

Anno Regni

GEORGII II

REGIS

Magna Britannia, Francia, & Hibernia,

DECIMO.

At the Parliament begun and holden at Westminster, the Fourteenth Day of January, Anno Dom. 1734 in the Eighth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, etc.

And from thence continued by several Prorogations to the First Day of February, 1736 being the Third Session of this present Parliament.

LONDON,

Printed by John Baskett, Printer to the King's most Excellent Majesty. 1737

Anno decimo

Georgii Regis

An Act for making the Chapel in the Hamlet of Abthorpe and Foxcoate, in the Parish of Towcester, in the County of Northampton, a Parish Church, and for appointing a District or Parish thereto, and for enabling the Master of the Free Grammar School within the said Hamlet of Abthorpe and Foxcoate to be Vicar of the said Parish Church.

Whereas the Parish of Towcester in the County of Northampton is of large Extent, and very populous, and consists of several hamlets and Inships which lie at a great Distance, and hath therein only one Parish Church, that is to say, the Church of Saint Lawrence, of which the Right Reverend Father in God Richard Lord Bishop of Litchfield and Coventry is the present Patron, which said Parish Church is Two Miles distant from the hamlet of Abthorpe and Foxcoate, in the said County of Northampton, in which there is a Chapel of Ease, whereing the Vicar of Towcester aforesaid performs Divine Service once a Month, by reason of the great Distance from

the said Parish Church, the Inhabitants thereof (who are about four hundred Souls) cannot, in the Winter Time, attend the hearing of Divine Service at the Parish Church of Towcester: And whereas Thomas Nicoll, late Citizen and Upholder in London, did, in and by his last Will and Testament in Writing, bearing Date the Fifteenth Day of August, in the Year of Our Lord One thousand seven hundred and twenty six, charge and subject his Messuage, Farm, and Lands in Denshanger, in the Parish of Passenham, in the said County of Northampton, with and for the Payment of the annual Sum of Thirteen pounds four shillings of lawful Money of Great Britain, for ever, free and clear from all Taxes and Deductions whatsoever; and his Will and Meaning was, that Two pounds ten shillings, Part of the said Sum of Thirteen pounds four shillings should be yearly and every Year laid out in Peny Loaves of Bread, which he ordered and directed to be distributed as follows; videlicet, Twelve of the said Loaves, on every Friday Morning after Prayers, to Twelve ancient poor People of Abthorpe and Foxcoate aforesaid, as long as Divine Service should be used??? and continued in the said Church on Wednesdays, Fridays and Holidays, and so long as the Minister for the time being of the said Town of Abthorpe and Foxcoate should preach there aevery Sunday Morning, and read the Common Prayer appointed by Authority for that Purpose, and catechise the poor Children of the said Town upon every Sunday in the Afternoon throughout the Year, and should duly administer the Holy Sacrament of the Lord's Supper in the Church, at least Six Times every Year, that is to say, The Three Great Festivals of the Church, the First Sunday in Lent, the Sixth Sunday after Trinity Sunday, and Advent Sunday; and whenever Prayers should be discontinued in the said Parish on the several Days aforesaid, or any of the several Particulars above mentioned should continue to be omitted, then his Will was, That from Thenceforth the said Bread intended for the Poor as aforesaid, should cease; and his Will and Mind was, That Two pounds ten shillings, other Part of the said Sum of Thirteen pounds four shillings, should be yearly and every Year paid to the Parish Clerk of the said Town of Abthorpe, under the Restrictions above named, and subject to the Provisoos therein after mentioned; and reciting, that he was intituled to Six hundred pounds in the South Sea Annuities, he gave Two hundred pounds, Part of his Share in the said Annuities, for and towards procuring Two hundred pounds more, being commonly called Queen Anne's Money, to be applied for the increasing of the Value of the Living of Abthorpe and Foxcoate aforesaid, upon Condition that the said Town and Village of Abthorpe and Foxcoate should, within Three Years next

after his Decease, or within Three Years next after the Reverend Mr Palmer, the then Incumbent, should quit the same, become a distinct Parish from the Town of Towcester aforesaid; and in case the said Town of Abthorpe and Foxcoate should become a distinct Parish within the Time and Times limited as aforesaid, then he gave and bequeathed Twenty Guineas towards the buying Communion Plate for the Use and Service of the said Church; and his Intent and Meaning was, That the Two several Sums of Two pounds ten shillings for Bread for the Poor of the said Parish, and Two pounds ten shillings for the Parish Clerk of the said Town, should cease and not be paid, unless Abthorpe and Foxcoate should, within the time or times above limited, become a distinct and separate Parish from the Town of Towcester as aforesaid: And whereas Jane Leeson, heretofore of Abthorpe aforesaid, Spinster, did found a Free School in the said Town of Abthorpe, and, for the Endowment thereof, did, by her last Will and Testament in Writing, bearing Date the Twenty seventh Day of May, in the year of our Lord One thousand six hundred and forty six, give and devise all that her capital Messuage or Tenements, Closes, Lands, Meadows, and Hereditaments, with their Appurtenances, in Abthorpe and Foxcoate aforesaid, to her honoured Friends, Sir William Farmer of Eston in the County of Northampton, Baronet, Sir Richard Samuel of Upton in the said County of Northampton, Knight, John Crew of Steane, Esquire, Edward Harby of Adston in the County of Northampton, Esquire, Richard Trift of Maydford in the County aforesaid, Esquire, John Mathew of Bradden in the County aforesaid, Esquire, George Browne of Helmedon in the County aforesaid, Gentleman, Lawrence Carter of Paulers-pury in the said County, Gentleman, Richard Weston of the Town and County aforesaid, Gentleman, and Richard Winckles of Field Burcott in the County aforesaid, Yeoman, and to their Heirs and Assigns, in Trust, that the said Sir William Farmer, Sir Richard Samuel, John Crew, Edward Harby, Richard Trift, John Mathew, George Browne, Lawrence Carter, Richard Weston, and Richard Winkles, and their Heirs and Assigns, should, from and after the Death of the said Jane Leeson, hold and enjoy the said Premises, and receive and take the Rents, Issues, and Profits thereof for ever, to and for the several Uses, Intents, and Purposes in and by her said Will mentioned, expressed, and declared, and particularly, that her said Feoffees and Trustees aforesaid, and their Heirs and Assigns, should pay unto a School Master to teach the poor Children of the said Town gratis, the sum of Eight pounds per Annum for ever, at the Two most usual Feasts in the Year, by equal Portions (videlicet) Four

pounds at Saint Michael the Archangel, and Four pounds at the Annunciation of the Blessed Virgin Mary; and in and by her said Will did appoint, That when it should happen that her said Friends and Trustees aforesaid should be all deceased, save Five or Six, that then those Five or Six should make a Feoffment of the said Premises to Five or Six honest and sufficient Persons, to hold the same unto the said new Feoffees for the time being, and to their Heirs and Assigns, to the Use of them, and the other surviving Trustees and their Heirs, in Trust for the charitable Uses and Purposes aforesaid; and that the same Feoffees and their Heirs and Assigns should forever continue the said Premises in Feoffment, and make new Feoffments thereof in like Manner to the Uses aforesaid, to the End that her charitable Gift might be continued to the World.s End: And whereas by Indenture bearing Date the Twenty second Day of March, One thousand seven hundred and Thirty five, and made or mentioned to be made between the Right Honourable Thomas Earl of Pomfret, the Honourable Edward Montague of Westminster, Esquire, Sir Thomas Samuel of Upton in the County of Northampton, Baronet, Thomas Cartright of Aynhoe in the said County, Esquire, John Blencowe of Marston St. Lawrence in the said County, Esquire, Nathaniel Humfrey Rector of Thorp Mandevile in the said County, Doctor of Laws, and Fermore Lisle of Evenly in the said County, Esquire, the present Feoffees of several Lands and Tenements in Abthorpe in the said County, given to charitable Uses by the last Will and Testament of Jane Leeson late of Abthorpe aforesaid, Spinster, deceased, of the one Part, and Robert Porter of Abthorpe aforesaid, Clerk, of the other Part, in Consideration of the Rents and Covenants therein after reserved and contained, and for divers other good Causes and Considerations, they the said Thomas Earl of Pomfret, Edward Montague, Sir Thomas Samuel, Thomas Cartright, John Blencowe, Nathaniel Humfrey, and Fermor Lisle, did demise, grant, set, and to farm let, unto the said Robert Porter, his Executors, Administrators, and Assigns, all that capital Messuage or Mansion House situate and being in Abthorpe aforesaid, commonly called and known by the name of Mrs. Jane Leeson's House, and also all those Closes or Grounds of Meadow and Pasture adjoining or belonging to the said Mansion House, and also all Pieces, Parcels, or Plots of Arable, Meadow, and Pasture Ground lying dispersed in the open and common Fields of Abthorpe aforesaid, together with all the singular Houses, Outhouses, Edifices, Buildings, Barns, Stables, Orchards, Gardens, Yards, Backsides, Mounds, Fences, Freeboards, Hedges, Ditches, Ways, Waters, Easements, Paths, Passages, Hades, Bulks, Commons, and Common of

Pastures, Profits, Commodities, Hereditaments, and Appurtenances whatsoever, to the said capital Messuage or Mansion House belonging or in any wise appertaining, or accepted, reputed, taken, or known to be as Part, Parcel, or Member thereof, or of any Part thereof, and then in the Tenure or Occupation of the said Robert Porter, his Assignee or Assigns (except out of the said Lease unto the said Thomas Earl of Pomfret, Edward Montague, Sir Thomas Samuel, Thomas Cartright, John Blencowe, Nathaniel Humfrey, and Fermor Lisle, their Heirs or Assigns, one House commonly called or known by the Name of The School House or Free School, thentofore erected and built by the said Jane Leeson, and situate , and standing, and being in Abthorpe aforesaid, and one Room or Chamber in the said capital Messuage or Mansion House, commonly called and known by the name of The Great Chamber, with free Liberty of Ingress, Egress, and Regress, to and for the said Thomas Earl of Pomfret, Edward Montague, Sir Thomas Samuel, Thomas Cartright, John Blencowe, Nathaniel Humfrey, and Fermor Lisle, their Heirs or Assigns, in and to the Room and Chamber aforesaid, at their Wills and Pleasures, and also all manner of Timber Trees, and Topping of all manner of other Trees whatsoever, then growing, or which hereafter should be growing on the said Premises thereby devised, or any Part or Parcel thereof) to hold unto the said Robert Porter, his Executors, Administrators, and Assigns, from the Feast of Saint Michael the Archangel last past before the Date hereof, for the Term of Six Years from thence next ensuing, if the said Robert Porter should so long live, at the yearly Rent of Fifty seven Pounds Seventeen Shillings and Four Pence, payable half yearly, and at the additional yearly Rent of Five Pounds for every Acre of Greensward, that the said Robert Porter, his Executors, Administrators, or Assigns, shall plow, ear, break up, or covert into Tillage of the Premises thereby demised, and so in Proportion for every greater or lesser Quantity than an Acre: And whereas the Inhabitants of the hamlet of Abthorpe and Foxcoate, have for a long Course of Years provided for and maintained the Poor of the Parish of that Township, distinctly from the Township of Towcester, by a separate Levy and Assessment; and have had, for Time out of Mind, Constables, Overseers of the Poor, and Chapelwardens of their own, and Parish Officers chosen and appointed out of the Inhabitants of the said Hamlet of Abthorpe and Foxcoate, who are not liable to, or chargeable with the Parish of Towcester, otherwise than the Vicar of Towcester is entitled to the small Tythes arising within the said Hamlet of Abthorpe and Foxcoate: And whereas the Right Reverend Faher in God Robert Lord Bishop of Peterborough, the said

Richard Lord Bishop of Litchfield and Coventry, the Trustees of the said Jane Leeson's Charity, and the Vicar, Churchwardens, and principal Inhabitants of the Town of Towcester, are willing and desirous the said Chapel of Abthorpe and Foxcoate may be made a Parish Church, and the Hamlet of Abthorpe and Foxcoate a separate and distinct Parish from the rest of the Parish of Towcester, to the Intent that the charitable Donations so given for the Benefit of the Hamlet of Abthorpe and Foxcoate, and the Inhabitants thereof, may be preserved and improved, and that the pious Intent of the Donors may not be defeated; be it therefore enacted by the King'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 the said Chapel of Abthorpe and Foxcoate, shall, from and after the Twenty fourth Day of June, in the year of our Lord One thousand seven hundred and thirty seven, be, and for ever continue, and shal for ever be deemed and taken to be a Parish Church by the Name of Saint John Baptist; and that the several Messuages, Lands, Grounds, and Tenements, standing, lying, and being, or reputed to be within the hamlet of Abthorpe and Foxcoate aforesaid, shall be, and for ever thereafter deemed and taken to be the Parish thereunto belonging.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, there shall be a Vicar of the said Parish Church, and that such Vicar shall be, and is hereby from and after the said Twenty fourth Day of June, incorporated and made one Body Politick and Corporate, by the Name of the Vicar of the Parish Church of Saint John Baptist in Abthorpe in the County of Northampton, and shall be enabled to sue and be sued by such Name in all Courts within this Realm, and shall be in the actual Possession of the said Church, with its Cemetery and Appertenances, and shall hold and enjoy the same, and shall also be in the actual Possession of all Vicarial Tythes and Dues, that have heretofore belonged to the Minister of the said Church, or for preaching therein.

And be it further enacted by the Authority aforesaid, That the said Vicar shall perform all such Divine Offices in the said church, and such occasional Services as by Law or Usage ought to be performed on the Lord's Day, and preach therein every Lord's Day, and shall also read Divine Service on every Wednesday, Friday, and holiday, and shall catechise the Children of the said intended Parish upon every Sunday in the Afternoon, and shall reside in the said intended Parish of Abthorpe.

And it is hereby further enacted by the Authority aforesaid, That the said Robert Porter, present Schoolmaster of the said School founded by the said Jane Leeson, from and after the said Twenty fourth Day of June, shall be Vicar and Incumbent of the said Church to all Intents and Purposes whatsoever, and be instituted to the same by the said Lord Bishop of Peterborough, or other Ordinary of the Place for the time being, and shall have the Cure of Souls in the said intended Parish, and for such and so long Time as he shall continue Master of the said School, shall be, and is hereby authorised to hold and enjoy the Vicarage of the said Church.

And it is hereby further enacted by the Authority aforesaid, That the trustees or Feoffees of the said Jane Leeson's Charity for the time being, are hereby authorised and required, within Thirteen Weeks after the passing of this Act, to grant a Lease of the Messuage, Farm, Lands, Tenements, and hereditaments in the said recited Lease comprised, unto the said Robert Porter, for the Term of Ninety nine Years, if he shall so long live, reside, teach School, and continue Vicar of the said Church of Abthorpe, at and under such and the same Covenants, Provisoos, and Agreements, as are contained in the present Lease of the same Premises herein before recited; and the Trustees of the said Charity for the time being, are hereby authorised and required, within Thirteen Weeks after every future Incumbent shall be amitted, instituted, and inducted into the said Vicarage of Abthorpe, to make a Lease of the same Premises unto every such future Incumbent for the term of Ninety nine Years, if he shall so long live, reside, teach School, and continue Vicar of the said Church of Abthorpe, under, and subject to the same Rents and Covenants as afore mentioned, to the Intent the Vicar of the said Church and his successors may hold and enjoy the Premises in such Lease comprised, under the same Rents and Covenants for ever.

And be it further enacted by the Authority aforesaid, That the said Bishop of Litchfield and Coventry, and his Successors, and the Trustees or Feoffees of Jane Leeson's Charity, and their successors for ever, shall be alternate Patrons of the said Parish Church, and Owners of the Advowson thereof, and that the next Presentation to the said church, after the same shall become vacant by the Death, Resignation, Cession, or Deprivation of the said Robert Porter, or otherwise, shall be and is hereby vested in the Foeffees of Jane Leeson's Charity, and their successors, or the major Part of them; and the next subsequent Presentation shall be and is hereby cested in the Bishop of Litchfield and Coventry, and his Successors; and the said Foeffees for the time being, or the major Part of them, and the said Bishop and his Successors shall, in

the Order and Course above mentioned, present a Clerk to the said Church, and a School-master to the said School, alternately for ever.

And it is hereby further enacted and declared, That the Person at any Time hereafter to be appointed Master of the said School, shall be a Person in the Holy Order of Priesthood, and shall be Vicar of the said Parish and Parish Church of Saint John Baptist, and have the Cure of Souls there; and shall, upon such Nomination to be Master of the School, receive from the Person or Persons, entitled by virtue of this Act for the time being, a Presentation of him to the Vicarage of the said Church; which Presentation the said Patron or Patrons for the time being, is and are hereby empowered, and required to make, and seal at the time of such their Nomination, and to direct the same to the Bishop of the Diocese, or other Ordinary of the Place for the time being, or to any other Person or Persons having competent Authority in that Behalf, for Institution and Induction thereunto; and that the said Vicar and his Successors for ever, shall hold the same as long as he shall continue Master or Masters of the said School, and no longer.

Provided always, That the Person who shall be Vicar of the said Parish Church of Towcester for the time being shall not be capable to hold the said Vicarage of Towcester, and the Vicarage of Abthorpe, at the same time.

And it is hereby further enacted by the Authority aforesaid, That all such Vicarial Tythes and Surplice Fees as have been usually paid and arisen within the said Hamlet of Abthorpe and Foxcoate shall, from and after the said Twenty fourth Day of June, be vested, and are hereby vested in the said Robert Porter, and his Successors, Vicars of the said intended Parish and Parish Church of Abthorpe, for ever.

Provided nevertheless, That the said Vicarial Tythes and Dues arising and renewing within the said intended Parish of Abthorpe shall be charged with, and are hereby charged with, and made liable to the Payment of the annual Sum of Six Pounds of lawful Money of Great Britain, free from all deductions whatsoever, to the present Vicar of the Parish Church of Towcester, during so long Time as he shall continue Vicar of the said Parish Church of Towcester, and no longer.

And it is hereby further enacted by the Authority aforesaid, That this Act shall be taken and allowed in all Courts of Justice within this Kingdom, as a Publick Act; and all Judges, Justices, and other Officers and Ministers of Justice, are hereby required to take notice thereof as such, without specially pleading the same.

FINIS