CHAP. xxii.

An Act to authorise the building on a new site of the district parish church of Saint John the Evangelist in Bradford in the county of York, and the sale of the old church and churchyard; and for other purposes. [25th May 1871.] A.D. 1871.

WHEREAS in or about the year one thousand eight hundred and forty a church was built in or near to Manchester Road in the township of Horton, in the parish of Bradford, in the county of York, and in the diocese of the Bishop of Ripon, and such church was afterwards consecrated by the name of the Church of Saint John the Evangelist at Horton in Bradford, and a district was assigned thereto, and such district, with certain alterations in the boundaries thereof, is now the district parish of Saint John, Bradford, and the said church is the church of the said district parish:

And whereas by a certain deed dated the sixteenth day of May one thousand eight hundred and fifty, and made between the Right Reverend the Lord Bishop of Ripon of the first part, the several persons therein mentioned, patrons of the vicarage and parish church of Bradford, of the second part, the Reverend John Burnet, LL.D., vicar of the said vicarage and parish church, of the third part, and the said John Burnet and the Reverend Edward Lyon Berthon and James Franklin Preston, Esquire (which said Edward Lyon Berthon and James Franklin Preston were the founders of the said church of Saint John the Evangelist), of the fourth part, the patronage and right of presentation of and to the said Church of Saint John the Evangelist was vested in the vicar of Bradford for the time being, and the said Edward Lyon Berthon and James Franklyn Preston, and their respective heirs

D. 1871.

and assigns, or the majority of them, in the manner in the said deed mentioned:

And whereas the Right Reverend Bishop Ryan is the present vicar of Bradford, and the Reverend Robert Wood Loosemore is the present vicar of the said district parish and parish church of Saint John the Evangelist at Horton in Bradford, otherwise Saint John, Bradford:

And whereas there is a churchyard which surrounds the said church, but no burials have taken place therein, nor are there any monumental tablets or memorials either in the church or churchyard:

And whereas the said church is an ugly and incommodious edifice and out of repair, and is situate at one extremity of the said district parish, and since it was erected shops, mills, and other trade buildings have been erected around the said church, and most of the inhabitants of the said parish now reside in the other parts of the said parish:

And whereas the lands described in the schedule to this Act annexed would afford a more central and eligible site for the parish church of the said district parish, and the patrons and vicar of the said parish, and the majority of the parishioners frequenting the church, are desirous that the existing church should be pulled down and the site thereof sold, and that a new church should be built on the lands described in the said schedule, or on some other site within the said district parish, to be approved of by the lord bishop of the diocese for the time being; and the lands described in the said schedule have been purchased in order to facilitate the accomplishment of those objects:

And whereas it is expedient that powers should be given for carrying the objects aforesaid into effect, but the same cannot be done 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 of the Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may for all purposes be cited as Saint John's Church, Bradford, Act, 1871.

Interpretation of terms.

2. In construing this Act the following words and expressions shall have the meanings hereby assigned them, unless there be

something in the subject or context repugnant to such construction; that is to say,

The expression "the old church" shall mean the present parish church of Saint John the Evangelist, situated in or near to Manchester Road in the township of Horton in the parish of Bradford:

The expression "the new church" shall mean the church to be built under the provisions of this Act:

The expression "the parish" shall mean the parish of Saint John, Bradford:

The expression "the parish church" shall mean the parish church of the parish of St. John, Bradford.

Lands in schedule or any other lands to be approved of by the bishop to be conveyed for new church.

3. The lands described in the schedule to this Act annexed, or any other lands within the said district parish, to be approved of by the lord bishop of the diocese for the time being, may be purchased and conveyed to the vicar of the parish and parish church of Saint John, Bradford, and his successors, and when so conveyed shall be appropriated as and for the site of the parish church of the parish of Saint John, Bradford, and of a churchyard in connexion therewith, and of approaches thereto respectively, and to no other purpose.

Plan of church to be approved of by bishop.

4. The new church shall, as regards its plan, elevation, decorations, fittings, and number of sittings, be such as shall be approved of by the lord bishop of the diocese for the time being, subject to the provisions of this Act.

When new church built, font, &c. may be removed thereto, but in other respects old church to continue till new church consecrated.

5. When the building of the new church is completed, the churchwardens may cause to be removed thereto the font and communion table and such of the internal ornaments and fittings of the old church as they think fit: Provided always, that the old church shall be maintained and kept up with all things requisite for the celebration of divine service, and the administration of the sacraments, and divine service shall continue to be celebrated and the sacraments administered therein until the new church shall have been consecrated.

New church to be in all respects substituted for old church.

6. The new church when completed and ready for consecration shall be consecrated as the parish church of the district parish of Saint John, Bradford, by the name of the Church of Saint John the Evangelist in Bradford, and shall thenceforth be the parish church of the said district parish in substitution for the old church, and shall with respect to patronage, right of presentation, endowments, the taking of pew rents, fees, and other emoluments, and the appli-

A.D. 1871.

cation thereof, and in all other respects whatsoever, be deemed to be in substitution for the old church; and all books, registers, plate, and other property of whatsoever kind now kept in and belonging to, or held by any person in trust for, or for the use of the old church, shall from and after the consecration of the new church be kept in and belong to, and be held in trust for, and for the use of the new church; and nothing in this Act contained shall interfere with or affect the appointment or continuance in office of the vicar, or any parochial or other officer of the parish or of the parish church.

When new church consecrated, old church, &c. to be sold discharged from ecclesiastical uses.

7. When the new church has been consecrated, the old church and all the ornaments and fittings belonging thereto which shall not have been removed to the new church, or shall not be retained or intended for use in the new church, and the site of the old church and churchyard and the land and approaches connected therewith, with their respective appurtenances, shall be sold either altogether or in lots, by public auction or private contract, at such time or times, subject to such conditions, and in such manner in all respects as the vicar and churchwardens for the time being of the parish church and the parish shall think fit, freed and discharged from all ecclesiastical and other trusts, uses, purposes, obligations, and disabilities affecting the same, whether by Act of Parliament, ecclesiastical law, or otherwise; and every deed or instrument of conveyance of land or real property so sold, which shall be signed sealed, and delivered by the said vicar and churchwardens, shall be binding upon the said vicar and his successors, and upon all parties whose concurrence or consent may by law be requisite for the conveyance of the said old church, churchyard, and premises, or any part thereof, in like manner in all respects as if all such last-mentioned parties had respectively executed the said deed or instrument.

Receipts signed by vicar, &c. to be a discharge.

8. Every receipt signed by the vicar and churchwardens for the time being of the parish church shall be a sufficient discharge to the purchaser of any property sold under the provisions of this Act for the amount of money expressed in such receipt to have been received, and the person taking such receipt shall not be bound to see to the application of such money or any part thereof.

Application of purchase moneys.

9. All moneys which shall be received by the sale of any property under the provisions of this Act shall be applied for the payment of the costs, charges, and expenses of and incident to the applying for, obtaining, and passing of this Act and preparatory thereto, the purchase of the lands described in the schedule to this

Act annexed, or any other lands to be purchased for the site of the new church, and the building, fitting up, and consecration of the new church to be erected thereon, and all incidental expenses connected therewith respectively.

Expenses of Act.

10. The costs, charges, and expenses of and incident to the applying for, obtaining, and passing of this Act and preparatory thereto shall, in the first instance, be paid by the vicar and churchwardens of the parish church and the parish.

A.D. 1871.

SCHEDULE to which the foregoing Act refers.

Site for the New Church.

All that plot or parcel of land situate at Little Horton in the township of Horton in the parish and borough of Bradford in the west riding of the county of York, containing one thousand eight hundred and eighty-seven square yards or thereabouts, including therein one half of each of the two streets herein-after mentioned, called respectively Henry Street and Neale Street, so far as the same streets are co-extensive with the said plot of land, and which said plot or parcel of land is part of a close of land containing six acres and twenty-four perches, formerly occupied by John Rand, and formerly the inheritance of Hannah Gilpin Sharp, deceased, and is bounded on the north-west by Little Horton Lane, on the north-east by the centre of the said street called Henry Street, on the south-west by the centre of the said street called Neale Street, and on or towards the south-east by other part of the said close, the north-easterly side or extremity, to the extent in width of five yards or thereabouts, of which plot of land forms part of the road or way of the said street called Henry Street, and the south-westerly side or extremity, to the extent in width of five and a half yards or thereabouts, whereof forms part of the road or way of the said street called Neale Street.

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1871.