

26. And be it enacted, That this Ordinance shall commence and take effect upon and from and after the day of the promulgation thereof. Commence-
ment of Ordi-
nance.

Passed in Council this second day of September, in the year of our Lord one thousand eight hundred and forty-four.

JAMES PORTER,
Acting Clerk of Council.

No. 16.—1844.

AN ORDINANCE for the Better Regulation of the Duties of the Clergy of the United Church of England and Ireland in this Colony, and for ensuring the more effectual performance of the same.

(L. S.) H. MACLEOD.

WHEREAS Her Most Gracious Majesty Queen Victoria was pleased to grant Letters Patent under the Great Seal, bearing date at Westminster the twenty-first day of August, in the sixth year of Her Majesty's reign, which Letters are to the tenor and effect following, that is to say:—

VICTORIA by the grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith.—To all to whom these presents shall come greeting. Whereas our late Royal Uncle King George the Fourth, did by Letters Patent, under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster, the twenty-fourth day of July, in the year of Our Lord one thousand eight hundred and twenty-four, erect, found, ordain, make, and constitute the Islands of Barbadoes, Grenada, St. Vincent, Dominica, Antigua, and Montserrat, St. Christopher, Nevis, and the Virgin Islands, Trinidad, Tobago, and St. Lucia, and their respective dependencies, to be a bishop's see; to be called from thenceforth the Bishopric of Barbadoes and the Leeward Islands; and did in and by his said Letters Patent name and appoint William Hart Coleridge to be bishop of the said see during his natural life, with the powers and authorities

Recital of the
Letters Patent
of the Bishop.

and subject to the provisos therein mentioned. And whereas our said Royal Uncle by certain other Letters Patent under the Great Seal of the said United Kingdom of Great Britain and Ireland, bearing date at Westminster the second day of April, in the year of our Lord one thousand eight hundred and twenty-five, did erect, found, and constitute one archdeaconry in and over the Islands of Barbadoes, Grenada, St. Vincent, Trinidad, Tobago, and St. Lucia, and their respective dependencies, to be styled the Archdeaconry of Barbadoes; and also one other archdeaconry in and over the Islands of Antigua, Montserrat, Dominica, St. Christopher, Nevis, and the Virgin Islands, and their respective dependencies, to be styled the Archdeaconry of Antigua; the said archdeaconries to be subordinate and subject to the Bishop's See of Barbadoes and the Leeward Islands during the Royal pleasure. And whereas our said Royal Uncle by other Letters Patent under the Great Seal of the said United Kingdom, bearing date at Westminster, the eleventh day of May, in the year of our Lord one thousand eight hundred and twenty-six, did constitute and appoint the Colonies and Settlements of Demerara, Essequibo, and Berbice, and their dependencies, to be respectively parts and parcels of the said Bishop's See of Barbadoes and the Leeward Islands, and did give and grant unto the said Bishop of Barbadoes and the Leeward Islands, during the Royal pleasure, and no longer, and until he should think fit to revoke the same, and make other disposition therein, the powers and authorities in the said Letters Patent mentioned. And whereas our late Royal Uncle King William the Fourth did by certain other Letters Patent under the Great Seal of our said United Kingdom of Great Britain and Ireland, bearing date at Westminster, the fourth day of March, one thousand eight hundred and thirty-one, constitute all our settlements on the Northern Coast of the Continent of South America, comprising all such territories and jurisdictions as had theretofore been comprised in the United Colony of Demerara and Essequibo, and the Colony of Berbice respectively, with their respective dependencies, to be collectively one Colony, and to be called the Colony of British Guiana. And whereas by Letters Patent under the Great Seal of our said United Kingdom of Great Britain and Ireland, bearing date at

Westminster, the twenty-fourth day of September, in the second year of our reign, we did erect, found, and constitute one archdeaconry in and over the Colony and Settlement of British Guiana and its dependencies, to be styled the Archdeaconry of British Guiana; the said archdeaconry to be subordinate and subject to the Bishop's See of Barbadoes and the Leeward Islands, during our pleasure. And whereas by an Act passed in the fifth year of our reign, intituled "An Act to provide for the increase of the number of Bishoprics and Archdeaconries in the West Indies, and to amend the several Acts relating thereto," after the recital of certain provisions of an Act passed in the sixth year of the reign of his said late Majesty King George the Fourth, intituled "An Act to make provision for the salaries of certain Bishops and other Ecclesiastical dignitaries and Ministers in the Diocese of Jamaica, and in the Diocese of Barbadoes and the Leeward Islands, and to enable His Majesty to grant annuities to such Bishops upon the resignation of their offices;" and also, certain provisions of another Act, passed in the seventh year of the reign of his said late Majesty, to amend the said recited Act, it was amongst other things enacted, that it should be lawful for us from time to time, by Letters Patent under the Great Seal of the United Kingdom to establish within the territorial limits of the existing Dioceses of Jamaica and Barbadoes three or more dioceses, with such and so many archdeaconries within such dioceses as to us should seem meet, and for that purpose to revoke the Letters Patent under the Great Seal aforesaid, under which the existing Dioceses of Barbadoes and Jamaica and the existing Archdeaconries within the same respectively have been established. But it was thereby provided, That no such Letters Patent, if issued during the life and incumbency of any such bishop, should take effect and be of any force or authority within his diocese unless he should first, by a Notarial Act under his hand and the public Seal of his diocese to be deposited in the Registry thereof, have declared his consent to the operation during his own incumbency within his diocese of any such Letters Patent. And whereas it was by the said Act further enacted, That it should be lawful for us, by any such Letters Patent as aforesaid, from time to time to make any such new appointment and appropriation as to

us should seem fit amongst such new bishops and archdeacons of the sums of money which by virtue of the said recited Acts are payable out of the growing produce of the Consolidated Fund as the salaries of the bishops and archdeacons therein mentioned; and that it should be lawful for us in manner aforesaid to apportion and appropriate so much of the total amount of such sums of money as to us should seem fit to the maintenance of such new bishops as aforesaid, and so much thereof as to us should seem fit, to the maintenance of such new archdeacons as aforesaid, without reference to and without the observance of the proportions in which the said sums of money are by the said recited Acts apportioned for the maintenance of bishops and archdeacons respectively. But it was thereby provided, That nothing therein contained should authorise any diminution during the incumbency of any bishop or archdeacon of any salary to which he was then or should thereafter be by law entitled. And it was by the said Act further enacted, That it should be lawful for us, by any such Letters Patent as aforesaid, from time to time to assign to the respective bishops of such future dioceses as aforesaid the power of distributing among the ministers, catechists, and school masters of their respective dioceses, with the approbation of the Commissioners of our Treasury, or of our principal Secretaries of State, the sum of six thousand three hundred pounds per annum in the said recited Acts mentioned, in such proportions as we should see fit to apportion that sum between the said future dioceses; but it was thereby provided, That nothing therein contained should authorise any diminution during the life and incumbency of any minister, catechist, or school master of any salary to which he was then or should thereafter be by law entitled. And whereas the said William Hart Coleridge hath by a certain deed or instrument, bearing date the sixth day of April, one thousand eight hundred and forty-two, duly resigned the said See or Bishopric of Barbadoes and the Leeward Islands, whereby his incumbency hath been determined, and the said see is now vacant. And whereas it is our Royal intention to establish within the territorial limits of the Diocese of Barbadoes and the Leeward Islands three new dioceses. And whereas we have in part performance of such our intention, resolved

to establish within the portions of the said dioceses hereinafter mentioned, one diocese to be called the Diocese of Barbadoes, and it is our further intention to establish within the said Diocese of Barbadoes two archdeaconries; one of them to be called the Archdeaconry of Barbadoes, and the other of them to be called the Archdeaconry of Trinidad. And whereas the parochial Church of St. Michael, in Bridgetown, within the said Island of Barbadoes, has been heretofore used as and for the Cathedral Church of the said Bishop of Barbadoes and the Leeward Islands, and it is our intention to confirm and ordain the same to be a Cathedral Church and Bishop's See. Now, know ye, that in pursuance of our intentions aforesaid, and of the powers given by the said Act, and of all other powers in us vested, We do by these presents revoke the Letters Patent aforesaid, bearing date, respectively, the twenty-fourth day of July, one thousand eight hundred and twenty-four; the second day of April, one thousand eight hundred and twenty-five; the eleventh day of May, one thousand eight hundred and twenty-six; and the twenty-fourth day of September, in the second year of our reign, under which the existing Diocese of Barbadoes and the Leeward Islands, and the several archdeaconries in the said recited Letters Patent mentioned were constituted, save and except as to all matters and things done, or any proceedings at law commenced under authority of the said Letters Patent, or any of them, And it is our further will and pleasure, and we do by these presents confirm, declare, and for further assurance constitute and erect the said Church of St. Michael's to be a Cathedral Church and Bishop's See, and do ordain that the whole town of Bridgetown aforesaid shall henceforth be a City, and be called the City of Bridgetown; and do make, ordain, establish, and constitute the said city, and all the Island of Barbadoes, and the Islands of Trinidad, Grenada, St. Vincent, Tobago, and St. Lucia, with their respective dependencies, to be a separate and distinct diocese, to be called henceforth the Diocese of Barbadoes; and do ordain and declare that the said Cathedral Church of St. Michael's shall be called the Cathedral Church and Episcopal See; and that the said Diocese of Barbadoes shall be the diocese of the Bishop of Barbadoes by these our Letters Patent, nominated and appointed,

and of his successors. And to the end that this our intention may be carried into due effect, We having great confidence in the learning, morals, probity and prudence of our well-beloved, the Honourable Thomas Parry, Doctor of Divinity, heretofore Archdeacon of Barbadoes, do nominate and appoint him to be consecrated to be Bishop of the said See, so that the said Thomas Parry shall (having been so consecrated) be and be taken to be bishop of the said see, and may enter into and possess the said see as bishop thereof, during his natural life, without any let or impediment from us, our heirs and successors, subject nevertheless to the right of resignation, hereinafter more particularly expressed; and saving also unto us, our heirs and successors, the power of altering from time to time, by warrant under our signet and sign manual, with the consent of the Archbishop of Canterbury for the time being, if the said see be vacant, or otherwise of the said Archbishop of the said see, and the bishop of the said see for the time being the limits of the said diocese or of the jurisdiction of the said Bishop thereof; moreover we will and ordain by these presents that the said Bishop of Barbadoes and his successors shall be subject and subordinate to the Archiepiscopal See of Canterbury and the most Reverend Father in God William by Divine Providence Archbishop of Canterbury and his successors, in the same manner as any bishop of any see within the province of Canterbury, within our Kingdom of England, is under the authority of the Archiepiscopal See of the Province of Canterbury. And we do further will and ordain, that every bishop of Barbadoes shall, at the time of his consecration, take an oath of due obedience to the Archbishop of Canterbury, for the time being as his Metropolitan, which oath shall and may be ministered by the said Archbishop, or by one of the bishops assisting at the said consecration; and to the end, that all matters and things herein prescribed may have their due effect, we do hereby signify to the most Reverend Father in God William Lord Archbishop of Canterbury, Primate of all England and Metropolitan, that we have erected and constituted the aforesaid see and diocese, and have nominated the aforesaid Thomas Parry to be consecrated bishop and ordinary pastor thereof, requiring, and by the faith and love whereby he is bound unto us, commanding the said William

Archbishop of Canterbury forthwith to consecrate the aforesaid Thomas Parry to be Bishop of Barbadoes in manner accustomed, and diligently to do and perform all other things appertaining to his office on this behalf with effect; and we do hereby declare that it shall be lawful for the said Thomas Parry and his successors, Bishops of Barbadoes, to perform all the functions peculiar and appropriate to the office of bishop within the said Cathedral Church and the said Diocese of Barbadoes, such bishop and his successors having been first duly consecrated bishops, according to the form of usage of the Church of England and Ireland, and also by himself or themselves, or by the Archdeacon or Archdeacons, or the Vicar-General, or other officer or officers hereinafter mentioned, to exercise jurisdiction, spiritual and ecclesiastical, within the said Cathedral Church, and throughout the said Diocese of Barbadoes, according to the ecclesiastical laws now in force in England. And for a declaration of the spiritual causes and matters in which the aforesaid jurisdiction may be more especially exercised. We do by these presents further declare that the aforesaid Bishop of Barbadoes, and his successors may exercise and enjoy full power and authority by himself and themselves, or by the Archdeacon or Archdeacons, or the Vicar-General, or other officer or officers hereinafter mentioned, to give institutions to benefices, to grant licenses to officiate to all rectors, curates, ministers, and chaplains of all the churches or chapels or other places within the said Diocese of Barbadoes, wherein divine service shall be celebrated according to the rites and liturgy of the Church of England; and to visit all rectors, curates, ministers, and chaplains, and all priests and deacons in holy orders of the United Church of England and Ireland, resident in the said Diocese of Barbadoes, with all and all manner of jurisdiction, power, and coercion ecclesiastical that may be requisite in the premises, and also to call before him or them, or before the said Archdeacon or Archdeacons, or the Vicar-General, or other officer or officers hereinafter mentioned, at such competent days hours and places when and so often as to him or them shall seem meet and convenient, the aforesaid rectors, curates, ministers, chaplains, priests and deacons in holy orders of the United Church of England and Ireland,

or any of them, and to inquire by witnesses to be sworn in the due form of law, and by all other lawful ways and means by which the same may be best and most effectually done, as well concerning their morals as their behaviour in their said offices and stations respectively. And we do hereby authorise and empower the said Bishop of Barbadoes and his successors, and the Archdeacons, Vicar-General, or other officer or officers hereinafter mentioned, being respectively delegated thereunto by the said bishop or his successors, to administer all such oaths as are accustomed, and by law may be administered, according to the ecclesiastical laws of our Realm of England, and to punish and correct the aforesaid rectors, curates, chaplains, ministers, priests, and deacons in holy orders of the United Church of England and Ireland according to their demerits, by deprivation, suspension, or other such Ecclesiastical censure or correction as they would be liable to according to the ecclesiastical laws aforesaid, subject nevertheless to such rights of review and appeal as hereinafter given and reserved. And we do further by these presents, found and institute one Archdeaconry within the said diocese in and over the Island of Barbadoes, St. Vincent, and St. Lucia, with their respective dependencies, to be styled the Archdeaconry of Barbadoes; and also one other Archdeaconry in and over the Island of Trinidad, Grenada, and Tobago, with their respective Dependencies, to be styled the Archdeaconry of Trinidad; the said Archdeacons to be subject and subordinate to the said Bishop of Barbadoes and his successors, bishops of the said see, according to the ecclesiastical laws of this Realm. And we do by these presents empower the said Bishop of Barbadoes and his successors to collate fit and proper persons, to be the first and other Archdeacons of the said Archdeacons respectively; and for the declaration of our Royal will and pleasure in regard to the duties and functions, to be exercised by the said Archdeacon or Archdeacons and their successors, We do hereby declare that he or they shall within their respective Archdeacons, be assisting to the Bishop of Barbadoes, in the exercise of his Episcopal jurisdictions and functions and in all matters of jurisdiction shall be subject and obedient to the said Bishop of Barbadoes, and shall exercise only such and so

much jurisdiction within their respective Archdeaconries, as shall be committed to them respectively by the said Bishop of Barbadoes for the time being; and we do further will and ordain, that the said Bishop of Barbadoes and his successors, may, from time to time, nominate and appoint fit and proper persons to be respectively the officers hereinafter mentioned, that is to say,—the Vicar-General, Official Principal, Chancellor, Rural Deans, and Commissaries, either general or special, and may at his or their discretion, delegate to the said Archdeacons and to the officers aforesaid respectively, such of the powers and functions to the said Bishopric appertaining, as may by the ecclesiastical Laws of the Realm be committed to persons who have not received Episcopal consecration; and may also appoint one or more fit and proper person to be Registrar and Actuaries. And we will and ordain, that during a vacancy of the said See of Barbadoes, by the demise of the Bishop thereof or otherwise, the said Archdeacons and other officers respectively appointed as aforesaid, shall continue to exercise so far as by law they may or can, the jurisdiction or jurisdictions delegated to them. And that the said Registrar and Actuaries shall respectively continue to discharge the duties whereunto they have been appointed, until a new Bishop of the said See of Barbadoes shall have been duly nominated and consecrated; and his arrival within the limits of the said diocese shall have been notified to the said parties respectively. And moreover we command and by these presents for us, our heirs, and successors, do strictly enjoin all and singular our Governors, Judges, and Justices; and all and singular Rectors, Curates, Chaplains, Ministers, and other our subjects within the said diocese, that they and every of them be, in and by all lawful ways and means, aiding and assisting to the said Bishop and his successors, and to the said Archdeacons, and to the Vicar-General, and other officer or officers aforesaid in the execution of the premises in all things; Nevertheless, we will, and do by these presents declare and ordain that in all grave matters of correction, which are accustomed, according to the practice of the ecclesiastical laws of our Realm of England to be judicially examined, the same shall in like manner be judicially examined and proceeded in before the said Bishop of Barbadoes and his

successors, or the said Archdeacons, or the said Vicar-General, or other officer or officers aforesaid; and all such causes shall be proceeded in to final sentence in due form of law. And further, we will and do by these presents declare and ordain, that it shall be lawful for any party, against whom any judgment, decree, or sentence shall be pronounced by either of the said Archdeacons, or by the Vicar-General, or other officer of the said Bishop or his successors, to demand re-examination and review of such judgment, decree, or sentence before the Bishop or his successors in person, who, upon such demand made shall take cognizance thereof, and shall have full power and authority to affirm, reverse, or alter the said judgment, sentence, or decree, and if any party shall consider himself aggrieved by any judgment, decree, or sentence pronounced by the said Bishop of Barbadoes or his successors, either in case of such review, or in any cause originally instituted before the said Bishop or his successors, it shall be lawful for the said party to appeal to the said Archbishop of Canterbury or his successors, who shall finally decide and determine the said appeal. Provided always, that in any such case of appeal or review, notice of the intention of the party to make such appeal, or demand such review shall be given to the Bishop or subordinate Judge by whom the sentence appealed from, or to be reviewed, shall have been pronounced within fifteen days from the promulgation thereof; and we do further will, declare, and ordain that in all cases in which an appeal shall be made or review demanded as aforesaid, a copy of the judgment or sentence in such case promulgated or given, setting forth the causes thereof, together with a copy of the evidence on which the same was founded, shall, without delay, be certified and transmitted by such subordinate Judge to the said Bishop or his successors, or by the said Bishop or his successors to the said Archbishop of Canterbury, as the case may require; and such judgments or sentences shall respectively remain in force until the same shall have been reversed or altered by the said Bishop or the said Archbishop. And we do further will and ordain that the Supreme Courts of Justice, exercising jurisdiction within the limits of the said diocese, shall have such and the like jurisdiction and power of interfering by writ or prohibition or mandamus, subject to the same laws, restrictions, and rules of practice as is or may be exercised

by our Court of Queen's Bench at Westminster, in regard to proceedings in the Ecclesiastical Courts of England, regard being had nevertheless to any special provisions or exceptions contained in these our Letters Patent, and to any other laws and regulations specially applicable to or concerning that part of our dominions included in the said diocese of Barbadoes. Moreover, it is our will and pleasure, and we do hereby declare and ordain, that nothing in these presents contained shall extend or be construed to extend to repeal, vary, or alter the provisions of any charter, whereby Ecclesiastical jurisdiction has been given to any Court of Judicature within the limits of the said diocese, so far as the same do not appertain to the correction of clerks, or to matters and causes merely spiritual, or to give the said Bishop of Barbadoes or his successors any authority or jurisdiction whatsoever in matters now depending in the said Courts, except as herein excepted. Moreover, we will and grant by these presents, that the said Bishop of Barbadoes shall be a body corporate; and do ordain, make, and constitute him to be a perpetual corporation, and to have perpetual succession, and that he and his successors be for ever hereafter called and known by the name or title of Lord Bishop of Barbadoes; that he or his successors by the name or title aforesaid, shall be able and capable in law; and have full power to purchase, take, hold, and enjoy manors, messuages, lands, tenements, and hereditaments of what nature or kind soever in, for, and in perpetuity, or for a term of life or years; and also all manner of goods, chattels, and things personal whatsoever, of what nature or kind soever; and that he and his successors, by and under the said name or title, may prosecute therein, plead and be impleaded, defend and be defended, answer and be answered in all manner of Courts of us, our heirs and successors, in and upon all and singular causes, actions, suits, writs and demands, real and personal and mixed, as well spiritual as temporal, and in all things, causes, and matters whatsoever. And that the said Bishop of Barbadoes and his successors shall and may for ever hereafter have and use a Corporate Seal; and the said seal from time to time, at his own or their will and pleasure, break, change, alter, or make anew, as he or they shall deem expedient; and for removing doubts with respect to the validity of the resignation of the said office of Bishop of Barbadoes; it is

our further will that if the said Bishop or any of his successors, shall by instrument under his hand and seal, delivered or sent to the Archbishop of Canterbury, for the time being, and by him accepted and registered in the office of Faculties of the said Archbishop, resign the office of Bishop of Barbadoes, such bishop shall forthwith cease to be Bishop of Barbadoes to all intents and purposes, but without prejudice to any responsibilities to which he may be liable in law or equity, in respect of his conduct in the said office. And we do further, by these presents, out of the sums of money which by virtue of the said recited Acts, passed in the sixth and seventh years of the Reign of our said late Royal Uncle King George the fourth, and payable out of the growing produce of the Consolidated Fund, as the salaries of the Bishops and Archdeacons therein mentioned, apportion and appropriate the sum of two thousand five hundred pounds per annum, for the maintenance of the said Thomas Parry, Bishop of Barbadoes and his successors, bishops of the said see and diocese. And the sum of five hundred pounds per annum, for the maintenance of the Archdeacon of Barbadoes, for the time being; and the sum of two hundred and fifty pounds per annum, for the maintenance of the Archdeacon of Trinidad, for the time being. Provided that nothing herein contained shall authorise any diminution during the life and incumbency of any Bishop or Archdeacon of any salary to which he is or shall by law be entitled. And we do further by these presents, out of the sum of six thousand three hundred pounds per annum, mentioned in the said recited Act, passed in the seventh year of the Reign of our said late Royal Uncle George the Fourth, assign to the said Bishop of Barbadoes and his successors, the power of distributing among the ministers, catechists, and school masters of the said Diocese of Barbadoes, with the approbation of the Commissioners of our Treasury, or of one of our principal Secretaries of State, the sum of two thousand pounds per annum. Provided nevertheless, that nothing herein contained shall authorize any diminution during the life and incumbency of any minister, catechist and school master of any salary to which he is or shall be by law entitled. And lastly, to the end, that all the things aforesaid may be firmly holden and done, we will and grant to the aforesaid

Thomas Parry, that he shall have our Letters Patent, under our Great Seal of our United Kingdom duly made and sealed. In witness thereof, we have caused these our Letters to be made Patent. Witness ourself at Westminster, the twenty-first day of August, in the sixth year of our reign.

BY THE QUEEN HERSELF.

(L. S.)

EDMONDS.

1. AND whereas the better to give effect to the powers and authorities vested in the said Right Reverend Father in God Thomas Bishop of Barbadoes and his successors, and to establish the laws which shall be received and be in force respecting the Ecclesiastical regimen of the clergy of the Church of England in this Island, and to enforce and put in execution the same, and the better to regulate the provision to be made for the clergy of the Church of England in this Island, and the discharge of the duties of such clergy, and to divide the Island into parishes, for the purposes of this Ordinance, and to constitute vestries within such parishes, it is expedient that it should be enacted: Be it therefore enacted by His Excellency the Governor and Commander-in-Chief in and over the said Island of Trinidad and its dependencies, Vice-Admiral of the same, by and with the advice and consent of the Council of Government thereof.

Laws, Ordinances and Canons Ecclesiastical of England to be in force in this Island.

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Sections 1 to 12 Repealed by Ordinance 10 of 1870.

13. And be it enacted, That every rector and Island Curate shall at all times actually and *bona-fide* reside in the parish whereof he shall be rector or curate, or of which he shall be appointed officiating minister, unless otherwise permitted by the Bishop, on good and sufficient cause shewn.

Rector and Island Curate to reside in his Parish.

14. And be it enacted, That it shall not be lawful for any rector or curate to act as the attorney of any absentee from this Island in the management of any estate or plantation, or as the receiver of any Court in this Island for any estate or plantation, on any pretence whatsoever.

Rector or Island Curate not to act as attorney or receiver.

Bishop not to grant leave of absence unless a Curate be appointed, or for more than a year.

In case of absence, Rectory or Curacy may be forfeited.

Rectory or Curate absenting himself from his duty to be liable to forfeit a portion of his stipend.

In case of inability to act of Rectory or Curate, how the Bishop shall proceed.

15. And be it enacted, That it shall not be lawful for the Bishop in any case to grant his license to any rector or Island curate to absent himself from his duties without leaving a curate duly licensed or approved by the Bishop to perform the ecclesiastical duties of such rector or curate during his absence; and that it shall not be lawful for the Bishop in any case to grant his license to any rector or Island curate to absent himself from his duties for more than one year together; and if any rector or Island curate shall absent himself from his duties for more than one year, it shall be lawful for the Governor, if he shall see fit, to declare the rectory or curacy to be vacant, and thereupon such rectory or curacy shall be forfeited; and if any rector or Island curate shall absent himself from his duties for the space of two years, the rectory or curacy of such rector or Island curate shall on the expiration of the said term of two years, become and be absolutely vacant.

16. And be it enacted, That if any rector or curate shall absent himself from his parish and ecclesiastical duties, for the space of three months together, or to be accounted at several times during twelve successive months; without the license of the Bishop, or without appointing and substituting some other minister or curate, being licensed or approved for that purpose by the Bishop, to reside in his parish and to act for him, and to discharge his duties in his absence, every such rector or curate shall, when such absence shall exceed three months and shall not exceed six months, forfeit one-half of his stipend: and if such absence shall exceed six months, then the whole of such stipend for the time of such absence; and the stipend or portion thereof so forfeited shall be applied to the remuneration of the curate or minister who may be appointed to perform the duties of such rector or Island curate during his absence.

17. And be it enacted, That from and after the passing of this Ordinance, whenever it shall appear to the satisfaction of the Bishop, upon process and proof had, and sentence pronounced according to the course and practice of the Ecclesiastical Courts, that any rector or Island curate, either from age, infirmity, or other cause, is unable to discharge his ecclesiastical duties, it shall

and may be lawful for the Bishop, and he is hereby empowered by any writing under his hand, to require such rector or Island curate to nominate to him a fit person, with sufficient stipend to be approved of by the Bishop, to be licensed by him to perform such ecclesiastical duties; and if any rector or Island curate shall neglect or refuse to make such nomination for six weeks after having received a requisition so to do as aforesaid, then and in every such case it shall and may be lawful for the Bishop to appoint some other curate, with such stipend as the Bishop shall think fit to assign, not exceeding two-thirds of the stipend of such rector or of such Island curate so making default, to be deducted out of the annual stipend of such rector or Island curate, and which the Governor is hereby authorized and empowered to order and direct to be paid over to such curate so licensed as aforesaid, on the certificate of the Bishop: Provided always, that whenever any such appointment shall be made, notice shall be given by the Bishop to the clerk of the vestry of the parish to which such new appointment shall be made, of the name of such curate, and the date of his appointment.

18. And be it enacted, That if the vestry of any parish shall certify to the Governor, under the hands of the members of such vestry, or the majority of them, that the ecclesiastical duties of the rector or Island curate are inadequately or improperly performed, or that he has been guilty of any such misconduct as would render him liable to deprivation by the sentence of an Ecclesiastical Court, it shall be lawful for the Governor, if he shall see fit, to suspend the payment of the stipend of such rector or Island curate until the Bishop of the diocese shall enquire into the facts of the case; and in any such case, or whenever the Bishop shall otherwise see reason to believe that the ecclesiastical duties of any such rector or Island curate are inadequately or improperly performed, or that he has been guilty of any such misconduct as would render him liable to deprivation by the sentence of an Ecclesiastical Court, it shall be lawful for the Bishop to issue a commission to such four persons as he shall see fit, one whereof shall be the Archdeacon or Rural Dean, directing them to inquire into the facts of the case; and it shall be lawful for such

In case the Vestry shall certify that the duties of the Rector or Island Curate are inadequately performed, the Governor may suspend payment of the stipend.

The Bishop to issue a commission.

In certain cases Rector or Island Curate to forfeit his Rectory or Curacy.

rector or Island curate to add to such commissioners one other person being a rector or curate within the Island: and if the said Commissioners, or the major part of them, shall report in writing under their hands to the Bishop that in their opinion the duties of such Rectory or Island curacy are inadequately or improperly performed, or that such rector or Island curate has been guilty of any such misconduct as would render him liable to deprivation by the sentence of an Ecclesiastical Court it shall be lawful for the Bishop, if he shall be of opinion that such rector or Island curate should be deprived of his rectory or curacy, to certify the same in writing under his hand to the Governor, and the Governor may, if he shall see fit, by writing under his hand, declare such rector or Island curate to have forfeited his rectory or curacy, and thereupon such rectory or curacy shall become and be absolutely forfeited and vacant.

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Sections 19 to 40 Repealed by Ordinance 10 of 1870.

Passed in Council this second day of December, in the year of our Lord one thousand eight hundred and forty-four.

JAMES PORTER, *Acting Clerk of Council.*

February 27th, 1845.

The foregoing Ordinance was duly proclaimed in Port of Spain this day.

A. CLOGSTOUN, *Marshal.*

No. 1.—1845.

AN ORDINANCE for assimilating the law with regard to Arbitrations and Awards to the Law of England.

(L. S.) H. MACLEOD.

WHEREAS, it is expedient that the Law of this Colony with regard to arbitrations and awards should be assimilated to the law of England, Be it therefore enacted, by His Excellency the Governor and Commander-in-Chief in and over the said Island and its dependencies, by and with the advice and consent of the Council of Government thereof, That it shall be lawful for all persons desiring to end any controversy, suit, or quarrel by arbitration, to agree that their submission of

Any submission to arbitration may be made a rule of Court: