

INSTRUMENT transferring the rights, emoluments, and endowments belonging to the Church of the parish of Saint Oswald, Chester, to the New Church of Saint Thomas, situate within the same parish, and making the Church of Saint Thomas the Parish Church of the parish of Saint Oswald, Chester.

To all to whom these presents shall come the Ecclesiastical Commissioners for England send greeting :

WHEREAS a certain defined portion (being the south transept) of the Cathedral Church at Chester, in the diocese of Chester, is now and of long time past has been accustomedly used as the parish church of the parish of Saint Oswald, Chester, which parish is situate partly within and partly without the walls of the city of Chester, and the said portion of the said Cathedral Church is or is deemed to be the parish church of the said parish, there being no other parish church within such parish.

And whereas a new church has been erected within the said parish of Saint Oswald, Chester, and such new church has been consecrated and dedicated to Saint Thomas.

And whereas the said Dean and Chapter of the said Cathedral Church at Chester are the patrons of the vicarage or incumbency of the said parish of Saint Oswald, Chester, and the Reverend William Henry Laurence Cogswell, Clerk in Holy Orders, is the present Vicar or Incumbent of the vicarage or incumbency of the said parish

And whereas the Right Reverend William, Bishop of the said diocese of Chester, and the Very Reverend John Saul Howson, Doctor in Divinity, the Dean of the said Cathedral Church at Chester, acting as Dean on behalf of himself and the Chapter of the same Cathedral Church, as such patrons of the vicarage or incumbency of the said parish of Saint Oswald, Chester as aforesaid, and the said William Henry Laurence Cogswell, acting as such Vicar or Incumbent as aforesaid, have respectively certified to us, the said Ecclesiastical Commissioners for England, by an instrument under their hands bearing date on or about the sixth day of September, in the year one thousand eight hundred and eighty-one, that it will be for the convenience of the said parish of Saint Oswald, Chester, that the said new church of Saint Thomas, situate within the same parish, being duly consecrated as aforesaid, should be substituted for that portion of the said Cathedral Church at Chester (being the south transept as aforesaid) which as aforesaid has been accustomed to be used as the parish church of the same parish.

And whereas such substitution as aforesaid is contemplated by a certain Order of Her Majesty in Council, dated the twenty-sixth, and published in the London Gazette on the thirtieth, day of August, one thousand eight hundred and eighty-one, being an Order intended to provide for the more efficient performance of the duties of the Cathedral Church at Chester, and for the maintenance of part of the fabric of the same church; and in the same Order it is recited that such substitution was to be effected by us, the Ecclesiastical Commissioners for England, under the statute in that case made and provided.

And whereas by the fourth section of the Act of the eighth and ninth years of Her present Majesty, chapter seventy, it is enacted (inter alia) that where any part of a cathedral church has been accustomed to be used as a parochial church, it shall be lawful for the authorities therein mentioned, and with the consents therein mentioned, to transfer the rights, emoluments, tithes, and other endowments (if any) belonging to the in-

cumbent of such church to any new church situate in the parish where such part of such cathedral is or is deemed to be the parish church; and by the same section it is further enacted that such new church shall, after such transfer, become the parish church in lieu of the former parish church so belonging to such cathedral.

Now therefore, we, the said Ecclesiastical Commissioners for England, in exercise and execution of the power or authority in this behalf given to or now vested in us by the said Act of the eighth and ninth years of Her present Majesty, chapter seventy, and by the Act of the nineteenth and twentieth years of Her said Majesty, chapter fifty-five, and of all other powers or authorities us hereto enabling, and with the consents not only of ourselves but also of the said William, Bishop of the said diocese of Chester, and of the said John Saul Howson, the Dean of the said Cathedral Church at Chester, and the Chapter of of the same Cathedral Church (the said Dean and Chapter acting in their said several capacities as such Dean and Chapter, and as such patrons as aforesaid of the vicarage or incumbency of the said parish of Saint Oswald, Chester, and also of the said William Henry Laurence Cogswell, acting as such Vicar or Incumbent as aforesaid of the same vicarage or incumbency), do by this Instrument to which we have set our common seal as well in token of our consent thereto, as for the purpose of rendering the same effectual in law, and to which the said William, Bishop of the said diocese of Chester, hath set his hand and affixed his episcopal seal, and to which the said Dean and Chapter acting in both their aforesaid capacities have set their capitular seal, and to which the said William Henry Laurence Cogswell, acting as such Vicar or Incumbent as aforesaid, hath also set his hand and affixed his seal, transfer all the rights, emoluments, tithes, and other (if any other) endowments belonging to the said accustomedly used parish church of the said parish of Saint Oswald, Chester (being as aforesaid the south transept of the said Cathedral Church at Chester), or to the Vicar or Incumbent thereof unto the said new consecrated church of Saint Thomas, situate within the same parish, and to the Vicar or Incumbent of the same new church and his successors to the intent (as the said consenting parties hereto do by such their consents testify) that the said new consecrated church of Saint Thomas, may, as under and by virtue of the hereinbefore in part recited enactment to that effect the same will after such transfer (that is to say from and after the day of the date of these presents) become and be in all respects the sole parish church of the said parish of Saint Oswald, Chester, in lieu of the former accustomedly used parish church of the same parish, being as aforesaid the south transept of the said Cathedral Church at Chester.

In witness whereof, we, the said Ecclesiastical Commissioners for England, have as aforesaid set our common seal, and the said William, Bishop of the said diocese of Chester, hath as aforesaid set his hand and episcopal seal, and the said Dean and Chapter of the said Cathedral Church at Chester have as aforesaid set their capitular seal, and the said William Henry Laurence Cogswell hath as aforesaid set his hand and seal to these presents this third day of November, in the year one thousand eight hundred and eighty-one.

Seal of E. C. E. (L.S.)

William Chester. (L.S.)

Seal of the D. and C. of Chester. (L.S.)

J. S. Howson, D.D., Dean of Chester.

William Henry Laurence Cogswell. (L.S.)