CHAPTER ccxi.

A.D. 1897.

An Act to authorise the sale of the church of Christchurch and the sale of the church of Saint Peter with the school thereof (all in the city of Birmingham) and the application of the proceeds of sale to the provision of new churches and schools in the suburbs of Birmingham to merge the ecclesiastical parishes or districts of Christchurch and Saint Peter in the ecclesiastical parish of Saint Philip to amend the Saint Martin's Rectory (Birmingham) Act 1893 and for other purposes.

[6th August 1897.]

WHEREAS the church of Saint Philip in Birmingham was erected by Commissioners appointed under an Act of the session of the sixth and seventh years of the reign of Queen Anne intituled "An Act for building a parish church and parsonage "house and making a new churchyard and a new parish in "Birmingham in the county of Warwick to be called the parish of "Saint Philip" to be the parish church of the new parish of Saint Philip constituted by the said Act:

And whereas the church of Christchurch in Birmingham was erected by Commissioners appointed under an Act passed in the forty-third year of the reign of King George the Third intituled "An Act for erecting a new church to be called Christchurch in the "town of Birmingham in the county of Warwick and for providing "a maintenance and residence for the minister or perpetual curate "thereof" (in this Act referred to as "the Christchurch Act of 1803") and it was among other things enacted by the said Act that there should be a minister or curate to the said church appointed from time to time by the Bishop of Lichfield and Coventry for the time being: 43 Geo. 3 c. cxvii.

And whereas by an Act passed in the fiftieth year of the reign of King George the Third intituled "An Act to amend and render 50 Geo. 3 c. cxxx.

A.D. 1897.

" more effectual an Act of His present Majesty for erecting a new " church to be called Christchurch in the town of Birmingham in " the county of Warwick and for providing a maintenance and " residence for the minister or perpetual curate thereof" (in this Act referred to as " the Christchurch Act of 1810 ") the Christchurch Act of 1803 was amended and the Commissioners appointed under that Act were authorised to make and form catacombs under the said church and to sell or lease and dispose of the same for the purposes of burial and to apply the rents arising from the rent or sale of such catacombs to the purposes of the Christchurch Act of 1803 :

And whereas catacombs have been constructed under the said church and have been leased or sold to various persons :

And whereas by an Order in Council dated the twelfth day of December one thousand eight hundred and seventy-three it was ordered that burials should be discontinued forthwith wholly in all churches and chapels in the borough of Birmingham except in vaults and walled graves which could be used without disturbing soil in which interments had been made and except also in then existing family graves every coffin buried in which should be embedded in concrete not less than six inches thick :

And whereas burials in catacombs can only take place in pursuance of a licence in that behalf from a Secretary of State and such licences can only be granted in the case of persons who have rights of interment in such catacombs acquired before the passing of the Burials Act 1853 :

And whereas the church of Saint Peter in the city of Birmingham was erected in or about the year one thousand eight hundred and twenty-seven under the Church Building Acts and a school has also been erected in connexion with and close to the said church :

And whereas all the said churches and parishes of Saint Philip Christchurch and Saint Peter are situate in or near the centre of the city of Birmingham :

And whereas owing to the conversion of dwelling-houses into shops and warehouses and for other reasons the resident population of the parishes of Saint Philip Christchurch and Saint Peter has greatly decreased while the resident population in the suburban districts of Birmingham has greatly increased and continues rapidly to increase :

And whereas there is sufficient church accommodation in the existing parish of Saint Philip to supply the spiritual wants of the residents in all the said parishes of Saint Philip Christchurch and Saint Peter while the suburban districts of Birmingham and notably

the parishes of All Saints and Sparkbrook are in great need of increased church and school accommodation:

And whereas the Right Reverend Edmund Arbuthnott Knox is the rector of the said parish of Saint Philip:

And whereas the said rector is willing that the said parishes of Christchurch and Saint Peter should be united to and merged in the parish of Saint Philip and the Lord Bishop of Worcester in whose diocese all the said parishes are now situate and the Ecclesiastical Commissioners approve of such union:

And whereas if such union were effected the said churches of Christchurch and Saint Peter would be no longer required and they do not possess any features of real historical or architectural interest:

And whereas it is expedient that the churches of Christchurch and Saint Peter and the school house of Saint Peter's be sold and that the proceeds of such sales be devoted to the acquisition of sites and to the erection thereon of new churches and schools for supplying the spiritual needs of the inhabitants of the suburban districts of Birmingham or some of them:

And whereas the following persons the Right Honourable Charles George Lyttelton Viscount Cobham the Right Honourable Charles Bowyer Adderley Baron Norton the Right Reverend Edmund Arbuthnott Knox D.D. the Reverend William Wilkinson D.D. the Reverend Charles Mansfield Owen M.A. the Reverend John Charles Blissard M.A. the Reverend Thomas James Haworth M.A. William Ashby Bolton Frederick Buck Goodman Alexander Macomb Chance Walter Newton Fisher and Robert Harding Milward were in the month of February one thousand eight hundred and ninety-six appointed by the Lord Bishop of Worcester under his episcopal seal to be commissioners for the purpose (among other things) of inquiring into and reporting upon the existing and prospective needs and resources of the church in the rural deaneries of Birmingham Aston and Northfield and whether by any means and if so by what means the resources of the church might be made more available for the altered conditions of the population:

And whereas the commissioners so appointed and the Reverend William Harrison Colmore who was subsequently appointed by the Bishop to be a commissioner have reported to the Bishop in favour of the scheme embodied in this Act for dealing as above recited with the said churches and school and it is expedient that they be appointed Trustees to carry such scheme and the provisions of this Act into effect:

A.D. 1897.

And whereas the Right Reverend the Lord Bishop of Worcester is patron of the incumbencies of the churches of Christchurch and Saint Peter and has consented to the provisions of this Act:

And whereas nearly one-third of the land vested in the commissioners by the Christchurch Act of 1803 has been sold by them for building purposes subject to stringent covenants which prevent the land being developed to its full value and it is expedient to empower the Trustees appointed under this Act to acquire the existing interests in the land so sold:

And whereas it is expedient to amend the Saint Martin's Rectory (Birmingham) Act 1893:

And whereas the objects of this Act cannot be attained 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 as follows (that is to say):—

Preliminary.

Short title.

1. This Act may be cited as the Birmingham Churches Act 1897.

Interpretation.

2. In this Act unless the context otherwise requires—

"The old churches" means the churches of Christchurch and Saint Peter in the city of Birmingham;

"The new churches" means the churches to be built under the authority of this Act;

"The General Acts" means the Church Building Acts and the New Parishes Acts 1843 1844 and 1856 and any Act amending the same;

"The Bishop" means the Lord Bishop of Worcester for the time being;

"The Trustees" means the Trustees constituted by this Act;

"The city" means the city of Birmingham.

Sale and Removal of Old Churches &c.

Power of sale.

3. On the passing of this Act the churches of Christchurch and Saint Peter and the sites thereof together with the graveyards and catacombs or vaults attached or belonging thereto respectively and the other land (if any) conveyed to or otherwise vested in the Commissioners appointed under the Christchurch Act of 1803 as well as the parochial school house of Saint Peter's and the site

thereof as the same are all respectively described in the First Schedule to this Act shall be by virtue of this Act subject to an absolute power of sale to be exercised by the Trustees subject and according to the provisions of this Act.

Trustees to sell the churches of Christchurch and Saint Peter.

4.—(1.) The old churches shall respectively be closed for divine service at such time or respective times as may be fixed by an order or orders of the Trustees under the hand of their chairman and as soon as conveniently may be after the making of such an order in the case of either of the said churches of Christchurch and Saint Peter the Trustees shall sell that church and the site thereof and the churchyard and other such land (if any) as aforesaid either together or in lots and either by public auction or private contract and generally at such time or times and on such terms and conditions as the Trustees shall think fit freed and discharged from all ecclesiastical and other trusts uses purposes obligations and disabilities whatsoever and from all rights or interests of the owners of any seats or pews therein and may execute and do all assurances acts and things necessary or proper for effecting the purposes aforesaid.

(2.) Every assurance of land sold under this section which is executed by the Trustees shall be registered in the public episcopal registry of the diocese of Worcester and shall vest such land in the purchaser thereof freed and discharged as aforesaid without the concurrence or consent of any other person.

(3.) The value of the property right and interest of the trustees of William James deceased (herein-after referred to as "the James Trustees") and of the trustees of Charles Henry Cope deceased of George Davey Bragg of Elizabeth Homer and Selina Ann Swinden in and to the said catacombs and vaults and the compensation to be paid to the said trustees and the said other parties respectively for the acquisition thereof shall unless agreed on between the James Trustees and such other parties as aforesaid and the Trustees be settled by arbitration under and according to the provisions of the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement and those provisions shall for that purpose be deemed to be incorporated with this section and the money to be paid to the James Trustees and such other parties as aforesaid under the provisions of this section shall be paid by the Trustees out of any funds or moneys coming to their hands under this Act.

Receipt of Trustees.

5. Every receipt signed by the Trustees or any three of them shall effectually discharge the purchaser of any land under the powers of this Act from the amount of money expressed in such receipt to have been received and from being bound to see to the

A.D. 1897.

application or from being answerable for the loss misapplication or non-application thereof.

Disposal of church furniture for use of new churches.

6. Before each of the old churches is sold or pulled down the Trustees shall cause the stained-glass windows church plate and such other ornaments fittings and furniture (if any) as they think fit belonging to or kept in that church to be removed to such place of safe custody as they may determine there to be kept until the new church to be built under this Act is ready for the reception of the same whereupon the same shall be removed to the new church and erected and placed therein.

Disposal of registers &c.

7. All registers deeds records books and documents belonging to or kept in either of the old churches shall be removed by the Trustees to the church of Saint Philip and be there securely kept with the registers and other documents of that parish Provided that one of the duplicate marriage registers current at each of the said churches at the time of the closing of the church for divine service shall be deposited with the district superintendent registrar as required in the case of filled register books by section 33 of the Births and Deaths Registration Act 1836.

Removal of human remains &c.

8.—(1.) Subject as herein-after provided the Trustees shall before the completion of the sale of either of the old churches cause the remains of any deceased person interred therein or in any graveyard catacombs or vaults attached or belonging thereto to be removed and to be interred in such consecrated burial ground or cemetery in which burials may lawfully take place as the Bishop shall direct and such removal and interment (so far as within the city) shall be carried out under the superintendence and to the satisfaction of the surveyor and the medical officer of health for the city and the Trustees shall cause to be removed any tombstone or monument erected to the memory of any such deceased person in any such church or graveyard as aforesaid and to be re-erected in such new place of interment.

(2.) Before carrying out any such removal the Trustees shall give notice in writing of such intended removal to the heirs or executors or administrators or relatives of the deceased person unless they cannot after reasonable inquiry be found and at any time within three months after the date of such notice it shall be lawful for the said heirs or executors or administrators or relatives under such supervision as aforesaid to cause the remains of the deceased person to be removed to and interred in any burial ground or cemetery in which burials may lawfully take place and any tombstone or monument erected to the memory of the deceased person in any such church or graveyard as aforesaid to be removed

to and re-erected in any such new place of interment or otherwise as such heirs or executors or administrators or relatives may direct.

(3.) The expenses of any such removal and re-interment of remains including the removal and re-erection of any tombstone or monument as aforesaid not exceeding in the case of any one grave the sum of ten pounds shall be defrayed by the Trustees.

Sale of Saint Peter's School House.

Trustees to sell Saint Peter's school house.

9. As soon as in their discretion they shall think fit the Trustees shall sell the school house of Saint Peter's and the site thereof as the same are described in the First Schedule to this Act either by public auction or private contract and generally at such time or times and on such terms and conditions as the Trustees shall think fit freed and discharged from all ecclesiastical and other trusts uses and purposes obligations and disabilities whatsoever and may execute and do all assurances acts and things necessary or proper for effecting the purposes aforesaid.

Merger of Parishes.

Merger of districts of Christchurch and Saint Peter in parish of Saint Philip.

10. On and from the date of the closing for divine service of Christchurch the ecclesiastical district now attached or assigned to the said church and

On and from the date of the closing for divine service of the church of Saint Peter the ecclesiastical district now attached or assigned to the said church

shall respectively by virtue of this Act cease to exist as a separate ecclesiastical district and shall be united to and merged in the parish of Saint Philip for all ecclesiastical purposes and shall form part of the benefice and cure of souls of the rectory and parish of Saint Philip.

Extinction of offices of incumbent &c. of old churches.

11. The offices of minister or incumbent curate or assistant curate sexton and every other official of the old churches respectively and the advowson or right of presentation or appointment thereto respectively shall from and after the date when such churches shall respectively have been closed for divine service cease and become extinguished by virtue of this Act.

New Churches and Districts.

Acquisition of sites for new churches.

12.—(1.) As soon as conveniently may be after the passing of this Act the Trustees shall with the approval of the Bishop purchase lands (a) in the existing parish of All Saints (b) in the existing

A.D. 1897.

parish of Sparkbrook adapted for the sites of two new churches and shall appropriate and lay out—

(i) The lands so acquired in the parish of All Saints as and for the site of a new church to be designated the church of Saint Peter and of approaches thereto;

(ii) The lands so acquired in the parish of Sparkbrook as and for the site of a new church to be designated Christchurch or such other name as the Trustees with the consent of the Bishop shall determine and of approaches thereto.

(2.) For the above purposes the Trustees may make execute and do all contracts assurances deeds acts and things necessary or proper and in particular may and shall prior to the consecration of the new churches convey to and vest in the Ecclesiastical Commissioners the same sites and approaches in manner contemplated by the general Acts or some or one of them to the satisfaction of the said Commissioners.

Erection of new churches.

13. In each case where the Trustees have acquired the site for the new church they shall so soon as circumstances admit erect thereon a church whereof the plans and specifications shall have been first approved by the Bishop and the Ecclesiastical Commissioners with all proper approaches fittings ornaments and conveniences and shall take the proper steps to obtain the consecration of the same.

Constitution and assignment of districts to new churches.

14.—(1.) A separate district for ecclesiastical purposes shall be constituted or assigned to each of the new churches under the provisions of the general Acts or any or either of them and this Act but no consent or notice under the general Acts other than the consent of the Bishop shall be requisite for the purposes of this Act.

(2.) So soon as a district has been constituted and assigned to any one of the new churches as aforesaid that district shall be deemed a new parish for ecclesiastical purposes created under the New Parishes Acts and the provisions of those Acts so far as they are not varied by or inconsistent with this Act shall extend and apply to such parish.

First incumbents of new churches and first clerk and sexton.

15. The person who at the time of the closing for divine service of the old church of Saint Peter is the minister thereof shall if he be living at the time of the consecration of the new church of Saint Peter be without presentation admission institution or induction or other process whatsoever the first incumbent of the new church of Saint Peter and the person who at the like time is the clerk and sexton of the old church of Saint Peter shall if he be living at the time of the consecration of the new church of Saint Peter be the first clerk and sexton of the same.

The foregoing enactment applies equally and shall take effect mutatis mutandis in the case of the old church and the new church of Christchurch.

Rights of presentation to incumbencies.

16. On the occurrence of any vacancy in the office of incumbent of the new churches of Saint Peter or Christchurch the Bishop shall have the right of presentation to the vacant office and so from time to time.

Transfer of endowments of old churches.

17. All the endowments and emoluments other than those arising from moneys now payable by the Ecclesiastical Commissioners and other than those vested in the Official Trustee of Charity Lands or the Official Trustees of Charitable Funds and other than pew rents Easter offerings and other offerings and burial and other fees of the incumbent of each of the old churches shall be by virtue of this Act vested in the Trustees as from the passing thereof and shall be by them applied and paid to and for the benefit of the incumbent of the old church in each case pending the completion of the new church to be built in lieu thereof and from the date of the closing for divine service of the old church the same shall be paid by them to the incumbent of the new church who for the purposes of this section shall be deemed to become the incumbent thereof as from the date of the closing for divine service of the old church.

Such part of the endowments of the said church of Saint Peter as consists of property vested in the Official Trustee of Charity Lands the Official Trustees of Charitable Funds or the Ecclesiastical Commissioners shall remain so vested but the administering trustees or trustee of such endowment (not being the Trustees under this Act) shall pay over the same in manner directed by this section.

Such part of the endowments of the said benefice of Christchurch as is derived from grants payable by the Ecclesiastical Commissioners out of their common fund shall be paid over by them with any other income in manner directed by this section.

As to free seats.

18. All the sittings in the new church of Saint Peter and in the new church of Christchurch respectively shall be free and unappropriated and one-half at least of the sittings from north to south in any other church to be built under the provisions of this Act shall be free and unappropriated.

Trustees.

Trustees for purposes of Act.

19.—(1.) The following persons (that is to say) :—

The Right Honourable Charles George Lyttelton Viscount Cobham ;

A.D. 1897.

The Lord Mayor of Birmingham for the time being;
The Archdeacon of Birmingham for the time being;
The Rector of Saint Martin's Birmingham for the time being;
The Rector of Saint Philip's Birmingham for the time being;
The Rural Dean of Birmingham for the time being;
The Rural Dean of Aston for the time being;
The Rural Dean of Northfield for the time being;
The Reverend William Wilkinson D.D.;
The Reverend Charles Mansfield Owen M.A.;
Joseph Barrows;
William Ashby Bolton;
Frederick Buck Goodman;
Alexander Macomb Chance;
Walter Newton Fisher; and
Robert Harding Milward

shall be Trustees for the execution of the powers and duties conferred and imposed on them by this Act.

(2.) If at any time the number of the lay Trustees is reduced by death resignation or otherwise below seven the continuing Trustees shall as soon as may be appoint so many other persons to be lay Trustees as will raise the number of the lay Trustees to seven but the Trustees may at all times act notwithstanding the existence of any vacancy or vacancies in their number unless reduced below seven in which case they shall not exercise any of the powers of this Act except that of appointing new Trustees.

(3.) Every Trustee shall be a member of the Church of England and if he ceases to be such he shall cease to be a Trustee.

Meetings and proceedings of Trustees.

20.—(1.) Three Trustees must be personally present to constitute a meeting of the Trustees for the transaction of business.

(2.) The Bishop or any three Trustees may at any time summon a meeting of the Trustees.

(3.) Questions arising at a meeting of the Trustees shall be decided by a majority of votes and in case of an equality of votes the Trustee in the chair shall have a second or casting vote.

(4.) Subject as aforesaid the Trustees may meet together for the despatch of business adjourn and otherwise regulate the proceedings of the Trustees as the Trustees from time to time think fit.

Money Powers.

Application of purchase moneys of

21. All moneys received by the Trustees for the sale of any lands materials or other property under this Act other than the school

house of Saint Peter's and the land described in Part II. of the First Schedule to this Act shall be applied as follows :—

sites and materials of old churches.

(i) In payment of such proportion of the costs charges and expenses of and incident to preparing applying for and obtaining this Act as the Trustees shall determine and in payment of the expenses of sale of the lands materials and other property aforesaid and of the expenses of removal and re-interment of human remains and of the removal and custody of any monuments fittings furniture registers or other documents of the old churches and of any moneys payable to the said trustees of William James under the provisions of this Act;

(ii) In the purchase of the land described in the Second Schedule to this Act and in the purchase and laying out of lands as and for a site for the new churches and approaches and in payment of all costs and expenses incurred under this subsection ;

(iii) In or towards the erection and completion of the new churches with all proper approaches fittings ornaments and conveniences and in the conveyance to the Ecclesiastical Commissioners and consecration thereof and in payment of all costs and expenses connected therewith ;

(iv) In payment to the rector of the parish of Saint Philip for the time being of the sum of one hundred and fifty pounds per annum for the purpose of providing the stipend of an additional curate for the said parish but such payment shall cease and determine on and from the 29th day of September 1951 ;

Such sum shall be payable in two equal half-yearly instalments to the rector and the first half-yearly payment shall be made within six months from the date fixed for closing such one of the old churches as shall be first ordered to be closed under the powers of this Act ;

(v) In payment to the Reverend Charles Byron Wilcox and to the Reverend G. F. Courtenay respectively so long as they shall be respectively incumbents of the new churches of Christchurch and Saint Peter's of the annual sum of one hundred pounds respectively ;

Such sum shall be payable by two equal half-yearly instalments and the first half-yearly payment shall be made within six months from the date fixed for closing the old church of Christchurch under this Act :

A.D. 1897.

Any balance of moneys from time to time remaining in the hands of the Trustees may be invested by them in any securities in which Trustees are for the time being authorised by law to invest trust moneys and the resulting income may subject to the payment of any costs charges and expenses of the Trustees in the exercise of their office be applied by them to the building and provision of churches mission rooms and vicarage houses and in paying or contributing to the payment of the stipends of incumbents and curates within the parish of Saint Philip and the new parishes to be constituted pursuant to this Act and such other parishes within the rural deaneries of Birmingham Aston and Northfield as the Trustees shall with the consent of the Bishop determine With power nevertheless for the Trustees with the like consent at any time to realise any such investments and to make a grant of capital money to be applied to any such purposes as aforesaid :

Provided that the Trustees shall not in any case contribute towards the stipend of any incumbent or curate a greater annual sum than three hundred pounds.

Application of purchase moneys of Saint Peter's school house.

22. All moneys received by the Trustees for the sale of the school house of Saint Peter's and of the land described in Part II. of the First Schedule to this Act shall be applied in payment of such proportion of the costs charges and expenses of and incident to preparing applying for and obtaining this Act as the Trustees shall determine and in payment of the expenses of sale of the premises described in Part II. of the First Schedule to this Act and any balance remaining shall be paid over to the Official Trustee of Charitable Funds and be applied to the purposes of elementary education within the parish of Saint Philip as reconstituted and the new parishes of Saint Peter and of Christchurch as constituted under this Act or within one or more of the said parishes in such manner as may be declared by a scheme of the Charity Commissioners with the consent of the Education Department.

Power to receive and apply donations and subscriptions.

23. The Trustees may from time to time receive any donations or subscriptions in aid of any of the purposes of this Act and may from time to time invest the same in any securities in which Trustees are for the time being authorised by law to invest trust moneys and apply the same and the resulting income of any such investment in the execution of any of the purposes of this Act including the payment and satisfaction of any costs charges and expenses of the Trustees in the exercise of their office.

Miscellaneous.

Repeal of Acts.

24.—(1.) The Christchurch Act of 1803 and the Christchurch Act of 1810 are hereby respectively repealed.

(2.) Notwithstanding such repeal all pew rents fees and other sums outstanding at the date of the closing for divine service of either of the churches of Christchurch and Saint Peter respectively shall be recoverable in like manner and with the like powers and remedies as if such repeal had not been effected.

(3.) The present incumbent of the old church of Christchurch shall continue to hold the prebend of Tachbrooke in the cathedral church of Lichfield so long as he shall continue to be incumbent of the said church or of the new church of Christchurch and upon any avoidance by him the said prebend shall revert to and be at the disposal of the Bishop of Lichfield.

Power to acquire certain lands.

25. The Trustees may acquire the lands and buildings adjoining Christchurch which are described in the Second Schedule to this Act and all rights and interests of any person therein and the said lands and buildings when acquired by the Trustees shall be dealt with as if they were part of the site of Christchurch and the provisions of this Act shall have effect accordingly.

Amendment of Saint Martin's Rectory (Birmingham) Act 1893.

26.—(1.) For the purposes of section 6 of the Saint Martin's Rectory (Birmingham) Act 1893 the incumbent of the new church of Christchurch shall be deemed to be the incumbent of an ecclesiastical district within the ancient parish of Saint Martin's Rectory.

(2.) Notwithstanding anything in the said section the Trustees appointed under that Act may apply the balance not immediately required for the purposes defined in that section as amended by this Act in the endowment or augmentation of curacies within the parishes of Birmingham and Aston and it shall be lawful for the Ecclesiastical Commissioners if they see fit to add out of their common fund to any such endowment or augmentation a sum of not more than equal amount in each case.

SCHEDULES.

FIRST SCHEDULE.

Part I.

Description of Churches &c.

All that piece of land in the parish of Saint Martin and the ecclesiastical parish of Christchurch in the city of Birmingham bounded on the north-east side by Waterloo Street on the east side by Christchurch Passage on the south-east and south sides in an irregular line by certain shops and other buildings known as No. 3 Christchurch Passage aforesaid and Nos. 72 73 74 75 76 77 78 and 79 New Street which said shops and other buildings are more particularly described in the Second Schedule and on the north-west and west sides fronting to Colmore Row and the open space or square in front of the Town Hall and containing in the whole one thousand seven hundred and eighty-five square yards or thereabouts Together with the church vaults or catacombs and other buildings standing on part thereof and known as Christchurch :

And also all that rectangular piece of land in the said parish of Saint Martin and the ecclesiastical parish of Saint Peter in Birmingham aforesaid situate on the south-east side of a street known as Dale End with a frontage thereto on the north-west side of the said piece of land of thirty-three yards or thereabouts and a depth of fifty-nine yards or thereabouts and bounded on the south-west side partly by a messuage known as No. 25 Dale End aforesaid in the occupation of William C Grew wine merchant and partly by the premises known as Saint Peter's National School and more particularly described in the second part of this Schedule and on the north-east side thereof by a certain messuage known as No. 27 Dale End aforesaid in the occupation of Messrs. T P Hawkins and Son wire workers Together with the church and other buildings standing on part thereof and known as Saint Peter's Church.

Part II.

Description of Saint Peter's School House &c.

All that piece of land situate in the parish of Saint Martin and the ecclesiastical parish of Saint Peter in Birmingham aforesaid and adjoining the churchyard of Saint Peter described in the first part of this schedule

together with the parochial school buildings and yard being thereon which said piece of land was by a deed poll under the hands and seals of Thomas Cliff and Francis Mole bearing date the thirty-first day of August one thousand eight hundred and forty-four and enrolled in Chancery on the first day of October then following conveyed unto the Reverend Charles Craven Joseph Warden Samuel Hedges John Shackell and Thomas Greensill to the uses and upon the trusts therein mentioned.

SECOND SCHEDULE.

Description of Land adjoining Christchurch.

All that piece of land in the parish of Saint Martin and the ecclesiastical parish of Christchurch in Birmingham aforesaid being of an irregular triangular shape and containing in the whole six hundred and eighty-two square yards or thereabouts bounded on the north north-east west and north-west sides thereof by the site of Christchurch described in the first part of the First Schedule hereto fronting on the east side thereof to Christchurch Passage aforesaid and on the south side thereof to New Street aforesaid Together with the messuages shops party passage and other buildings thereon standing and known as No. 3 Christchurch Passage and Nos. 72 73 74 75 76 77 78 and 79 New Street.

Printed by Eyre and Spottiswoode,

FOR

T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C. or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.