

for the incumbent so instituted and inducted is to all intents and purposes complete parson; and the appropriation, being once severed, can never be re-united again, unless by repetition of the same solemnities^q. And when the clerk so presented is distinct from the vicar, the rectory thus vested in him becomes what is called a *sine-cure*; because he hath no cure of souls, having a vicar under him to whom that cure is committed^r. Also, if the corporation which has the appropriation is dissolved, the parsonage becomes disappropriate at common law; because the perpetuity of person is gone, which is necessary to support the appropriation.

IN this manner, and subject to these conditions, may appropriations be made at this day: and thus were most, if not all, of the appropriations at present existing originally made; being annexed to bishopricks, prebends, religious houses, nay, even to nunneries, and certain military orders, all of which were spiritual corporations. At the dissolution of monasteries by statutes 27 Hen. VIII. c. 28. and 31 Hen. VIII. c. 13. the appropriations of the several parsonages, which belonged to those respective religious houses, (amounting to more than one third of all the parishes in England^s) would have been by the rules of the common law disappropriated; had not a clause in those statutes intervened, to give them to the king in as ample a manner as the abbots, &c, formerly held the same, at the time of their dissolution. This, though perhaps scarcely defensible, was not without example; for the same was done in former reigns, when the alien priories, (that is, such as were filled by foreigners only) were dissolved and given to the crown^t. And from these two roots have sprung all the lay appropriations or secular parsonages, which we now see in the kingdom; they having been afterwards granted out from time to time by the crown^u.

^q Co. Litt. 46.

^t 2 Inst. 584.

^r Sine-cures might also be created by other means. 2 Burn. eccl. law. 347.

^u Sir H. Spelman (of tithes, c. 29.) says these are now called impropriations, as be-

^s Seld. review of tith. c. 9. Spelm. ing *improperly* in the hands of laymen. Apology. 35.