vicarage, Curacy, *or* Chapelry of
‘ (*as the Case may be,*) and his Successors, by the Direction of the
‘ said Governors, (testified by their affixing their Common Seal to this
‘ Deed), all [*describing the Premises to be conveyed*], together with
‘ all Ways, Rights, and Appurtenances thereunto belonging, and all
‘ such Estate, Right, Title, and Interest in and to the same and every
‘ Part thereof as I am or shall become seised or possessed of, to hold
‘ the said Premises to the said Governors, their Successors and
‘ Assigns, for ever, to be by them applied and disposed of [*or to hold*
‘ the said Premises to the said Rector, &c., *as the Case may be,* and
‘ his Successors, for ever,] for the Augmentation of the Maintenance
‘ of the said Rector, Vicar, Curate, *or* Incumbent (*as the Case may*
‘ *be*) of the Rectory, Vicarage, Curacy, *or* Chapelry of
‘ witness whereof, &c.’

And all such Conveyances and Grants shall be valid and effectual in the Law to convey all the Right, Title, and Interest of the Grantors or Grantor in the Premises thereby conveyed or granted.

XXI. And be it enacted, That all Deeds for the Purpose of granting Stipends, Rent-charges, or Annuities, to or by the Direction of the said Governors for the Augmentation of small Livings and Cures, may be made according to the Form following, or as near thereto as the Number

Deed for granting Stipends, &c. to be in the following Form.

1^o VICTORIÆ, Cap. 20.

Number of the Parties and the Circumstances of the Case will admit; *viz*^t,

‘ I of in consideration of [*state the Consideration*], do hereby give and grant unto the Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy, and their Successors, [*or to the Rector, Vicar, Curate, or Incumbent of the Rectory, Vicarage, Curacy, &c.* of , and his Successors, by the Direction of the said Governors, testified by their affixing their Common Seal to this Grant], the clear Rent-charge or annual Sum of to be issuing out of and charged upon all [*describe the Premises charged*], to hold the said clear Rent-charge or annual Sum of , free from all Charges and Deductions now payable or hereafter to be made payable, unto the said Governors, their Successors and Assigns, to be by them applied to the perpetual Augmentation of the Maintenance of the Rector, Vicar, Curate, or Incumbent (*as the Case may be*), of, &c. [*or unto the Rector, Vicar, Curate, or Incumbent of, &c., (as the Case may be), for the perpetual Augmentation of the said Rectory, Vicarage, Curacy, or Benefice*], such clear Rent-charge or annual Sum to be paid yearly for ever, by Four equal quarterly Payments, on the Days and Times following, [*specify the Days and Times and the Place at which the Payments are to be made,*] the first Payment to be made on such of the said Days as shall first happen next after the Date hereof. In witness whereof, &c.’

And every such Gift and Grant shall be valid and effectual in the Law for the Purpose of securing the Payment of such clear Rent-charge or annual Sum as shall be therein expressed to be granted, as far as the Estate or Interest of the Grantors or Grantor in the Tenements and Hereditaments thereby charged shall extend, and shall be construed and adjudged in all Courts of Judicature to authorize and empower the Grantees or Grantee therein named, and their respective Successors and Assigns, if such clear Rent-charge or annual Sum, or any Part thereof, shall be in arrear for the Space of Twenty-eight Days, to levy the same by distraining any Goods upon the Premises charged, and selling the Distress, as in the Case of Rent reserved on common Leases for Years, and to repeat such Distress and Sale from Time to Time, whenever necessary, until such clear Rent-charge or annual Sum, and all Arrears thereof, and any Costs attending the Nonpayment thereof, shall be fully discharged.

Definition
of the Word
“grant” in
Convey-
ances, &c.

XXII. And be it enacted, That in all such Conveyances and Grants made for valuable Consideration for the Augmentation of any small Living or Cure, the Word “grant” shall, where the Grantors or Grantor at the Time of such Conveyances or Grants had or claimed to have a beneficial Interest in the Premises conveyed, granted, or charged, operate as and be construed and adjudged in all Courts of Judicature to be an express Covenant to or with the Grantees or Grantee, their or his Successors and Assigns, by or from the Grantors or Grantor, their, his, or her Successors, Heirs, Executors, and Administrators; that, notwithstanding any Act of the said Grantors or Grantor

Grantor or their or any of their Ancestors, to the contrary, the said Grantors or Grantor were or was at the Time of the Execution of such Conveyances or Grants seised or possessed of, and had full Power and Authority to grant and convey or to charge, the Lands or Premises thereby granted or charged, for an indefeasible Estate of Inheritance in Fee Simple, or otherwise for such Estate or Interest as therein expressed, free from all Incumbrances, and that, notwithstanding any such Act as aforesaid, the Grantees or Grantee, their or his Successors and Assigns, shall quietly enjoy such Lands and Premises, or such Rent-charge, as the Case may be, against all Persons whomsoever claiming or to claim by, from, under, or in Trust for such Grantors or Grantor, or by, from, under, or in Trust for their or any of their Ancestors, and be indemnified and saved harmless by the said Grantors or Grantor, their, his, or her Successors, Heirs, Executors, and Administrators, from all Incumbrances whatsoever made or created by such Grantors or Grantor, or any of them, or their or any of their Ancestors, and also for further Assurance, at the Expence of the Grantees or Grantee, their or his Successors or Assigns, of such Lands and Premises, or of such Rent-charge, by the said Grantors or Grantor, and all Persons claiming under them, him, or her, unless and except and so far as the same shall be restrained or limited by express particular Words contained in such Conveyances and Grants; but where the said Grantors or Grantor at the Time of such Conveyances or Grants were or was Bare Trustees or a Bare Trustee only of the Premises thereby conveyed or granted, the Word "grant" shall operate as and be construed and adjudged to be an express Covenant with the Grantees or Grantee, their or his Successors and Assigns, by or from the Grantors or Grantor, their, his, or her Heirs, Executors, and Administrators, that such Grantors or Grantor had done no Act to incumber the Premises thereby conveyed or granted; and the Grantees or Grantee, their or his Successors and Assigns, shall and may in all Actions to be brought assign Breach or Breaches of Covenant as they might do in case such Covenants were expressly inserted in such Conveyances and Grants.

XXIII. And be it enacted, That it shall and may be lawful to and for the said Governors of the Bounty of Queen *Anne* to cause and procure to be enrolled in Her Majesty's High Court of Chancery all or any of such Deeds as may be hereafter made or executed for the Purpose of conveying, giving, granting, or annexing any Lands, Tenements, or Hereditaments, or any Stipend, Rent-charge, or annual Sum to or by the Direction of the said Governors or their Successors for the Augmentation of Livings or Cures as aforesaid; and when any such Deed or Deeds shall have been so enrolled a Copy of the Enrolment thereof, certified by the proper Officer having the Custody of such Enrolment to be a true Copy of such Enrolment, and examined with the said Enrolment, shall be of the same Force, Effect, and Validity to all Intents and Purposes as the original Deed would be if the same were produced; and that any Rule or Practice requiring Deeds to be acknowledged before Enrolment shall not apply to any Deed by this Act authorized to be enrolled in Her Majesty's High Court of Chancery.

Governors of Queen Anne's Bounty to cause Deeds to be enrolled.

Powers of
Acts now in
force re-
specting
Forms of
Deeds, &c.
not to be
affected.

XXIV. Provided always, and be it enacted, That none of the Provisions herein-before contained, empowering the said Governors of the Bounty of Queen *Anne* to adopt and use the Forms of Deeds herein-before mentioned, shall affect or interfere with any Power or Authority contained in any Act or Acts now in force authorizing the Use of any other Forms or Form of Deeds and Conveyances, but that the Forms of Deeds and Conveyances by any such Acts or Act authorized to be used may still be adopted and used as if this Act had not been passed.

Act may be
altered, &c.
this Session.

XXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

The SCHEDULE referred to by this Act.

FIRST FRUITS OFFICE.

		£	s.	d.	£	s.	d.
Henry Warre, Esquire, Remembrancer.	Annual Average Amount of Fees - - -	560	0	0			
	Payment from the Court of Exchequer in lieu of certain abolished Fees	63	0	0			
					623	0	0
George Arbuthnot, Esquire, Receiver.	- - - -	-	-	-	250	0	0
Mr. George Gunthorpe, senior sworn Clerk.	Annual Average Amount of Fees - - -	262	14	2			
	Under Receiver's Patent	20	0	0			
					282	14	2
Mr. John Geesin, junior sworn Clerk.	Annual Average Amount of Fees - - -	-	-	-	118	4	9
					£	1,273	18 11

TENTHS OFFICE.

		£	s.	d.	£	s.	d.
The Office of Receiver has lately become vacant by the Death of Thomas Venables, Esq., who had received - - -	Salary - - -	300	0	0			
	Fees - - -	125	0	0			
					425	0	0
Richard Griffiths, senior Clerk.	Salary - - -	-	-	-	100	0	0
William Bridges, junior Clerk.	Salary - - -	-	-	-	100	0	0
Besides the Fees on Notices, the Amount of which is not stated.							
Office Keeper - - -	- - - -	-	-	-	25	0	0
Rent of Office, Stationery, Coals, and Sundries.	- - - -	-	-	-	99	0	0
					£	749	0 0