



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

# VICTORIÆ REGINÆ.

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## *Cap. 24.*

An Act to ascertain the Periods when the Division, under the Church Building Acts, of the Parish of *Stockport* in the County Palatine of *Chester* into the Two distinct and separate Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport* shall take complete Effect, and the Exercise of the Rights of Presentation to the Rectories or Churches of the same Parishes respectively shall commence ; and for other Purposes.

[31st July 1854.]

**W**HEREAS by an Act of Parliament passed in the First Year of the Reign of His Majesty King *George* the First, intituled *An Act for making more effectual Her late Majesty's gracious Intentions for augmenting the Maintenance of the Poor Clergy*, after reciting that Her said late Majesty's Royal Bounty to the Poor Clergy was intended to extend not only to Parsons and Vicars who come in by Presentation, or Collation, Institution, and Induction, but likewise to such Ministers who come in by Donation, or are only stipendiary

[*Private.*]

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stipendiary Preachers or Curates officiating in any Church or Chapel where the Liturgy and Rites of the Church of *England* were then by Law established were and should be used and observed, most of which were not Corporations, nor had a legal Succession, and therefore were incapable of taking a Grant or Conveyance of such perpetual Augmentation as was agreeable to Her said late Majesty's gracious Intentions, and that in many Places it would be in the Power of the Impropiator, Donor, Parson, or Vicar to withdraw the Allowance then or thereafter paid to the Curate or Minister serving the Cure, or, in case of a Chapelry, the Incumbent of the Mother Church might refuse to employ a Curate or permit a Minister duly nominated or licensed to officiate in such augmented Chapel, and might officiate there himself, and take the Benefit of the Augmentation, though his Living be above the Value of those which were intended to be first augmented, and the Maintenance of the Curate or Minister would thus be sunk, instead of being augmented, it was enacted, that all such Churches, Curacies, or Chapels which should at any Time thereafter be augmented by the Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy should be and were thereby declared and established to be, from the Time of such Augmentations, perpetual Cures and Benefices, and the Ministers duly nominated and licensed thereunto, and their Successors respectively, should be and be esteemed in Law Bodies Politic and Corporate, and should have perpetual Succession by such Name and Names as in the Grant of such Augmentation should be mentioned, and should have a legal Capacity, and were thereby enabled to take in perpetuity, to them and their Successors, all such Lands, Tenements, Tithes, and Hereditaments as should be granted unto or purchased for them respectively by the said Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy, or other Persons contributing with the said Governors as Benefactors, any Law or Statute to the contrary notwithstanding, and that the Impropiators or Patrons of any augmented Churches or Donatives for the Time being, and their Heirs, and the Rectors and Vicars of the Mother Churches whereto any such augmented Curacy or Chapel did appertain, and their Successors, should be and were thereby utterly excluded from having or receiving, directly or indirectly, any Profit or Benefit by such Augmentation, and should from Time to Time and at all Times from and after such Augmentation pay and allow to the Ministers officiating in any such augmented Church and Chapel respectively such annual and other Pensions, Salaries, and Allowances which by ancient Custom or otherwise of Right, and not of Bounty, ought to be by them respectively paid and allowed, and which they might by due Course of Law before the making of the said Act now in recital have been compelled to

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to pay or allow to the respective Ministers officiating there, and such other yearly Sum or Allowance as should be agreed upon (if any should be) between the said Governors and such Patron or Improprator upon making the Augmentation, and that the same were and should be thereby perfectly vested in the Ministers officiating in such augmented Church or Chapel respectively, and their respective Successors; but it was by the said Act provided, that no such Rector or Vicar of such Mother Church, or any other Ecclesiastical Person or Persons having Cure of Souls within the Parish or Place where such augmented Church or Chapel should be situate, or his or their Successors, should thereby be divested or discharged from the same, but the Cure of Souls, with all other Parochial Rights and Duties (such Augmentation and Allowances to the augmented Church or Chapel as aforesaid only excepted), should thereafter be and remain in the same State, Plight, and Manner as before the making of the said Act, and as if the said Act were not made; and for continuing the Succession in such augmented Cures thereby made perpetual Cures and Benefices, and that the same might be duly and constantly served, it was by the said Act enacted, that in case such augmented Cures be suffered to remain void by the Space of Six Months without any Nomination within that Time of a fit Person to serve the same (by the Person or Persons having the Right of Nomination thereunto) to the Bishop or other Ordinary, within that Time, to be licensed for that Purpose, the same should lapse to the Bishop or other Ordinary, and from him to the Metropolitan, and from the Metropolitan to the Crown, according to the Course of Law used in Cases of Presentative Livings and Benefices, and that the Right of Nomination to such augmented Cure might be granted or recovered, and the Incumbency thereof might and should cease and be determined, in like Manner and by the like Methods as the Presentation to or Incumbency in any Vicarage Presentative might be then respectively granted, recovered, or determined: And whereas by an Act of Parliament passed in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the further Support and Maintenance of Curates within the Church of England, and for making certain Regulations respecting the Appointment of such Curates, and the Admission of Persons to Cures augmented by Queen Anne's Bounty, with reference to the Avoidance of other Benefices*, after reciting that by the said Act passed in the First Year of His Majesty King *George* the First it was enacted, that all Churches, Curacies, and Chapels which should be augmented by the Governors of the late Queen *Anne's* Bounty should be from thenceforth Perpetual Cures and Benefices, and also reciting that it was expedient that such augmented Churches, Curacies, and Chapels should be subject to the same Rules as Benefices with respect to the Avoidance of other Benefices, it was by

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36 G. 3. c. 83.

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the said Act now in recital enacted, that such augmented Churches, Curacies, and Chapels should be considered in Law as Benefices Presentative, so as that the Licence thereto should operate in the same Manner as Institution to such Benefices, and should render voidable other Livings in like Manner as Institution to the said Benefices: And whereas by an Act of Parliament passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled

58 G. 3. c. 45. *An Act for building and promoting the building of additional Churches in populous Parishes*, after empowering His Majesty to appoint in manner therein mentioned such Persons as His Majesty should deem fit to be His Majesty's Commissioners for carrying into execution the said Act now in recital, it was enacted (by Section Thirteen), that it should be lawful for the said Commissioners to make, in His Majesty's Name, out of the Sum appropriated by the said Act now in recital, Grants for building or to cause to be built Churches or Chapels in such Parishes or Extra-parochial Places only in which there was a Population of not less than Four thousand Persons, and in which there was not Accommodation in the Churches or Chapels therein for more than One Fourth Part of such Population to attend Divine Service according to the Rites of the United Church of *England* and *Ireland*, or in which there should appear to the said Commissioners to be One thousand Persons resident more than Four Miles from any such Church or Chapel, and in which the Commissioners should be satisfied, from the Circumstances of such Parish or Extra-parochial Place, of the Inability of the Parishioners and Inhabitants thereof to bear any Part of the Charge of such building, in addition to the Charge therein-after mentioned, and also to make Grants or Loans to assist in building such Churches and Chapels in such other Parishes or Places as might contain a like Population, and might equally require further Accommodation for Divine Service, but in which the said Commissioners might deem the Parishioners and Inhabitants thereof capable of bearing a Part of the Expense of erecting such Churches and Chapels, or of repaying the same by Instalments if advanced by way of Loan; and it was by Section Sixteen of the same Act enacted, that in every Case in which the said Commissioners should be of opinion that it would be expedient to divide any Parish into Two or more distinct and separate Parishes for all Ecclesiastical Purposes whatever, it should be lawful for the said Commissioners, with the Consent of the Bishop of the Diocese in which such Parish was locally situated, signified under his Hand and Seal, to apply to the Patron or Patrons of the Church of such Parish for his Consent to make such Division, and for such Patron or Patrons to signify his or their Consent thereto, under his Hand and Seal, and that the said Commissioners should, upon the Consent of the said Patron or Patrons so signified, represent the whole

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Matter to His Majesty in Council, and should state in such Representation the Bounds by which it was proposed, with such Consent as aforesaid, to divide such Parish, together with the relative and respective Proportions of Glebe Land, Tithes, Moduses, or other Endowments which would by such Division arise and accrue and remain and be within each of such respective Divisions, and also the relative Proportions of the estimated Amount of the Value or Produce of Fees, Oblations, Offerings, or other Ecclesiastical Dues or Profits which might arise and accrue within each of such respective Divisions, and that if thereupon His Majesty in Council should think fit to direct such Division to be made, such Order of His Majesty in Council should be valid and good in Law for the Purpose of effecting such Division; but it was by the same Section of the said Act now in recital provided, that no such Division of any Parish into distinct Parishes should completely take effect until after the Death, Resignation, or other Avoidance of the existing Incumbent of the Parish to be divided; and it was by the Seventeenth Section of the said Act now in recital provided and further enacted, that all Tithes, Moduses, Endowments, or other Ecclesiastical Dues or Profits belonging to the Incumbent of any such Parish, whether by Endowment, Prescription, Usage, or otherwise, should, when so divided as aforesaid, belong to and be recoverable by the Incumbents of the Churches of each of the Divisions respectively of the Parish to which they should be assigned, in like Manner in every respect as they were before recoverable by the Incumbent of the original Parish; and it was by the Eighteenth Section of the said Act now in recital provided and further enacted, that during the Incumbency of the existing Incumbent of every such Parish every new Church therein built, purchased, assigned, or provided as the intended Parish Church of any Division intended to become and be a distinct Parish should remain a Chapel of Ease, and should be served during the Incumbency of such Incumbent of the original Parish by a Curate to be nominated by such Incumbent, and licensed by the Bishop of the Diocese, and paid in manner therein-after directed; and it was by the Nineteenth Section of the said Act now in recital enacted, that every such distinct and separate Parish as aforesaid should, when such Division as aforesaid should become complete, by the Death, Resignation, or other Avoidance of the existing Incumbent of the original Parish, be deemed either a Rectory, Vicarage Donative, or Perpetual Curacy, and the Spiritual Person serving the same the Rector, Vicar, or Perpetual Curate thereof, or Person having Cure of Souls therein, according to the Nature of the original Church of the Parish so divided, and should be for ever thereafter subject to the Laws, Provisions, and Regulations as to Presentation and Appointment, and as to Institution, Collation, Induction, or Licence, and to

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all such Jurisdiction of the Bishop or other Jurisdiction, and to holding Benefices, as were by Law applicable to the original Parish; and it was by the Twenty-first Section of the said Act now in recital further enacted, that in any Case which the said Commissioners should be of opinion that it would not be expedient to divide any populous Parish or Extra-parochial Place into such complete, separate, and distinct Parishes as aforesaid, but that it was expedient to divide the same into such Ecclesiastical Districts as they, with the Consent of the Bishop, signified under his Hand and Seal, might deem necessary, for the Purpose of affording Accommodation for the attending Divine Service according to the Rites of the United Church of *England* and *Ireland* to Persons residing therein in the Churches and Parochial Chapels already built, or in additional Churches or Chapels to be built therein, and as might appear to such Commissioners to be convenient for the enabling the Spiritual Person or Persons who might serve such Churches or Chapels to perform all Ecclesiastical Duties within the Districts attached to such respective Churches and Chapels, and for the due Ecclesiastical Superintendence of such District, and the Preservation and Improvement of the religious and moral Habits of the Persons residing therein, the said Commissioners should represent such Opinion to His Majesty in Council, and should state in such Representation the Bounds by which such Districts were proposed to be described; and if thereupon His Majesty in Council should think fit to direct such Division to be made, such Order of His Majesty in Council should be valid and good in Law for the Purpose of effecting such Division, or in any Case in which the said Commissioners should be of opinion that it was not expedient to make any such Division into such Ecclesiastical Districts as aforesaid, the said Commissioners might build or aid the building of any additional Chapels in any such Parishes or Extra-parochial Places, to be served by Curates to be respectively nominated and appointed by the respective Incumbents of the Churches of the respective Parishes or Extra-parochial Places, and licensed by the Bishop of the Diocese, such Curates to be paid such Salaries as should be assigned by the said Commissioners, under the Provisions of the said Act now in recital, in manner therein-after directed; and it was by the Twenty-second Section of the said Act now in recital further enacted, that the several new Parishes created by any such complete Division as aforesaid should be ascertained and marked out by described Bounds, and that the Description of such Bounds should be enrolled in the High Court of Chancery, and be registered in the Office of Registry of the Diocese, and Notice thereof given in such Manner as the Commissioners should deem necessary and direct for that Purpose: And whereas by an Act of Parliament passed in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act*

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*Act to amend and render more effectual an Act passed in the last 59 G. 3. Session of Parliament for building and promoting the building of* <sup>c. 134.</sup> *additional Churches in populous Parishes, after reciting the said Act of Parliament lastly herein-before recited, it was by the Eighth Section of the said Act now in recital enacted, that in every Case in which the said Commissioners should be of opinion that it would be expedient to divide any Parish or Extra-parochial Place into Two or more distinct and separate Parishes for Ecclesiastical Purposes, under the Provisions of the said recited Act, it should be lawful for the said Commissioners, with such Consents as were by the said recited Act required in such Cases, to apportion the relative and respective Proportions of Glebe Lands, Tithes, Moduses, or other Endowments or Emoluments which it might be expedient to assign and attach to each of such respective Divisions, without regard to whether any such respective Proportions of Glebe Land, Tithes, Moduses, or other Endowments or Emoluments were locally situate or should arise or accrue within the Division or District to which they might be so assigned or were locally situate, or should arise or accrue within the Parish or Extra-parochial Place so proposed to be divided, or elsewhere, anything in the said recited Act to the contrary notwithstanding; and it was by the Twelfth Section of the said Act now in recital further enacted, that all Churches which should be built or acquired under the Provisions of the said recited Act or the said Act now in recital, whether belonging to Parishes completely divided, or to District Parishes, should immediately after the Consecration thereof become and be deemed to be and be distinct Benefices and Churches for all Ecclesiastical Purposes: Provided always, that during the Incumbency of the then existing Incumbent of the Parish, except as therein-after excepted, such Churches should be served by licensed Stipendiary Curates appointed by the existing Incumbent, and subject to all the Laws in force relating to Stipendiary Curates, except as to the assigning Salaries to such Curates by the Bishop of the Diocese, and that every such existing Incumbent should, until his Death or other Avoidance, continue to hold all the Churches of the several Divisions of his Parish as if they were One Church, unless he should voluntarily resign One or more of them, any Statute or Law against Plurality of Benefices, or anything contained in the said recited Act or any other Act or Acts of Parliament, to the contrary notwithstanding; but it was by the said Act now in recital further provided and enacted, that the Right of Presentation and Appointment of the Spiritual Persons to be the respective Incumbents of or to serve the Churches of the several Parishes created by the complete Division of any Parish under the Provisions of the said recited Act or the said Act now in recital should in every Case belong to the Patron of the Church of the original Parish, and that the Exercise of such Right of Presentation or Appointment should*

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should commence on the Death or other Avoidance of the existing Incumbent, except in any Case in which the Division of any Parish should have been made or in which the Commissioners should have declared their Intention of dividing any Parish before or during any Avoidance, in which Cases the Exercise of such Right of Presentation or Appointment should commence upon the Consecration of the Church or Churches respectively of any such Division, and that the several Churches erected in and for such Divisions respectively should immediately upon Consecration become Benefices, and subject to all the Laws in force concerning Presentations and Appointments to Benefices and Churches, and Lapse, and all other Laws, Provisions, and Regulations relating to the holding of Benefices and Churches, anything in the said recited Act or in the Act now in recital to the contrary notwithstanding: And whereas in or about the Year One thousand eight hundred and twenty-five the said Commissioners, in pursuance and by virtue of the Provisions in that Behalf contained in the said Act of Parliament of the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, caused a Chapel to be erected in the Parish of *Stockport* in the County Palatine and Diocese of *Chester*, and in the same Year the said Chapel was duly consecrated by the Name or Style of the Chapel of *Saint Thomas* in *Stockport*: And whereas no District has been assigned to the said Chapel, and up to the Period of the Augmentation of the said Chapel by the Governors of the Bounty of Queen *Anne*, as herein-after recited, the said Chapel was served by a Stipendiary Curate appointed by the Rector for the Time being of the said Parish of *Stockport*, and licensed by the Lord Bishop of the said Diocese of *Chester*: And whereas in or about the Year One thousand eight hundred and twenty-seven the said Chapel was augmented by the Governors of the Bounty of Queen *Anne*, and the said Chapel became from the Time of such Augmentation a Perpetual Cure and Benefice Presentative, pursuant to and within the Meaning of the Provisions in that Behalf contained as aforesaid in the said Acts of Parliament respectively of the First Year of the Reign of His Majesty King *George* the First and of the Thirty-sixth Year of the Reign of His Majesty King *George* the Third: And whereas by a Memorial in Writing dated in the Month of *September* One thousand eight hundred and thirty-eight, under the Common Seal of Her Majesty's Commissioners for building new Churches, appointed by virtue of the said Act of Parliament of the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, which Act was further continued by an Act of Parliament passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, Chapter Seventy-two, and under the Hand and Episcopal Seal of the Lord Bishop of *Chester*, and under the Hand and Seal of the Right Honourable *George John Warren*

Memorial  
dated Sep-  
tember 1838.



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*Warren Lord Vernon*, who, it is stated in the said Memorial, was then in his own Right Patron of the Parish Church of *Stockport*, the said Commissioners did represent to Her Majesty in Council that when the last Census was taken the said Parish of *Stockport*, consisting of Fourteen Townships, contained a Population of Sixty-six thousand six hundred and sixteen Persons; that there were, besides the Parish Church, which afforded Accommodation to Two thousand Persons, Seven Chapels in the said Parish; that One of the said Chapels, called the Chapel of *Saint Thomas* in *Stockport*, and which it is stated in the said Memorial was erected by the said Commissioners, and completed in One thousand eight hundred and twenty-five, afforded Accommodation to Two thousand two hundred Persons, including Nine hundred and seventy-two Free Seats, appropriated to the Use of the Poor; and that another of the said Chapels, which was called *Saint Peter's* Chapel, afforded Accommodation to Four hundred and sixty-eight Persons; and the said Commissioners did by the said Memorial further represent to Her Majesty in Council that, having taken into consideration all the Circumstances of the said Parish, it appeared to them to be expedient that the said Parish should be divided into Two distinct and separate Parishes, under the Sixteenth Section of the said Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, and that the said Parishes should be named respectively the Parish of *Saint Mary* in *Stockport* and the Parish of *Saint Thomas* in *Stockport*, and also that a particular District should be assigned to the said Chapel called *Saint Peter's* Chapel, under the Provisions of the Sixteenth Section of the said Act passed in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third, and that such District should be named *Saint Peter's* District; that the Boundaries of the said Parish of *Saint Thomas*, *Stockport*, and of *Saint Peter's* District aforesaid respectively, should be as stated or referred to in the said Memorial; that Churching and Burials should be performed in the said last-mentioned Chapel called *Saint Peter's* Chapel; that the Fees for Churching should be received by and belong to the Minister of the said Chapel called *Saint Peter's* Chapel, and the Fees for Burials should be received by him, and be applied in the Manner directed by an Act passed in the Eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making a Building intended for a Chapel, lately erected by William Wright Esquire in the Township of Stockport and County and Diocese of Chester, a Perpetual Cure and Benefice, and for endowing the same*; that the whole of the Glebe Land of the said Parish did then lie within and would belong to the said Parish of *Stockport*; that about Two Thirds of the Tithes would arise in and belong to the said Parish of *Saint Mary* in *Stockport*, and about One Third to the said Parish of *Saint Thomas* in *Stockport*; that the Glebe and Tithes of the said Parish of *Saint Mary* in

8 G. 3. c. 36.  
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*Stockport* would be charged with the annual Payment of the Sum of Eighty-seven Pounds to the Minister of the said new Parish of *Saint Thomas* in *Stockport*; that the said Parish of *Saint Thomas* in *Stockport* would be endowed with the Sum of One thousand one hundred and thirty-three Pounds Four Shillings and One Penny Farthing *Three per Centum* Reduced Bank Annuities purchased with the Sum of One thousand Pounds; that it was estimated that the Amount of the Value or Produce of Fees, Oblations, Offerings, and other Ecclesiastical Dues which would accrue to the Incumbent of the said new Parish of *Saint Thomas* in *Stockport* would be Fifty Pounds in the whole; that the Consents of the said Lord Bishop of *Chester* and of the said Lord *Vernon* had been obtained as required by the above-mentioned Section of the said Act of the Fifty-eighth Year of His Majesty King *George* the Third to the said Division of the said Parish so to be effected under the said last-mentioned Section of the said Statute, and that the Consent of the said Lord Bishop had been obtained, as required by the Sixteenth Section of the said Act passed in the Fifty-ninth Year of His Majesty King *George* the Third, to the Assignment of the said District to the said Chapel of *Saint Peter*, and that in testimony of such Consents the said Lord Bishop and the said Lord *Vernon* had signed and sealed the said Memorial: And whereas by an Order of Her Majesty in Council, made on or about the Sixth Day of *October* One thousand eight hundred and thirty-eight, it was ordered that the said proposed Division and Assignment should be made and effected: And whereas by an Instrument in Writing, dated the Fourteenth Day of *March* One thousand eight hundred and thirty-nine, under the Common Seal of the said Commissioners, under the Hand and Episcopal Seal of the said Lord Bishop of *Chester*, and under the Hand and Seal of the said Lord *Vernon*, reciting the said Sixteenth Section of the said Act of Parliament of the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, and also reciting the said Eighth Section of the said Act of Parliament of the Fifty-ninth Year of the Reign of the same King, and also reciting or noticing the Erection as aforesaid by the said Commissioners of the said Chapel of *Saint Thomas* in *Stockport*, and the Consecration of the same Chapel, and also reciting the said Memorial of the Month of *September* One thousand eight hundred and thirty-eight, and the said Order in Council, and also reciting that the said Commissioners (with such Consents as after mentioned) deemed it expedient to assign and attach to the said divided Parish of *Saint Thomas* in *Stockport* the annual Sum of Eighty-seven Pounds to be for ever payable out of all the Glebe Lands, Tithes, and other Emoluments belonging to the said divided Parish of *Saint Mary* in *Stockport*, the said Commissioners, in execution of the Powers and Authorities vested in them by the said

several

Order in  
Council  
dated 6th  
October  
1838.

Instrument  
dated 14th  
March 1839.

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several Acts respectively, did (with the Consent of the said Lord Bishop of *Chester*, and of the said Lord *Vernon*, the Patron of the Parish Church of the said Parish of *Stockport*, testified by their respectively signing and sealing the said Instrument now in recital,) apportion, assign, and attach to the said Parish of *Saint Mary* in *Stockport* the whole of the Glebe Lands situate in the said Parish of *Stockport*, and also all Tithes arising within the said Parish of *Saint Mary* in *Stockport*, and also apportion and assign to the said new Parish of *Saint Thomas* in *Stockport* the whole of the Tithes arising within the said new Parish of *Saint Thomas* in *Stockport*, and also the annual Sum of Eighty-seven Pounds as the Proportion to be for ever payable to the Rector or Incumbent for the Time being of such new Parish Church of *Saint Thomas* in *Stockport*, out of the Glebe Lands, Tithes, and Emoluments of and belonging to the said divided Parish of *Saint Mary* in *Stockport* so apportioned thereto as aforesaid; and for the Purpose of securing the Payment of the said annual Sum of Eighty-seven Pounds so thereby apportioned and assigned and attached to the said new Parish of *Saint Thomas* in *Stockport*, and to be paid and payable to the Rector or Incumbent thereof for the Time being, the said Commissioners did, by the said Instrument now in recital (with the Consent of the said Lord Bishop of *Chester* and of the said Lord *Vernon*, testified as aforesaid), charge and make chargeable all the Glebe Lands, Tithes, and other Emoluments of or belonging to the said divided Parish of *Saint Mary* in *Stockport*, and also all Rents, Tithes, and other Emoluments due and payable to the Rector for the Time being of the said divided Parish of *Saint Mary* in *Stockport*, with a permanent yearly Rentcharge of Eighty-seven Pounds to be issuing and payable out of all and every the said Premises thereby charged therewith, such permanent Charge or yearly Sum of Eighty-seven Pounds (being the annual Sum of Eighty-seven Pounds therein-before appointed and assigned and attached to the said new Parish of *Saint Thomas* in *Stockport*) to be for the Benefit of and to be paid to the Rector or Incumbent for the Time being of the said new Parish of *Saint Thomas* in *Stockport* for ever, such Charge to commence from the Time when such Division should completely take effect by the Death, Resignation, or other Avoidance of the existing Incumbent of the said original Parish of *Stockport*, and to be paid half-yearly; and the said Commissioners (with such Consent as aforesaid) did, by the said Instrument now in recital, direct that such annual Charge of Eighty-seven Pounds should be apportionable, in case of the Death, Resignation, or other Avoidance of the said Rector or Incumbent for the Time being of the said new Church of *Saint Thomas* in *Stockport* on any other Day than one of the half-yearly Days of Payment thereof, and that a proportionable Part of such yearly Sum of Eighty-seven Pounds should be paid on the next succeeding

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succeeding half-yearly Day of Payment to the said Rector or Incumbent of the said new Parish of *Saint Thomas* in *Stockport*, his Executors, Administrators, or Assigns, up to the Time of his ceasing to be such Rector or Incumbent, and that the Residue of such half-yearly Payment should be paid to his Successor: And whereas in or about the Month of *May* One thousand eight hundred and forty-four, the said Perpetual Curacy of the said Chapel of *Saint Thomas* being then void, the Reverend *Joseph Taylor* Clerk was licensed by the Lord Bishop of *Chester* to perform the Office of Perpetual Curate of the said Chapel, on the Nomination of the Reverend *Charles Kenrick Prescott* Clerk, Rector of the Rectory and Parish Church of *Stockport* aforesaid, the Patron thereof in right of his said Rectory: And whereas the said *Joseph Taylor* is still the Curate or Perpetual Curate of the said Chapel: And whereas the said *Charles Kenrick Prescott* is still the Rector of the said Rectory and Parish Church of *Stockport*: And whereas by an Indenture dated the Second Day of *June* One thousand eight hundred and fifty-two, made between *Cuthbert Ellison* Esquire and the Honourable *Augustus Barrington* of the one Part, and the said Lord *Vernon* and the Honourable *Augustus Henry Vernon*, therein described as the eldest Son and Heir apparent of the said Lord *Vernon*, of the other Part, the Advowson of the Parish Church of *Stockport*, and all other Advowsons or Perpetual Rights of Presentation and other Patronage (if any) of or to any other Church or Churches in *Stockport* aforesaid were (together with other Hereditaments) expressed to be conveyed and assured to such Uses, upon and for such Trusts, Intents, and Purposes, and with, under, and subject to such Powers, Provisoos, and Declarations as the said Lord *Vernon* and *Augustus Henry Vernon* should at any Time or Times, or from Time to Time, by any Deed or Deeds, jointly direct or appoint, and in default of such Direction or Appointment, or in case any such, then so far as the same, if partial or incomplete, should not extend, and in the meantime subject thereto, to the Use of the said Lord *Vernon* and his Assigns during his natural Life, without Impeachment of Waste, and from and after his Decease to the Use of the said *Augustus Henry Vernon*, his Heirs and Assigns, for ever: And whereas the said Chapel of *Saint Thomas* in *Stockport* having become a Perpetual Cure and Benefice Presentative by virtue of the Augmentation thereof as aforesaid, and of the said Acts of Parliament respectively of the First Year of the Reign of His Majesty King *George* the First, and of the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, it is doubtful whether the said Perpetual Curacy will become void on or by the Death, Resignation, or other Avoidance of the said existing Rector or Incumbent of the said Rectory or Parish Church of *Stockport* aforesaid, and whether the Division directed as aforesaid by the said Order in

Council

Indenture  
dated 2d  
June 1852.

*Stockport Rectory Division.*

Council of the said Parish of *Stockport* into the Two distinct and separate Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport* can completely take effect on such Death, Resignation, or other Avoidance, according to the true Intent and Meaning of the said Sixteenth Section of the said Act of Parliament of the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, and consistently with the Rights of the Person (if any) who shall on such Death, Resignation, or other Avoidance be the Perpetual Curate of the said Chapel, and also whether the Exercise of the Right of Presentation of the Spiritual Persons to be the respective Rectors or Incumbents of the Churches of the said several Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport* can, consistently with the same Rights, commence on the Death or other Avoidance of the said existing Rector or Incumbent of the said Rectory or Parish Church of *Stockport*, according to the true Intent and Meaning of the said Thirteenth Section of the said Act of Parliament of the Fifty-ninth Year of the Reign of His Majesty King *George* the Third: And whereas it is expedient that such Doubts should be removed, and that the respective Periods for the said Division taking complete Effect, and for the Commencement of the Exercise of the Right of Presentation to the said Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport*, should be ascertained; but such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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,

I. That the Division for Ecclesiastical Purposes of the said Parish of *Stockport* into the Two distinct and separate Parishes of *Saint Mary* in *Stockport* and of *Saint Thomas* in *Stockport*, as directed as aforesaid by Her Majesty's Order in Council herein-before recited, shall take complete Effect upon the First Avoidance next after the passing of this Act of the said Rectory or Parish Church of *Stockport* by the Death or Resignation of the said *Charles Kenrick Prescott*, the present Rector of the same Rectory or Parish Church, or by any other Cause, and at and from the Period of such First Avoidance as aforesaid the said Chapel or Church of *Saint Thomas* shall become and be the Parish Church of the said distinct and separate Parish of *Saint Thomas* in *Stockport*.

Division of Parish to take effect on First Avoidance of Rectory after passing of this Act.

II. That the Right of Presentation of the Spiritual Persons to be the respective Rectors of the Parish Churches of the said distinct and separate

As to Right of Presentation to Rectories of

[Private.]

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separate

*Stockport Rectory Division.*

Saint Mary  
and Saint  
Thomas in  
Stockport.

separate Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport* shall belong to the Patron or Patrons of the said Rectory or Parish Church of the said Parish of *Stockport*, and (subject to the Proviso herein-after contained) the Exercise of such Right or Rights of Presentation shall commence upon such First Avoidance as aforesaid next after the passing of this Act of the said Rectory or Parish Church of the said Parish of *Stockport*.

Provision in  
case of there  
being a Per-  
petual Curate  
of Saint  
Thomas at  
First Avoid-  
ance of  
Rectory.

III. Provided always, That if upon such First Avoidance as aforesaid next after the passing of this Act of the said Rectory or Parish Church of the said Parish of *Stockport* there shall be a Perpetual Curate of the said Chapel or Church of *Saint Thomas*, such Perpetual Curate shall thereupon, and without any further Process or Form in Law, become and be the Rector of the said Parish Church of *Saint Thomas* in *Stockport*, and be entitled, so long as he shall continue such Rector, to the Emoluments by the herein-before recited Order in Council and Instrument in Writing respectively of the Sixth Day of *October* One thousand eight hundred and thirty-eight and the Fourteenth Day of *March* One thousand eight hundred and thirty-nine, or One of them, apportioned and assigned as aforesaid to the said distinct and separate Parish of *Saint Thomas* in *Stockport*, and in such Case the Exercise by the Patron or Patrons of the said Rectory or Parish Church of the said Parish of *Stockport* of the aforesaid Right of Presentation to the Parish Church of the said distinct and separate Parish of *Saint Thomas* in *Stockport* shall be postponed until the last-mentioned Parish Church shall become vacant by the Death, Resignation, or other Avoidance thereof of or by the Person who, having been such Perpetual Curate as aforesaid, shall have become by virtue of this Act the Rector of the same Parish Church.

Any Court  
of competent  
Jurisdiction  
may make  
Orders as to  
the Appor-  
tionment of  
Charities in  
the Parish  
of *Stockport*  
between the  
Parishes of  
*Saint Mary*  
and *Saint*  
*Thomas* in  
*Stockport*.

IV. And whereas there are certain Charities in the said Parish of *Stockport* of which the Rector, Churchwardens, Overseers, and Parish Clerk of the said Parish of *Stockport* for the Time being, or some or One of them, alone or together with some other Persons or Person, are *ex officio* Trustees, or as to which certain Duties or Interests are vested in them, some or One of them, or in which the Inhabitants of the said Parish of *Stockport* are entitled to participate, and it is expedient that some Provision should be made in respect thereof: Be it therefore enacted, That it shall be lawful for the Court of Chancery or any other Court of competent Jurisdiction to make such Order for the Division and Apportionment of all or any of the said Charities, and the Property thereof, between the said Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport*,  
and

*Stockport Rectory Division.*

and for the future Government and Visitation thereof, and the vesting of the Property belonging thereto respectively, as shall be deemed expedient, and such Order may be made on an Application to be made in such Manner as the Charity Commissioners for *England* and *Wales* shall by Certificate under their Seal direct.

V. And whereas the said Lord *Vernon* and *Augustus Henry Vernon* are at present abroad, and their Consents or the Consent of either of them to this Act have not nor has been proved: Therefore this Act or anything herein contained shall have no Operation whatsoever unless and until the Consents of the said Lord *Vernon* and *Augustus Henry Vernon*, or in case the said Lord *Vernon* shall have died previously to the passing of this Act, or shall die before giving such Consent, leaving the said *Augustus Henry Vernon* him surviving, then and in such Case unless and until the Consent of the said *Augustus Henry Vernon* shall be signified in Writing under their or his Hands or Hand respectively, attested by at least One Witness; and such Writing or Writings shall be enrolled in Her Majesty's High Court of Chancery in *England* within Three Years from the passing of this Act, and after the Enrolment of such Consent or respective Consents the same shall be deemed Part of this Act, and shall be as binding upon the Person or Persons by whom the same shall be given, and all Persons claiming or to claim by, from, through, or under him or them, as if such Consent or respective Consents had been obtained and proved before the passing of this Act, and after such Enrolment as aforesaid this Act shall be binding upon and valid against all Persons, Bodies Politic and Corporate, whose Rights or Interests are excepted from the Sixth Clause of this Act, and shall operate in the same Manner as it would have done if this Clause had not been inserted in this Act; and such Consent may be given in the Form or to the Effect following; that is to say,

Consents of Lord Vernon and Augustus Henry Vernon to be obtained.

‘ I or We, [*here insert the Name or Names of the consenting Party or Parties,*] do hereby consent to an Act of Parliament passed  
 ‘ in the Session held in the Seventeenth and Eighteenth Years of  
 ‘ the Reign of Queen Victoria, intituled “ An Act to ascertain the  
 ‘ “ Periods when the Division under the Church Building Act of  
 ‘ “ the Parish of Stockport in the County Palatine of Chester into  
 ‘ “ the Two distinct and separate Parishes of Saint Mary in Stock-  
 ‘ “ port and Saint Thomas in Stockport shall take complete Effect,  
 ‘ “ and the Exercise of the Rights of Presentation to the Rectories  
 ‘ “ or Churches of the same Parishes respectively shall commence;  
 ‘ “ and for other Purposes.” ’

Form of Consent.

VI. Saving

*Stockport Rectory Division.*

General  
Saving.

VI. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to every other Person and Body Politic and Corporate, and their respective Heirs and Successors, Executors and Administrators, (other than and except the several Persons and Bodies Politic and Corporate mentioned in that Behalf by Name or otherwise in the next following Section of this Act,) all such Estate, Right, Title, Interest, Claim, and Demand whatsoever as they or any of them had before the passing of this Act, or would, could, or might have or enjoy if this Act were not passed.

Persons and  
Bodies ex-  
cepted from  
General  
Saving.

VII. That the following are the several Persons and Bodies Politic and Corporate referred to in and by the Exception contained in the last preceding Section of this Act; that is to say, the said Lord *Vernon*, the said *Augustus Henry Vernon*, and the Heirs and Assigns of the said *Augustus Henry Vernon*, the Bishop of the Diocese of *Chester*, the Rector of the said Rectory and Parish Church of *Stockport*, the Curate or Perpetual Curate of the said Chapel of *Saint Thomas in Stockport*, and (as respects the Charities mentioned or referred to in the Fourth Section of this Act) the present and future *ex officio* and other Trustees of the same Charities, and all and every Persons and Person in whom any Duties or Interests are or may be vested in relation to the same Charities or any of them, and the Inhabitants of the said Parish of *Stockport*, and all and every other Persons and Person now or any Time hereafter entitled to participate in the same Charities or any of them.

Act as print-  
ed by Queen's  
Printers to  
be Evidence.

VIII. That this Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1854.