

two or more distinct and separate parishes, for all ecclesiastical purposes whatever, it shall be lawful for the said Commissioners, with the consent of the bishop of the diocese in which such parish is locally situated, signified under his hand and seal, to apply to the patron or patrons of the church of such parish for his consent to make such division, and for such patron or patrons to signify his or their consent thereto under his hand and seal; and the said Commissioners shall, upon the consent of the said patron or patrons so signified, represent the whole matter to His Majesty in Council, and shall state in such representation the bounds by which it is proposed, with such consent as aforesaid, to divide such parish, together with the relative and respective proportions of glebe land, tithes, moduses, or other endowments which will by such division arise and accrue, and remain and be, within each of such respective divisions, and also the relative proportions of the estimated amount of the value or produce of fees, oblations, offerings, or other ecclesiastical dues or profits which may arise and accrue within each of such respective divisions; and if, thereupon, His Majesty in Council shall think fit to direct such division to be made, such Order of His Majesty in Council shall be valid and good in law for the purpose of effecting such division; provided always, that no such division of any parish into distinct parishes shall completely take effect until after the death, resignation, or other avoidance of the existing incumbent of the parish to be divided;” and it is by the 21st section of the said Act further enacted, “that in any case in which the said Commissioners shall be of opinion that it is not expedient to divide any populous parish, or extra parochial place, into such complete, separate, and distinct parishes as aforesaid, but that it is expedient to divide the same into such ecclesiastical districts as they, with the consent of the bishop, signified under his hand and seal, may deem necessary for the purpose of affording accommodation for the attending divine service, according to the rites of the United Church of England and Ireland, to persons residing therein, in the churches and parochial chapels already built, or in additional churches or chapels to be built therein, and as may appear to such Commissioners to be convenient for the enabling the spiritual person or persons who may serve such churches or chapels to perform all ecclesiastical duties within the districts attached to such respective churches and chapels, and for the due ecclesiastical superintendence of such district, and the preservation and improvement of the religious and moral habits of the persons residing therein, the said Commissioners shall represent such opinion to His Majesty in Council, and shall state in such representation the bounds by which such districts are proposed to be described; and if, thereupon, His Majesty in Council shall think fit to direct such division to be made, such Order of His Majesty in Council shall be valid and good in law for the purpose of effecting such division:”

And whereas by an Act, passed in the fifty-ninth year of His late Majesty King George the Third, intituled “An Act to amend and render

more effectual an Act, passed in the last session of Parliament, for building, and promoting the building, of additional churches in populous parishes:” it is, amongst other things, enacted “that it shall be lawful for the Commissioners, in the same manner and with the like consents as are required in case of division into ecclesiastical districts under the said recited Act, or this Act, to assign a particular district to any chapel of ease or parochial chapel already existing, or to any chapel built, or which may hereafter be built or acquired under the powers of the said Act, or this Act; and such district shall be under the immediate care of the curate appointed to serve such chapel, but subject, nevertheless, to the superintendence and controul of the incumbent of the parish church; and all such curates shall be nominated by the incumbent of the parish to the bishop for his licence, except where the right of nomination shall already be legally vested in any other person or persons, and in every such case by the person or persons possessing such right of nomination, subject to all the laws in force relating to stipendiary curates, except as to the assigning of salaries to such curates; provided always, that it shall be lawful for the Commissioners, with the consent of the bishop of the diocese, to determine whether any and what part or proportion of the fees or dues for marriages, baptisms, churchings, and burials shall be assigned to any such curate; and whether banns of marriage shall be published, and marriages or baptisms, churchings or burials, shall be solemnized or performed in any such chapel or not; and in any case in which marriages shall be allowed in any such chapel, the Commissioners shall cause the boundaries of the district assigned to such chapel to be enrolled in the High Court of Chancery, and in the office of the Registry of the diocese, any thing in the said recited Act to the contrary notwithstanding; and no such chapelry shall become a benefice by reason of any augmentation of the maintenance of the curate, by any grant or bounty under the provision of any Act or Acts of Parliament, or law or laws, for augmenting small livings, any thing in such Act or Acts of Parliament, or law or laws, to the contrary notwithstanding:”

And whereas by another Act, passed in the seventh and eighth years of the reign of His late Majesty King George the Fourth, intituled “An Act to amend the Acts for building, and promoting the building, of additional churches in populous parishes;” and by another Act, made and passed in the first and second years 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 also by another Act, made and passed in the second and third years of His said late Majesty, intituled “An Act to render more effectual an Act, passed in the fifty-ninth year of His late Majesty King George the Third, intituled ‘An Act to amend and render more effectual an Act,