

Christ Church Early History

Parish of Whitehaven Publication HS 6

In the 1840's the three existing Whitehaven Parishes- St. Nicholas, St. James and Holy Trinity were still chapels of ease within the Parish of St. Bees.

St. Bees was becoming aware that the rapid growth of the Mount Pleasant, Ginns and Preston Street area was not adequately catered for by the existing churches, either in terms of church accommodation or Clergy resources. Due to distance (and the poor condition of the turnpike road linking the two settlements) St. Bees own clergy were unable to adequately minister to their needs either.

The previous posting of Revd Buddicon, then the Vicar of St. Bees had been in Liverpool- the hime town of Revd John Rimmer.

Therefore the Revd John Rimmer was appointed as a Curate to St. Bees Parish in 1844 with responsibility for developing the ministry to the "Preston Street Quarter" area of Whitehaven.

The next stage in the story is encapsulated by the following news story from the "Cumberland Pacquet" dated 17th December 1844:

The following document has been extensively circulated in the town:

An Earnest and Respective Appeal to the Friends of Church Extension

This portion of the parish of St. Bees is being formed into an Ecclesiastical District, under the provisions of the 7th of Queen Victoria by the name of "The Ginns and Mount Pleasant District" and a clergyman has been duly appointed according to the requirements of the Legislation. He is now labouring with ability & zeal...

It contains 3,578 souls, yet does not contain a school..., nor any place which might be converted into a House of God.

An earnest appeal is made to the friends of religion within her parts to contribute..... The expenses of the plainest Ecclesiastical building, exclusive of the purchase of a site, may be calculated at £1,200. The Chester Diocesan Church Building Society has generously made a grant of £400 on condition that a church be erected to contain not less than 800 persons.

Reference to the Chester Bishop's Act's Books tells us that John Rimmer was appointed by the Queen under the provisions of legislation 7th Vic and 7th & 8th Vic.

These acts are:

6th & 7th Vic Chapter 37: An Act to make better Provision for the Spiritual Care of populous Parishes Paragraphs IX to XIX and XXIV

7th & 8th Vic Chapter 94 An Act to explain and amend an Act for making better Provision for the Spiritual Care of populous Parishes Paragraphs I, II and VIII

(The above provisions are reproduced at Appendix 1)

In March 1845 the Glass House School, Ginns was licensed for Divine Service. Although other histories of Whitehaven have indicated that the old Newtown Sunday School Room was used before the School, exhaustive searches of the Bishop's Registers and Acts Books of the Dioceses of Chester and Carlisle have shown no formal authority for that.

The Order in Council to create the new parish was made on 5th August 1845.

On 25th August 1845 Revd Rimmer was licensed as Vicar of the new Parish.

Although the land for the new church was not formally conveyed until December 1845 (see below), the 1900 bazaar brochure tells us that the foundation stone was laid on 16th October 1845 by Captain J Robertson Walker of Gilgarran.

Christ Church was to be the first Parish in Whitehaven, and the first church with completely free sittings ie: no pew rents.

From the "Cumberland Pacquet" dated 9th September 1845 we know that the Church was built by Mr Johnston of Cockermouth, although the name of the Architect is unknown.

Other donations included £100 from Dr A. Huddleston (Vicar of St. Nicholas), £100 from Revd. Commissary Law (a relative of Bishop Law who had founded St. Bees Theological College), and "liberal contributions" from the people of Liverpool- presumably from Dr. Buddicon's and Revd Rimmers parishes.

There seems to have been little of note which occurred in the parish during the first half century of its existence.

Between 1883 and 1888 the West gallery was removed, the church re-seated, a quasi-chancel formed, a new oak altar provided, and the entrance moved to the west end.

Between 1888 and 1892 a Choir Vestry was built and the harmonica replaced by a German built organ. This organ had been the personal property of the third Vicar, Charles George Calvert who had previously been posted to Germany.

One milestone was in November 1893 when the first Confirmation service was held in the Church, and 117 candidates from the parish were presented.

At the 1891 census the parish was the largest of the four Whitehaven parishes by area (2,400 acres), and the second largest in population (5,209)- only St. James being larger.

Between the 10th and 12th October 1900 a grand fund raising bazaar was held in the Oddfellows Hall. This was to raise funds for three things:

- 1) To re-flag the approaches, repair the doors and replace spouting- *essential repairs*
- 2) To build desperately needed Parish Rooms
- 3) To improve the church by forming a chancel arch with side screens and other *desirable but not essential changes*.

The aim was to raise a total of £800 but in fact only £457/1/6 was raised.

From Volume 2 of Rex Malden's photographic memoirs (pages 40 and 41) we know that the chancel arch was not proceeded with, and (from other sources), that in the interim, an old pit building was purchased to act as Parish Rooms.

A brass was installed in memory of John Rimmer (although that was lost when the building was declared redundant), and another brass was installed to William Dickson- the Parish Clerk from 1853 to 1893- which was also later lost.

Whitehaven or Mount Pleasant Christ Church Conveyance

Chester Bishop's Register EDA 2/18 1840 to 1850 Pgs 215 to 217

27th August 1847

We Robert Jefferson of Whitehaven in the County of Cumberland Merchant and Elizabeth Jefferson (the Wife of the said Robert Jefferson) and Henry Jefferson of Whitehaven aforesaid Merchant and Ann Jefferson (the Wife of the said Henry Jefferson) under the authority and for the purposes of the Act passed in the Fifty eighth year of the reign of His Majesty King George the third intituled "An Act for building and promoting the building of additional Churches in Populous Parishes" and of another Act passed in the fifty ninth year of the reign of His Majesty King George the third intituled "An Act to amend and render more effective an Act passed in the last session of Parliament for building and promoting the building of additional Churches in Populous Parishes" and of another Act passed in the third year of the reign of His Majesty King George the Fourth intituled "An Act to amend and render more effectual two Acts passed in the fifty eighth and fifty ninth years of His late Majesty for building and promoting the building of additional churches in Populous Parishes" in consideration of the sum of Three Hundred pounds to the said Robert Jefferson and Henry Jefferson paid to and every of us doth hereby (according to our respective shares and interests in the piece of land and hereditament intended to be hereby conveyed) grant convey release and for ever quit claim to Her Majesty's Commissioners for building New Churches All that plot piece or parcel of ground (part of a yard now or lately used as a Timber yard) situate lying and being on the West side of a Street leading from the Town of Whitehaven to Ginns called Preston Street and being in the Parish of Saint Bees in the County of Cumberland containing in front to the said Street called Preston Street Eighty two feet and four inches or thereabouts and extending backwards Eighty nine feet or thereabouts be the same admeasurements a little more or less bounded on the North by other part of the said Yard the property of the said Robert Jefferson and Henry Jefferson on the South by the Dwellinghouse of Robert Kennedy on the West by the property of the Earl of Lonsdale and on the East by the said Street called Preston Street and the said piece of land intended to be hereby conveyed is delineated on the Plan drawn in the margin hereof and is therein tinted Pink And all our and every one of our right title and interest to and in the said piece of ground intended to be hereby conveyed and every part thereof To hold in Her Majesty's commissioners for building New Churches and their successors for the purposes of the said several Acts and to be devoted when consecrated to Ecclesiastical purposes for ever by virtue and according to the true intent and meaning of the said several recited Acts. In witness therof we have hereunto set our hands and seals this Twenty sixth day of December in the year of our Lord One thousand eight hundred and forty five

Robt Jefferson Elizabeth Jefferson

Henry Jefferson Ann Jefferson

Signed sealed and delivered by the within named Robert Jefferson and Elizabeth his Wife and Henry Jefferson and Ann his Wife in the presence of Richard Armitstead Solr Whitehaven Robt Jefferson Jr Clerk Whitehaven

Received this day and year last written of and from Her Majesty's Commissioner's for Building New Churches the sum of Three Hundred pounds being the consideration money within mentioned to be paid by them to us. £300

Witness

Richd Armitstead

Robt Jefferson

Robt Jefferson Jr

Henry Jefferson

This Deed marked **A** was this day produced before us and acknowledged by Elizabeth Jefferson and Ann Jefferson therein named to be their and each of their Act and Deed previous to which acknowledgement the said Elizabeth Jefferson and Ann Jefferson were examined by us separately and apart from their respective husbands touching their knowledge of the contents of the said Deed and their consent thereto and declared the same to be freely and voluntarily executed by them respectively Dated this Thirteenth day of February One Thousand eight hundred and forty six Henry Atkinson Richard Armitstead Perpetual Commrs for Cumberland

Mount Pleasant Certificate

Chester Bishop's Register EDA 2/18 1840 to 1850 Pgs 217 & 218

These are to certify, that on the Thirtieth day of February in the year of our Lord one thousand eight hundred and forty six before us Henry Atkinson and Richard Armitstead two of the Perpetual Commissioners appointed for the County of Cumberland for taking the acknowledgement of Deeds by Married Women pursuant to the Act passed in the third and fourth years of the reign of His late Majesty King William the fourth instituted an Act for the abolition of Fines and Recoveries, and for the "Subscription of more simple modes of Assurance" appeared personally Elizabeth Jefferson the Wife of Robert Jefferson of Whitehaven in the County of Cumberland Merchant and Ann Jefferson the Wife of Hery Jefferson of Whitehaven aforesaid Merchant and produced a certain Deed Poll marked with the letter **A** bearing date the Twenty sixth day of December one thousand eight hundred and forty five and made between the said Robert Jefferson and Elizabeth his Wife and Henry Jefferson and Ann his Wife and Her Majesty's Commissioners for Building New Churches and acknowledged the same to be their and each of their Act and Deed And do hereby certify that the said Elizabeth Jefferson and Ann Jefferson were at the time of their respectively acknowledging the said Deed of full age and competent understanding and that they were each of them examined by us apart from their said respective husbands touching their knowledge of the contents of the said Deed and that they and each one of them freely and voluntarily consented to the same

Henry Atkinson

Richd Armitstead
of Certificates &c

Examined Copy

Thos Sherwood Clerk of the Enrolment

Whitehaven or Mount Pleasant Christ Church Sentence of Consecration

Chester Bishop's Register EDA 2/18 1840 to 1850 Pgs 218 to 222

John Bird by Divine Permission Lord Bishop of Chester To all Christian People Greeting Whereas by an Act of Parliament made and passed in the Session of Parliament held in the sixth and seventh years of the reign of Her present Majesty instituted "An Act to make better provision for the spiritual care of Populous Parishes" after veiling that there were divers Parishes Chapelries and Districts of great extent and containing a large Population wherein or in parts whereof the provision for Public Worship and for pastoral superintendence is insufficient for the spiritual wants of the Inhabitants thereof It is enacted that if at any time it shall be made to appear to the Ecclesiastical Commissioners for England that it would promote the interests of Religion that any part or parts of any such Parish or Parishes Chapelry or Chapelries District or Districts or any extra Parochial place or places or any part or parts thereof should be constituted a separate district for spiritual purposes it shall be lawful by the authority aforesaid to constitute a separate District accordingly And whereas the Parish of Saint Bees in the County of Cumberland and Diocese of Chester is of great extent and contains a large Population and the provision of Public Worship and for the Pastoral superintendence therein is insufficient for the spiritual wants of the Inhabitants thereof And whereas in pursuance of the said Act that part of the division or quarter of the said Parish of Saint Bees commonly known by the name of "The Preston Quarter" bounded as follows that is to say in the South West by the Sea, on the South East and East by the Trinity District in the said Parish and then by an imaginary line extending towards the South East from the extreme South Eastern corner of the Trinity District aforesaid (marked A on the Map or Plan of the said District) along the middle of the Turnpike road from the Whitehaven to Egremont as far as the boundary of the Township of Hensingham in the same Parish (marked B in the said Plan) on the South and South East by the same Township and on the South West and West by an imaginary line extending towards the North West from the North Western boundary of the same Township along the middle of a certain Cross Turnpike road (marked C in the said Plan) from Egremont Turnpike road aforesaid to Saint Bees Turnpike road (marked D in the said Plan) and thence southward along the middle of such last mentioned road and of Wilson Pit Waggon Way (marked E in the said Plan) as far as the Croft Pit coal yard (marked F in the said Plan) and thence Westward along the Southern side of such yard to a point (marked G in the said Plan) at the Western corner thereof and thence in a straight direction towards the North West across a certain field called Croft Pit field to the South Western corner of certain premises called Lingdale (marked H in the said Plan) and into Barrowmouth Lane and thence southward along the middle of such lane and along the Eastern boundary of the Township of Sandwith in the said Parish of Saint Bees as far as the Sea hath been constituted a separate District under the provisions of the said Act of Parliament by the name of the District of Mount Pleasant And whereas certain persons have erected built and fitted up this Church to the Honor and Worship of Almighty God according to the uses of the United Church of England and Ireland on a certain piece or parcel of ground situate lying and being within the said District part of a Yard now or lately used as a Timber Yard situate lying and being on the West Side of a Street leading from the Town of Whitehaven to Ginns called Preston Street and being in the said Parish of Saint Bees containing in front to the said Street called Preston Street Eighty two feet four inches or thereabouts be the same admeasurements a little more or less bounded on the North by other part of the said Yard the property of Robert Jefferson of Whitehaven aforesaid Merchant and Elizabeth his Wife and Henry Jefferson of the same place Merchant and Ann his Wife on the south by the dwelling house of Robert Kennedy, on the West by the property of the Earl of Lonsdale and on the East by the said Street called Preston Street and duly conveyed by the said Robert Jefferson and Elizabeth his Wife and Henry Jefferson and Ann his Wife in consideration of the sum of Three hundred pounds to them the said Robert Jefferson and Henry Jefferson paid for the purpose aforesaid by a certain Indenture bearing date the Twenty sixth day of December One thousand eight hundred and forty five deposited in the Public Episcopal Registry of Chester And whereas the said Church hath been duly fitted up with all things necessary for the performance of Divine services and Holy Offices therein and hath been approved of by the said Commissioners as by the said Act

required And we are now Petitioned to consecrate the same We therefore proceeding on the Episcopal Authority to us belonging by Law and Usage and first calling upon the Most High God of Heaven and Earth Father Son and Holy Ghost for a blessing upon this our present purposes Do hereby dedicate this building to the Honor and Worship of Almighty God according to the Rites of the United Church of England and Ireland And we consecrate this Church by the name of Christ Church And we further in pursuance of the provisions of the Act aforesaid declare that from henceforth the aforesaid District shall be and be deemed to be a New Parish for Ecclesiastical purposes and shall be known as such by the name of The New Parish of Mount Pleasant instead of the District of Mount Pleasant and that this Church shall be the Church of such New Parish accordingly and that the Licence granted by us licensing the same for Divine Worship shall be void And we further decree that it shall be lawful to Publish Banns of Matrimony in this Church and according to the Law and Canons in force in this realm to solemnize therein Marriages Baptisms and Churchings and for the Minister or Perpetual Curate thereof for the time being to require and receive such fees upon the solemnization of such Offices as any of them as shall be fixed by the Chancellor of our Diocese And we further decree that the like Easter Offerings and Dues may be received within the limits of this New Parish of Mount Pleasant by the Perpetual Curate thereof as were heretofore payable to the Vicar of the Parish of Saint Bees aforesaid and that the several laws and customs now or hereafter in force relating to the Publication of Banns of Matrimony and to the performance of Marriages Baptisms and Churches and the Registering thereof respectively and to the suing for and recovering of Fees Oblations and Offerings in respect thereof shall apply to this Church and to the perpetual Curate thereof for the time being Provided always that it shall not be lawful for any such Perpetual Curate to receive any fee for the performance of any Baptism within this New Parish or for the registration thereof And we further declare that two fit and proper persons being members of the United Church of England and Ireland shall within twenty one days from the Consecration of this Church be chosen Churchwardens for this New Parish one to be chosen by the Perpetual Curate thereof and the other by the Inhabitants residing therein and having a similar qualification to that which would entitle Inhabitants to vote at the election of Churchwardens for the Parish of Saint Bees aforesaid on the majority of such Inhabitants and such Election shall take place at a meeting to be summoned in such manner in all respects as such Perpetual Curate shall direct and such persons shall continue such Churchwardens until the next usual period of appointing Parish Officers following their appointment and at the like time in every year two such persons shall thenceforward be chosen by the Perpetual Curate for the time being and Inhabitants assembled as aforesaid and every person so chosen as aforesaid shall be duly admitted and shall do all things pertaining to the Office of Churchwarden as to Ecclesiastical matters in the said New Parish provided always that nothing herein contained shall render any such Churchwardens liable or competent to perform the duties of Overseer of the Poor in respect of such their Office of Churchwardens Provided also that until Parliament shall otherwise determine nothing herein contained shall be construed to affect or alter any rights privileges or liabilities whatsoever Ecclesiastical or Civil of any Parish Chapelry or District except as is herein expressly provided

J.B. Chester This Sentence was openly read and promulged upon Wednesday the
Twenty ninth day of September in the year of our Lord One thousand eight hundred and forty seven
In the presence of R Parkinson Incumbent of Saint Bees & Rural Dean Felix
Knyvelt Secretary to the Bishop

The Consecration Service

The Consecration service (held on the feast of St. Michael and All Angels) was reported in depth in the "Cumberland Pacquet" dated 5th November 1847, from which the following details are extracted.

The service started at 10.30 am. Amongst other clergy attending were the Vicars/Perpetual Curates of Whitehaven Holy Trinity, St. Nicholas and St. James, Distington, Moresby, Gosforth, Irton, Arlecdon, St. Bees, Brigham, Stanwix, Calderbridge & Rockcliffe, also the Stipendiary Curates of the other three Whitehaven Churches.

The service commenced with the reading of the Sentence of Consecration by Canon Parkinson (the Principal of St. Bees Theological College), then continued with the Morning Office read by Dr. Rimmer (the Vicar), and Holy Communion presided over by Canon Parkinson and the Bishop of Chester.

The appointed psalms for the day were 84, 122 and 132 with the lessons being 2 Chronicles 6: 1 to 31 and Luke 4:14 to 21. The sermon was preached by the Bishop on the text of Hebrews 6:18. The Collection, for Church funds, was £23/8/6. (£23.42 in decimal money).

The students of St. Bees Theological College provided the musical and choral parts of the service from the West Gallery.

The service ended at 1pm, and the party then retired to the Black Lion Hotel on King Street for luncheon. (The menu for this meal can be found in the 1900 Bazaar brochure).

In the afternoon the Bishop presided at a Confirmation Service at Holy Trinity Church where some 300 candidates were presented.

Whitehaven or Mount Pleasant Christ Church Approval of Church

Chester Bishop's Register EDA 2/18 1840 to 1850 Page 222

We the Ecclesiastical Commissioners for England under the authority of the Act passed in the Session of Parliament held in the sixth and seventh years of Her Majesty's Reign instituted "An Act to make better provision for the spiritual care of Populous Parishes" hereby approve the Church or Chapel caused to be erected within the District of Mount Pleasant in the County of Cumberland and in the Diocese of Chester lately constituted under the authority of the said Act In witness whereof we have hereunto set our Common Seal this Twenty fourth day of June in the year of our Lord One Thousand eight hundred and forty seven.

The later Division of the Parish into Kells and Mirehouse & the late History of the Parish

By the winter of 1908 to 1909 there were already 140 houses built on the Kells Estate. Christ Church therefore began holding "Cottage Services" ¹ at an un-recorded location on the estate. In the 21st century these would be known as House Groups or a Church Plant. In November 1918 these moved into the Mid Street Rooms.

From 20th October 1920 these services were being held in a separate Mission Building, with its own Altar, Organ and general Church set-up. This was an old Army Hut on the site of the present Vicarage. This Mission Church was not actually licensed until 30th July 1934².

On 22nd November 1931 Revd Edward Ralph Bickersteth³ was appointed curate (his first curacy was at Christ Church, Liverpool) with his primary responsibility being Kells. In November 1934 Revd Harry George Green became Curate⁴ with the sole responsibility of Kells. He was then licensed as first Vicar of the new Parish of Kells on 8th December 1935⁵. As early as 1931 the Mission Hall is referenced as St. Peter's

The Parish of Kells was created by Order in Council dated 12th November 1935⁶.

For the sake of completeness it is worth recording that the Mission Hall was demolished in the Summer of 1939 to allow the new Church to be completed. Services were then held in the Welfare Hall between 7th June and 16th September 1939⁷ - the date of consecration of the new Church.

On 14th March 1935 the Parish of Holy Trinity combined with Christ Church⁸.

In the period after the Second World War the Mirehouse Estate began to be developed. A Conventional District of Mirehouse was formed on 8th June 1955⁹, part of the new Parish being divided out from Christ Church and part from Hensingham, with the Revd Ronald George Forward appointed as its first minister. The Church of St. Andrew (a Chapel of Ease to Hensingham) was consecrated on 19th May 1956¹⁰, and the new Parish came into being on 25th September 1961, still under the ministry of Revd Forward.¹¹ He stayed until 1965 when he went to Kendal St. Thomas.

In 1967 a new Processional Cross was donated by Mr W. O'Neill, made by the Keswick School of Industrial Arts. In 1977 (after closure) this was donated to the Parish of St. Peter, Kells

In 1973 the Parish of Holy Trinity with Christ Church was joined with the Parish of St. Nicholas, then on 24th February 1977 the new Parish of Whitehaven came into being when this combined parish joined with the Parish of St. James.

After the St. Nicholas fire in 1971 there were lengthy discussions regarding either the rebuilding of St. Nicholas or the designation of Christ Church as the Parish Church of the Parish of HT/CC/SN. In the event this was not to be. The Privy Council declared the Church redundant on 11th May 1977, with

¹ Parish Magazines

² Bishop's Register, page 202

³ Bishop's Register page 143 (origin in Magazine)

⁴ Parish Magazine

⁵ Bishop's Register page 230

⁶ London Gazette of even date Pages 7155 to 7157

⁷ Bishop's Register page 298

⁸ Order in Council dated 20th December 1934, published in London Gazette dated 1st January 1935

⁹ Bishop's Register, page 459

¹⁰ Bishop's Register, page 467

¹¹ Bishop's Register, page 517

effect from 1st June 1977. The PCC was dissolved after its last meeting on 22nd May 1977, and the last service was Evensong on 29th May 1977.

Following closure the building was used for a variety of Commercial uses, but was demolished in 2004 after a devastating fire on Sunday 2nd November 2003 which rendered the premises structurally unsafe. By that date it was the 'Bodyline Fitness Centre'. The fire is believed to have been arson. Fire crews from Whitehaven and Frizington took more than two hours to control the fire, and much longer to completely extinguish. There is a full report on Page 1 of "The Whitehaven News" dated 6th November 2003.

Bishop's Registers Transcribed by Mr Stuart Nicholson. Honorary Archivist of the Parish of Whitehaven 11th February 2010

Thanks to Carlisle and Chester Record Offices for providing access to Bishop's Register's, Act's Books and the Legislation.

APPENDIX 1: ENABLING LEGISLATION

6th & 7th Vic Chapter 37: An Act to make better Provision for the Spiritual Care of populous Parishes Paragraphs IX to XIX and XXIV {28th July 1843}

IX And whereas there are divers Parishes, Chapelries and Districts of great Extent, and containing a large Population, whereas or in Parts whereof the Provision for Public Worship and for Pastoral Superintendence is insufficient for the Spiritual Wants of the Inhabitants thereof; be it therefore enacted, That if at any Time it shall be made to appear to the said Ecclesiastical Commissioners for England that it would promote the Interests of Religion that any Part or Parts of any such Parish or Parishes, Chapelry or Chapelries, District or Districts, or any Extra-parochial place or Places, or any Part or Parts thereof, should be constituted a separate District for Spiritual Purposes, it shall be lawful, by the Authority aforesaid, with the Consent of the Bishop of the Diocese under his Hand and Seal, to set out by Metes and Bounds, and constitute a separate District accordingly, such District not then containing within its Limits any consecrated Church or Chapel in use for the Purposes of Divine Worship, and to fix and declare the Name of such District: Provided always, that the Draft of any Scheme for constituting any such District proposed to be laid before Her Majesty in Council by the said Commissioners shall be delivered or transmitted to the Incumbent and to the Patron or Patrons of the Church or Chapel of any Parish, Chapelry or District out of which it is recommended that any such District or any Part thereof should be taken, in order that such Incumbent, Patron or Patrons, may have an Opportunity of offering or making to the said Commissioners or to such Bishop any Observations or Objections upon or to the constituting of such District; and that such Scheme shall not be laid before Her Majesty in Council until after the Expiration of One Calendar Month next after such Copy shall have been so delivered or transmitted, unless such Incumbent and Patron or Patrons shall in the meantime consent to the same: Provided also, that in every Scheme for constituting any such District, the said Commissioners shall recommend to Her Majesty in Council that the Minister of such District, when duly licensed as herein-after mentioned, shall be permanently endowed, under the Provisions herein-after contained, to an Amount of not less than the annual Value of One hundred Pounds; and also, if such Endowment be of less than the annual Value of One hundred and fifty pounds, that the same shall be increased under the like Provisions to such last mentioned Amount at the least so soon as such District shall have become a new Parish as hereinafter provided.

X And be it enacted, That a Map or Plan, setting forth and describing such Metes and Bounds shall be annexed to the Scheme for constituting such District, and transmitted therewith to Her Majesty in Council, and a Copy thereof shall be registered by the Registrar of the Diocese, together with any Order issued by Her Majesty in Council for ratifying such Scheme: Provided always, that it shall not be necessary to publish any such Map or Plan in the *London Gazette*.

XI And be it enacted, That upon any such District being so constituted, a Minister may and shall be nominated thereto in manner herein-after provided, and may thereupon be licensed thereto by the Bishop, and shall have power to perform and shall perform within such District all such Pastoral Duties appertaining to the Office of a Minister according to the Rites and Usages of the United Church of *England* and *Ireland* as shall be specified and set forth in his Licence, and when a building shall be licensed within such District for Divine Worship in manner herein-after provided, shall also perform such Services and Offices as shall be specified and set forth in the same or any further Licence granted in that Behalf by the Bishop of the Diocese; and such Minister shall perform such Pastoral Duties, Services and Offices respectively, independently of the Incumbent or Minister of the Church of any Parish, Chapelry, or District out of which such new District or any Part thereof shall have been taken, and shall, so far as the Performance of the same may be authorized by such Licence or Licences, have the Cure of Souls in and over such new District: Provided always, that no Burials shall be performed in such licensed Building, and that nothing in this Act contained shall empower such Bishop to include in any such Licence the Solemnization of Marriages.

XII And be it enacted, That such Minister shall be styled “The Minister of the District of _____,” according to the Name thereof so fixed as aforesaid, and shall be in all respects subject to the Jurisdiction of the Bishop

and Archdeacon within whose Diocese and Archdeaconry such District shall be situate, and shall only be removeable from his Office of such Minister for the like Reasons and in the same Manner as any Perpetual Curate is now by Law removeable; and such Minister shall be a Body Politic and Corporate, and shall have perpetual Succession, as well as by the Name and in the Character aforesaid, as by the Name and in the Character of Perpetual Curate herein-after mentioned and provided, as the Case may be; and such Minister and Perpetual Curate respectively may, in such Name and Character respectively, notwithstanding the Statutes of Mortmain, receive and take, to him and his Successors, as well every Grant of Endowment or Augmentation made or granted by the Authority aforesaid, as also any Real or Personal Estate or Effects whatsoever which any Person or Persons or Body Corporate may give or grant to him according to Law.

XIII And be it declared and enacted, That it shall be lawful for the Bishop of the Diocese, at any Time after the constituting of any such District as aforesaid, to license any Building, within such District which he may consider to be fit and proper for such Purpose, for the Performance of Divine Service by such Minister according to the Rites and Usages of such United Church; and such Minister may for any Churchings performed under any such Licence receive such Fees as shall be fixed and determined in manner herein-after provided and all Laws now in force relating to the Registration of Baptisms shall apply to all Baptisms performed under any such Licence.

XIV Provided always, and be it enacted, That, until a Church or Chapel shall have been built or acquired within such District, and shall have been approved and consecrated as herein-after provided, nothing herein contained shall prejudice or affect the Right of any Incumbent of any other Church or Chapel, who before the constituting of such District possessed the entire Cure of Souls within the same or any part thereof, to publish any Banns, solemnize any Marriages, or perform any Burials in his own Church or Chapel which he could have published, solemnized or performed therein, or to receive any Fees, Dues, or Emoluments (except the Fees herein before authorized to be received by the Minister of such District) which as such Incumbent he could have received if such District had not been constituted, nor any Right to attend Divine Service in any other Church or Chapel, which any inhabitant of such District possessed before such District was constituted.

XV And be it enacted That when any Church or Chapel shall be built, purchased, or acquired in any District constituted as aforesaid, and shall have been approved by the said Commissioners, by an Instrument in Writing under their Common Seal, and consecrated as the Church or Chapel of such District, for the Use and Service of the Minister and Inhabitants thereof, such District shall, from and after the Consecration of such Church or Chapel, be and be deemed to be a new Parish for Ecclesiastical Purposes, and shall be known as such by the Name of "The new Parish of _____," instead of "The District of _____," according to the Name so as aforesaid fixed for such District; and such Church or Chapel shall become and be the Church of such new Parish accordingly; and any Licence granted by the Bishop licensing any Building for Divine Worship as aforesaid shall thereupon become void; and it shall be lawful to publish Banns of Matrimony in such Church, and according to the Laws and Canons in force in this Realm to solemnize therein Marriages, Baptisms, Churchings and Burials, and to require and receive such Fees upon the Solemnization of such Offices or any of them as be fixed by the Chancellor of the Diocese in which such new Parish shall be situate, and which Fees, and also the Fees for Churchings to be received as aforesaid by the Minister of such District, such Chancellor is hereby empowered and required to fix accordingly; and the like *Easter* Offerings and Dues may be received within the Limits of such new Parish by the Perpetual Curate thereof as are and were, at and before the Time of the passing of this Act payable to the Incumbent of the Church of the principal Parish of which such new Parish originally formed a Part; and the several Laws, Statutes, and Customs in force relating to the Publication of Banns of Matrimony, and to the Performance of Marriages, Baptisms, Churchings, and Burials and the registering thereof respectively, and to the suing for and recovering of Fees, Oblations or Offerings in respect thereof, shall apply to the Church of such new Parish, and to the Perpetual Curate thereof for the Time being: Provided always, that it shall not be lawful for any such Minister or Perpetual Curate to receive any Fee for the Performance of any Baptism within his District or new Parish, as the Case may be, or for the Registration thereof.

XVI And it be enacted, That upon any such District so becoming a new Parish, the Minister of such District, having been duly licensed, shall, without any further Process or Form in Law, become and be Perpetual Curate

of such new Parish and of the Church thereof, and shall have exclusive Cure of Souls in and over such Parish; and shall be a Body Politic and Corporate, and have perpetual Succession; and that such Parish and Church shall be and be deemed to be a Perpetual Curacy, and a Benefice with Cure of Souls to all Intents and Purposes.

XVII And be it enacted, That in every such Case of a District so becoming a new Parish Two fit and proper Persons, being Members of the United Church of *England* and *Ireland*, shall, within Twenty-one Days from the Consecration of the Church thereof, be chosen Churchwardens for such new Parish, one being chosen by the Perpetual Curate thereof, and the other by the Inhabitants residing therein, and having a similar Qualification to that which would entitle Inhabitants to vote at the Election of Churchwardens for the principal Parish as aforesaid, or the Majority of such Inhabitants, and such Election shall take place at a meeting to be summoned in such Manner in all respects as Perpetual Curate shall direct, and such Persons shall continue such Churchwardens until the next usual Period of appointing Parish Officers following their Appointment; and at the like Time in every Year Two such persons shall thenceforward be chosen by the Perpetual Curate for the Time being and Inhabitants assembled as aforesaid; and every Person so chosen as aforesaid shall be duly admitted, and shall do all Things pertaining to the Office of Churchwarden as to Ecclesiastical Matters in the said new Parish; Provided always that nothing herein contained shall render any such Churchwarden liable or competent to perform the Duties of Overseer of the Poor in respect of such their Office of Churchwardens.

XVIII Provided always, and it be enacted, That until Parliament shall otherwise determine, nothing herein contained shall be construed to affect or alter any Rights, Privileges, or Liabilities whatsoever, Ecclesiastical or Civil, of any Parish, Chapelry, or District, except as is herein expressly provided.

XIX And be it enacted, That the recited Acts, so far as they apply to making better Provision for the Cure of Souls, shall extend to authorize the Endowment or Augmentation of the Income of such Ministers and Perpetual Curates as aforesaid to such an Amount or in such Proportion, and in such Manner, as shall be deemed expedient by the Authority aforesaid; and also to authorize the assigning, at any Time and from Time to Time, to the Incumbent of any Church or Chapel, whose Fees, Dues, or other Emoluments shall be diminished by or in consequence of any Proceeding under the Provisions of this Act, and if it be deemed fit by the like Authority, to his Successors also, of such an annual Sum as shall, upon due Inquiry, appear to be a just and reasonable Compensation for such Diminution.

XXIV And whereas it may be expedient that Her Majesty's Commissioners for building new Churches should be able to apply a Portion of the Funds placed at their Disposal towards promoting the Purposes of this Act; be it enacted, That it shall be lawful for the said Commissioners to make any such Grant in aid of the Erection of any such new Church or Chapel as aforesaid as shall seem fit to them, if they are authorized so to do under the Church Building Acts, although the Right of Patronage of such Church or Chapel may not belong on the Consecration thereof to the Incumbent of the original Parish in which such Church or Chapel shall be situate, any thing in such Acts to the contrary notwithstanding.

7th & 8th Vic Chapter 94 An Act to explain and amend an Act for making better Provision for the Spiritual Care of populous Parishes Paragraphs I, II and VIII [9th August 1844]

I Whereas an Act was passed in the last Session of Parliament, intituled *An Act to make better Provision for the Spiritual Care of populous Parishes*; and it is expedient to explain and amend certain of the Provisions of the said Act: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lord's Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That wherever any Right or Patronage of any District or new Parish constituted under the Authority of the said Act, and Nomination of the Minister or Perpetual Curate thereof, shall be assigned to or vested in or may be exercised by Her Majesty, according to or under the Provisions of the same Act, it shall be lawful for Her Majesty to nominate to the Bishop of the Diocese a Spiritual Person to be licensed to such District or new Parish as Minister or Perpetual Curate thereof, as the Case may be, by Warrant under Her Royal Sign Manual; and such Warrant shall be full and sufficient Authority, to such Bishop to license such Spiritual Person accordingly.

II And it be declared and enacted, That wherever any Right of Patronage of any such District or new Parish shall in like Manner be assigned to or vested in, or may be exercised by any Bishop, it shall be lawful for such Bishop to license a Spiritual Person to such District or new Parish as Minister or Perpetual Curate thereof, as the Case may be, in the same Manner, *mutatis mutandis*, as he may now by Law license a Spiritual Person to any Perpetual Curacy.

VIII And it be declared and enacted, That, notwithstanding any thing in the said recited Act contained, it shall be lawful to transmit the original Map or Plan annexed to any Scheme laid before Her Majesty in Council under the Provisions of the said recited Act, to be registered in the Registry of the Diocese, instead of a Copy thereof, as provided by the same Act.