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The Finances Of The Church Of England
1830 - 1880



CHARLES W. COOLIDGE

1956

THESIS ABSTRACT

The Finances of the Church of England, 1830-1880

The author, in the first chapter, attempts to describe the attacks on the Church of England by Utilitarians, Radicals, and Nonconformists, commencing about 1830, as well as the efforts of Churchmen to defend the Establishment.

As the Church had been attacked for what was presumed to be its great wealth, the author, in the second chapter, presents a detailed analysis of the actual resources of these clerics. He demonstrates that as a whole, the Church was comparatively impecunious and that a disproportionate amount of the total income of the Church lay in the hands of a few of the wealthier bishops and chapters. There, as with all of the Church dignitaries, the system of leasing land for years and lives -- the basis of the wealth of the Church -- not only prevented them from realizing the maximum income from their estates, but frequently lead to variations in their individual incomes. In this confused financial condition, the Establishment was quite unprepared to deal with its opponents. Nor was it prepared to handle the rapidly growing problem of impoverished and overpopulated parishes.

In chapter three the author shows the attempts of Parliament to deal with the problems of Church finance between the years 1830 and 1850. After a report from a parliamentary commission of inquiry, the Ecclesiastical Commission was created, its function being to receive the income above the statutory limit of the various wealthy bishops and to distribute it among the poorer sees. During this period tithe commutation and copyhold enfranchisement began. The functions of the Ecclesiastical Commission were increased to include augmentation of poor parishes by the acquisition of the funds from the Cathedral stalls sequestered by the Act of 1840. This possession of land, however created friction with the lessees of the Church, who were quite unprepared to deal with a perpetual corporation. The funds at the Commissioners' disposal for augmentation were temporarily increased by a loan of £600,000 in 1843. However, by 1850 these funds were exhausted, while spiritual destitution continued to increase.

Chapter four discusses the resolution of these problems between the years 1850 and 1880. The creation by parliament of the Estates Committee brought about more efficient management of Church property. The Acts of 1850-51 permitted the Church dignitaries to turn their estates over to this Committee, which enfranchised property when requested to do so by the Church lessees, and purchased the beneficial leases of the remainder. Thus the Church tenants were satisfied, and the estates of the

Church leased on a realistic basis. Estates from the property brought in hand, or purchased from the profits realized from enfranchisement, were returned to the various dignitaries. Property not used for this re-endowment was placed in the hands of the Ecclesiastical Commissioners for augmentation. New rules of augmentation were adopted which permitted the Commissioners to raise the endowments of the incumbents of poor and populous parishes. By 1880 the process had been completed, and a revolution in the finances of the Church of England effected.

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THE FINANCES OF THE CHURCH OF ENGLAND

1830-1880

By

Charles W. Coolidge

An Essay submitted to the faculty of
Trinity College, The University of Dublin
in conformity with the requirements for
the degree of Doctor of Philosophy

Dublin, 1958



THE FINANCES OF THE CHURCH OF IRELAND

1890-1891

by

Charles W. Woolidge

An Essay submitted to the Faculty of
Trinity College, The University of Dublin
in conformity with the requirements for
the degree of Doctor of Philosophy

Dublin, 1891

TO
E. CHANNING COOLIDGE
MARTIN S. COOLIDGE

PREFACE

In 1933, Professor T. J. Ashton, who was then visiting Professor of Economics at The Johns Hopkins University, suggested that the author investigate the problems of the finances of the Church of England in the mid-nineteenth century. At the time he thought that most of the available material lay in parliamentary papers. Upon investigation the author found that this was correct, and a thorough study of the parliamentary papers of W. E. Gladstone, Sir Robert Peel, and Lord John Russell yielded little of value. Even the Parliamentary Debates and the standard biographies of the Church leaders contained, for the author's purpose, little of substance. This is perhaps due to the fact that the subject matter is highly technical, which may have caused the leaders of England to confine their discussions to the parliamentary committees and commissions. These reports are fortunately very full. In spite of the sparseness of many normal sources, the subject is important, not only as an example of parliamentary re-organization in the nineteenth century or of clerical institutions, but also for a full understanding of the problems and history of the Church of England in that century.

This thesis has not been submitted as an exercise for a degree at any other university and is entirely the

work of the candidate.

There are a large number of repositories to which the author is indebted: The British Museum, The Public Records Office, The National Library of Ireland, The Trinity

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The author must thank Professors T. S. Ashton of the London School of Economics, Sidney Painter and David Spring of The Johns Hopkins University, Tom E. Davis of the University of Chicago, H. H. Quint of the University of South Carolina, and S. Bruchey of Northwestern University, each of whom read at least one chapter of the manuscript.

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The University of South Carolina.

CHAPTER I

INTRODUCTION

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CHAPTER I

INTRODUCTION

The England of the post-Napoleonic era was an England of unrest. The uneasy stirrings of many parts of the population could be heard; reform was in the air. Peace brought to England not only pride in victory, but also introspection, and introspection brought agitation for the revitalizing of the institutions of government. It was in this milieu that the Church of England found itself in the 1820's. The clergy of the Church, enjoying all the fruits of the Establishment could hardly have escaped the critical gaze of the reformers. Instead of the usual respect, or at least sullen acquiescence, the clergy were faced with sharp and sometimes bitter criticism. The depth of this anti-clericalism, and the extent to which it reflected the opinion of the population as a whole, and not merely the views of a small but vocal coterie is disputable, but the Establishment felt itself to be besieged, and presumed it to be something more than restricted discontent.

The Church of England was attacked by two main forces. The philosophical Radicals, disciples of Jeremy Bentham, opposed the Church on utilitarian grounds. The Anglican Church was not the creation of a single mind, or even of a single age, and its rambling and frequently

anomalous structure could hardly be fitted into the highly organized administrative framework into which the Radicals wished to squeeze the English nation. Moreover, Christianity, especially as represented by the Establishment, lacked the positive, obviously useful results so dear to the hearts of the Radicals. Consequently Radicalism determined that the Church of England must be reformed, or destroyed.

Many Nonconformists also attacked the Church. They suffered from a series of grievances, both real and imaginary, and they objected on principle to the favored position of the Establishment. They pinned their hopes on the great Reform Bill of 1832, which, they thought would deliver them from the hands of the non-Christian Church of England, and lead them into the Promised Land of religious equality. The opposition of the Church to the Reform Bill, and the failure of the First Reform Parliament to take immediate action in their behalf, provoked a plague of pamphlets of which Moses could be proud.

The Church of England was obviously afraid. The clergy feared for the Establishment and the preservation of their revenues. The panic within the Church was, as Halévy has suggested,¹ unfounded, for the Whigs had no more intention than the Tories of seriously injuring the Church. The opposition to the Church was not united, either in method or objective. Nonconformity and Radicalism were uneasy

¹Elie Halévy, The Triumph of Reform, 1830-1841, E. I. Watkin, translator, (London, 1950), pp. 152-155.

bedfellows, and a majority of the Dissenters, the Wesleyans, were prepared to accept the status quo. The Church of England was in an almost impregnable position, but the violence of the opposition lead the Churchmen to the mistaken belief that they were in immediate, and mortal danger. This miscalculation goes far to explain the defensive position of the Church in the second quarter of the nineteenth century.

This was the era of pamphleteering, when both the Church and her opponents relied on paper ammunition as they fired barrage after barrage at each other. Victory and defeat clearly could only lie in Parliament, but an analysis of this mass of controversial literature can serve not only as a basis of comparison with the settlement, but in addition reveals the zeitgeist of the era in which the Church was reformed.

Perhaps the most extreme explanation of the Utilitarian and Radical positions was an article in the London Review, attributed to James Mill. In this, the author suggests, with a naive enthusiasm so characteristic of the Benthamites, that the Church of England in the form in which it then existed, be completely destroyed. In its place, and from its revenues, was to arise a new institution, combining the best features of Anglicanism with the greatest utility to the people. The Sabbath as a day of rest was to remain, and the people were to attend a "meeting."²

²P.Q., "The Church and Its Reform," Westminster Review, Vol. 29, pp. 259-260.

When the parishoners are assembled to consider in what other ways the meeting can be turned to advantage. One of them is obvious: add to their education. As often as the means were available, useful lectures, on various branches of art and science would be given.³

Mill proceeds to show the great benefits that such education could bring to the people. The chemical and physical sciences were to be stressed, and even a rudimentary form of that "most difficult of all sciences, politcal science," could be taught. The remedy the author offers, not only for the Church, but for the entire country, was that characteristic Benthamite panecea, education, by which the Church of England, "the enemy of rationalism" would become an institution useful to society.⁴

The most widely read of the Radical pamphleteers was John Wade. Wade's work does not contain, as did the article in the London Review, a positive program for the reformation, or abolition, of the Church. He rather devotes himself to criticism of the existing institution and invective. The Black Book, his volume published in 1820,⁵ shows the extremes to which he was willing to go. Speaking of the Church of England, he says, "No, reader, it is not Christ, but Anti-Christ, the Anti-Christian Church of England that we are going to unmask."⁶ He then includes

³Ibid., p. 290.

⁴Ibid., pp. 291-295.

⁵(John Wade), The Black Book or Corruption Unmasked (London, 1820).

⁶Ibid., p. 265.

Bentham's criticisms of the catechism.⁷ The vehemence of Wade's attack can be seen in his remarks on the ordination service in the Book of Common Prayer.

Truly this is marvelous to our eyes. Talk of miracles having ceased, why they are performing daily. Only think of 10,000 church parsons now scampering about the country, all filled with the Holy Ghost. . . . But the necromony of this wonderful ceremony! [ordination] The Bishop only imposing his hands saying, "receive the Holy Ghost" and instantly, with the suddenness of the electric fluid, the Holy Ghost passes from the fingers [of the Bishop] to the priest.⁸

The primary object of Wade's attack was not the liturgy, but the financial resources of the Church. In his Supplement to the Black Book of 1823,⁹ Wade at once sets the tone of the attack:

Our business is not with the doctrines but the temporalities of the Church. Yet we are acquainted with none in which the abuses are more prevalent, in which there is so little real piety, so much intolerance, and in which the support of public worship so vexatious and oppressive to the community.¹⁰

In short, it was the income of the "indolent and luxurious" clergy that he detested. He lists what he terms the "income of the Church", showing exorbitant amounts that they received,¹¹ and contrasts first the incomes of the hierarchy with those of the lower clergy, and then with the clergy of other countries, concluding that "the clergymen of the Church

⁷Ibid., p. 267.

⁸Ibid., p. 286.

⁹(John Wade), Supplement to the Black Book (London, 1823).

¹⁰Ibid., p. 208.

¹¹Ibid., p. 209.

of England and Ireland receive, in the year, more money than all the rest of the Christian world put together."¹² What use did the clergy make of this "bloated" income? Wade answers with charges of sinecurism, nepotism, patronage and pluralism.¹³

Wade's influence is not to be underestimated, and it is significant that not only did his Black Book run into several editions, but his inaccurate estimates of the income of the Church of England clergy was quoted as fact by other Radical publications¹⁴ such as the Reformers Gazette of Glasgow.¹⁵ Even Lord King, in the House of Lords, was accused by the Bishop of London of relying on the Black Book as the basis of his discussion of the incomes of the clergy of the Church of England.¹⁶

Within Parliament itself, the Radicals continued the fight. Such men as Lord King can be considered typical of this Parliamentary opposition to the Church. He remained a constant source of irritation to the bench of bishops,

¹²Ibid., p. 209.

¹³Ibid., pp. 211 ff.

¹⁴R. M. Beverley, A Letter to His Grace the Archbishop of York, on the Present Corrupt State of the Church of England (London, 1831), p. 34.

¹⁵The Loyal Reformer's Gazette (Glasgow, 1831), Vol. I, pp. 132-133.

¹⁶Hansard, Parliamentary Debates, Series 3, Vol. 2, pp. 481-482.

introducing bill after bill, presenting petition after petition, and criticising bishop after bishop in the hope of achieving some measure of reform. He was a constant delight to the opponents of the Church, for he demanded abolition of tithes, and rates, and the eradication of pluralism and nepotism.¹⁷

Another reformer of some status was Lord Henley, a Master of Chancery. He published in 1832, a Plan of Church Reform, in which he considered several aspects of the Church of England.¹⁸ He looked at the liturgy of the Church and expressed a "long suppressed astonishment that this indefinite, deficient, and illassorted compend of the Gospel could ever have been palmed upon the Universal Church under the abused name of the Apostles Creed."¹⁹ Of the Book of Common Prayer Lord Henley said:

What do we gain by the party spirit of the preface to the liturgy, the ill selection of Proper Lessons, Epistles and Gospels; the retention of legendary names and allusions in the calendar; the lection of the Apocrypha and the omission of the Apocalypse; the mention of feasts and fasts never observed; the repetitions of the Pater-noster, Kyrie Eleison, and Gloria Patri; the wearisome length of services; the redundance and assumptions of the state prayers; the unsatisfactoriness of the three creeds; the disputable character of the Baptismal and Burial offices; the incompleteness and dubious character of the Catechism, and

¹⁷Ibid., pp. 195-203; 231-239; 348-364; 478-485; and 551-552.

¹⁸A summary of Lord Henley's "Plan of Church Reform" appears in the Edinburgh Review, Vol. 56, pp. 203-220. A discussion with considerable direct quotation appears in A.P. Percival, A Letter to Lord Henley Respecting his Publication on Church Reform, (London, 1832).

¹⁹Percival, A Letter to Lord Henley, p. 4.

the order of Confirmation; the inapplicable nature and absolution of the Visitation service; the discordance between the Prayer Book and the Bible translations of the Psalms; the contumelious and offensive language of the state services; and added to all of these sources of weakness, similar causes of inefficiency in the Articles and Homolies.²⁰

To Lord Henley the Church of England became an "accursed thing." Lord Henley's remarks were more than this. He states that, "the most prominent enemy of the church" to be the "non-residence of the beneficed clergy." They were the "drones and locusts" of the Church, and it was on them that he concentrated his attack. He demanded their dismissal, and the complete renovation of the cathedral organization. After an attack upon the duties, of the dean, archdeacon, and prebendaries, he suggests that they all be dismissed, with the exception of the dean and two aids, to be called by more "scriptural" names, to be paid by the state, from the confiscated Church's funds. These were to superintend all cathedral duties, each resident for nine months.²¹ The fact that Lord Henley's treatise ran to five editions²² gives some indication of its popularity.

Nonconformists as well as Radicals expected much from the first Reform Bill. It was to be the answer to all their grievances, and the new, reformed Parliament could, and would legislate in their favor. To the Church of

²⁰Ibid., p. 5.

²¹Henley, A Plan of Church Reform, pp. 215-219.

²²Percival, A Letter to Lord Henley, p. 1.

England, on the other hand, the Reform Bill was "abhorrent, as the culmination of a spirit of unrest social, political, and intellectual, which for more than ten years had been perminating the existing order."²³ They fought it not only because it meant change, but also because it brought with it the enfranchisement of large segments of middleclass dissent, which in turn meant the dissolution, irrevocably, of the system of Church and State devised by Hooker: an Anglican Parliament legislating for the Anglican Church.²⁴ If the Reform Bill passed, they feared that it would mean not self-reformation, but reformation by a hostile, dissenting Parliament. Consequently the clergy of the Church of England stood, almost to a man, in opposition to the bill so desired by Nonconformity.²⁵ In an open letter to the Archbishop of York, R. M. Beverley, a Nonconformist, exemplifies the attitude of Dissent. After first protecting himself from the charge of athiesm, a charge which would hardly have deterred a Radical, Beverley proceeds to show the differences between the Church of England, and the early Church:

Our reverend pastors present us a strange picture of Christianity in their sermons, their charges and

²³William L. Mathieson, English Church Reform 1815-1840 (London, 1923), p. 42.

²⁴Francis W. Cornish, The English Church in the Nineteenth Century (London, 1910), Vol. 2, p. 28.

²⁵W. G. H. Cook, "Electoral Reform and Organized Christianity in England" Political Science Quarterly, Vol. 39, p. 488.

their tracts. According to their notions the Apostles, or at least the immediate disciples of the Apostles, were reverend "gentlemen," residing on wealthy livings preaching fifty-two written, printed, or lithographed sermons a year, and securing livings for their clerical, or commissions in the Roman army, for their military sons. In that golden age, according to their system, all the world was not only taxed by Ceasar, but tythed by Ceasar for the benefit of the primitive clergy, and the priests of the first three centuries amused themselves with card-playing, fox-hunting, horse-racing, shooting, fishing, and dancing, as they do at present. Pluralities were multiplied, and translations were frequent. St. Paul had the golden prebend of Philippi, a large living at Rome, another at Thessalonica, and was besides 'the very reverend Dean of Cornith.' St. Peter was translated from the bishopric of Babylon to that of Rome; and St. James was enthroned at Jerusalem, with great pomp and large lawn sleeves, after having subscribed to the thirty-nine articles, according to act of parliament . . . gentlemen of education or noblemen's sons were selected for higher honours of the Church, whilst all the hard work was consigned to poor curates, the rectors themselves being far away from their livings, amusing themselves with the fox chase, leading a fashionable life in the metropolis, dancing at some 'primitive' Almanacs or culling the sweets of pleasure at some 'primitive' Paris.²⁶

The Church of England, originally acceptable, had become corrupt and un-Christian because of its land and wealth. Beverley attributes this to the debilitating influence of the Establishment. The only remedy was to enact total disestablishment: tithes were to be abolished, all Church property confiscated, and the Church of England reduced to equal footing with the rest of the sects in England. All ecclesiastical courts were to be abolished, and all "acts of Parliament that have been passed from the reign of Edward VI to the present reign in favor of the Church" repealed. All bishops were to be dismissed from the House of

²⁶Beverley, A Letter to the Archbishop of York, pp. 4-5.

Lords. In fact, "the State must repudiate the Church, and the Church the State. It must be an entire separation and divorce, without prospect of union at any future date."²⁷ Thus by a quite different route, the Dissenter arrived at the same destination as the Radical: confiscation of Church property, and disestablishment.

Many Dissenters made less sweeping demands, desiring only relief from what they considered abuses rather than total abolition of Ecclesiastical revenues. They were specifically interested in only a measure of the Radical reforms. They had several major objectives: they wanted to be released from any obligation to contribute to the support of the Church of England; they wanted to have the burial service performed by their own clergy; they wanted complete, unbiased access to the Universities; they wanted nonconformist, marriage and burial services legalized; and they wanted the State, becoming secular, to show no partiality to any single group or sect; in short, equality.

When the Nonconformists discovered that the Reform Bill meant little or no immediate relief, even with the Whig ministry, then in office, many rose with the wrath of Old Testament prophets. Mammoth petitions were circulated during 1832, and huge groups of Nonconformists met throughout the country to pass resolutions and circulate demands. The Dissenters were an impressive group, claiming a majority

²⁷Ibid., p. 35.

of the population of all the manufacturing districts of the North, and of all the major towns and cities of the country. Indeed, sometimes they claimed they were the nation.²⁸ But this group, impressive as it might appear, lacked the support of Dissent's most powerful member, the Methodists, who, "on principal held aloof from political contests."²⁹ Nonconformity seemed to the contemporary, far more powerful than, in actuality, it could be, at least within the sphere of politics.

The forces of the opposition were now arrayed against the Church. The Radicals opposing the Church on principal; the Nonconformists on rather more specific issues.

The Church had been, before the passage of the Reform Bill, slow to meet the Radical charges. Two centuries of sleepy security had slowed its reflexes, and the vehemence of the attack was staggering. For the first time in a century Churchmen were forced to evaluate the contribution of the Church and its clergy to English society, and, if possible, place itself in a defensible position. This was obviously paramount in the minds of the bishops as they wrote their charges, and spoke in the Lords.

The Church of England contained, at the turn of the century, several distinct parties. First, there was the last pathetic echo of the glorious days of English theology

²⁸Halévy, The Triumph of Reform, pp. 149-151.

²⁹G. M. Young, "Portrait of an Age," Early Victorian England (London, 1934), Vol. 2, p. 444.

in the seventeenth century; the "high church" which, in these extremities, was reduced to a simple advocacy of the use of the Book of Common Prayer, and attention to its rubrics. They had little new to offer theologically, and little strength for the defense of that which they had.³⁰ A second group within the Church, the Evangelicals, were stronger and better organized, but had little stomach for the problems of administration and finance which beset the Church. Emphasizing "enthusiastic" redemption of the individual, they were little interested in the Establishment, and many of their members openly advocated latitudinarian ideals.³¹ Finally there was the hazy mass of clerics who in general held no specific position, and who were, at their worst more interested in the hunt than religion, and at their best preoccupied with their clerical duties. An example of the former can be seen in the famous five minute sermon by the clergyman in St. Giles. In speaking of the parable of the Pharisee and Publican, he said:

It was said that if any of our fellow creatures should so fall, as to stand in need of such a degrading confession as the Publican's, 1st. his hearers be on their guard lest, by drawing too favorable a contrast between such outcasts and themselves, they incurred the censure pronounced on that otherwise estimable character, the Pharisee.³²

When the tidal wave of criticism struck, not one of

³⁰R. W. Cornish, The English Church, pp. 2-34.

³¹Ibid., pp. 62-76.

³²John Stoughton, History of Religion in England from the Opening of the Long Parliament to 1850 (London, 1884), Vol. 7, p. 101.

these three groups was in a position, in organization, or theology to present a solid and appealing front. If it were to be withstood, new dykes had to be built, and this called for either the rejuvenation of the old, or the creation of a new set of ideas and parties within the Church of England.

Answers to the Church's need were not slow in coming. They came from several different quarters. To begin with, there was the so-called Broad Church, tracing its beginning to Samuel Taylor Coleridge,³³ is a prime example. In his Church and State, Coleridge expresses his desire for the recreation of a "clericy", or state-financed intellectuals as opposed to the land owners and the merchants. Thus harkening back to a medieval precedent, Coleridge fashioned what was to become one of the philosophical and theological concepts of the nineteenth century. He felt keenly the lack of an organized intelligensia, and felt that a state-supported group of intellectuals, including all professions, would add the soundness and balance which his society lacked.

Coleridge, however, was dealing abstractly with his world, and his "clericy" would hardly have been an acceptable solution to the problems which were besetting the Church.³⁴ It was left to his follower and disciple, Thomas Arnold, to put this theory of a "clericy" into a workable

³³For the influence of Coleridge on the Broad Church movement, see Charles R. Sanders, Coleridge and the Broad Church Movement (Durham, 1942).

³⁴Basil Willey, Nineteenth Century Studies, Coleridge to Matthew Arnold, (London, 1949), p. 53.

plan for the salvation of the Establishment. Halévy dismisses Arnold's proposals as "eccentric,"³⁵ but under the pressures of the attacks, and with the teachings of Coleridge before him, Arnold, if nothing else represents one phase of the Church of England's gropings for a workable solution to its problems, and deserves more than the summary dismissal given him by Halévy.

Arnold begins with an attack upon those critics who desired the alienation of Church property, immediately placing them on the defensive by attributing to them the unenviable motives of being either "Church destroyers" or "self-seekers." On the whole he decides that the majority are of the first class, both the Radicals and Nonconformists, as the latter are giving aid and comfort to the former.³⁶

Yet he bases his argument for the retention of the Church property by the Establishment not on the criticisms of others, but rather on legal grounds.³⁷ The strength of these arguments will be analyzed in a later chapter.

As the law declares that a man's benefice is his freehold, it [the deprivation of the freehold] is precisely the same to deprive an incumbent of the income of his Church preferment, as to deprive any other individual of the rents of his land, or the profits of his trade. . . . It is an invasion of the rights of the patrons of the Church benefices, lands, which were certainly never granted to the State.³⁸

³⁵Halévy, The Triumph of Reform, p. 139.

³⁶Thomas Arnold, "Principles of Church Reform," Miscellaneous Works, (New York, 1845), p. 76.

³⁷Ibid., p. 76.

³⁸Ibid., p. 77.

But Arnold's chief contribution is not a vituperative attack on the Establishment's opponents, or even a legalistic defense of Church property, but rather a scheme whereby the Establishment which he thought to be in danger, might be preserved. Looking backward, Arnold decides that the whole Christian world has had an establishment, "with the exception of the United States of America, where the evil Spirit of Sectarianism has wrought his evil work." The problem, according to Arnold, was to unite in a single Church all different opinions and "different rites and ceremonies." His thesis then, was to "constitute a Church, thoroughly united, and thoroughly Christian, which should allow great varieties of opinion of ceremonies and forms of worship, according to the habits and tempers of its members."³⁹ This was to be accomplished by an Act of Parliament which would make the Church sufficiently all-embracing to include all the Dissenters with the exception of the Roman Catholics, Quakers, and Unitarians, who obviously could not be included. The historic churches were to be the meeting places of all the included sects, each having a different hour of worship. Bishops were to be increased materially in number, and they were to govern the qualifications of candidates for the ministry. It is to be presumed that the income of the Church would be divided in a like manner among the participating sects.⁴⁰

³⁹Ibid., p. 88.

⁴⁰Ibid., pp. 90-99.

Arnold's pamphlets were frequently reprinted during the period of crisis, and although his reforms were too sweeping for nineteenth-century England to be adopted, in their totality, it is significant that a body of Church opinion was moving toward a broadened, all-inclusive basis for the preservation of the Establishment and its revenues.

Arnold's scheme brought forth a whole group of similar pamphlets, supporting his position. As one critic has described them:

The press groaned beneath the perpetual issue of pamphlets, treatises, discourses, as numerous as the nodes in sunshine, all bent on the reformation of the Church, from head to foot. To open one of these profound, zealous, and authoritative disquisitions, which understood at a week's notice to correct all the anomalies of the world, and present a spick-and-span new creation in which imperfection was unknown, you might suppose that the Church of England was a mass of corruption, folly, and bigotry. Everything was wrong, everything required radical change. Nothing could be hoped for, except after the expulsion of the bishops from the House of Lords, the overthrow of the Chapters, the abolition of religion in the Universities, the radical reform of the worship and doctrine of the Church in a liberal direction.⁴¹

In this one can see the attitude of a second segment of Church thought to the compromises proposed by the liberals within the Church. This totally different attempt to strengthen the Church came from Oxford. Though its origins are traceable to a single issue, the consolidation of the Irish sees, the message of John Keble's sermon on National Apostacy was meant for, and fully applicable to, the issue

⁴¹William Palmer, in the Contemporary Review, May, 1883, p. 639, quoted in A. W. Evans, Introduction to Tract Ninety (London, 1933), pp. xii-xiii.

facing the Church of England. With Keble there was not the attempt to compromise of Arnold, but rather a reassertion and intensification of the distinctions which separated the Established Church from Nonconformity. He first rhetorically asked what constituted a Christian nation. His answer was a nation bound "in all her legislation and policy, by the fundamental rules of the Church." If this relationship is broken, said Keble, "Is not this . . . like the Jews, to have an earthly King over them, when the Lord their God is their King? . . . If such enactments breaking this relationship are forced on the Legislature by public opinion, is APOSTACY too hard a word to describe the temper of that nation."⁴² Keble was attacking theologically, and by his sermon opened the campaign of the Tractarians to preserve the Church.

Keble was not alone; with him were Newman, Froude, Palmer and others, who after a brief period of hesitation, began the essays that gave the Oxford Movement their name. Newman, who in many ways spoke for the movement, analyzes his position in his Apologia Pro Vita Sua: "My battle was with liberalism; by liberalism I mean the anti-dogmatic principle and its developments."⁴³ He placed his emphasis on "the doctrines of apostolical succession and sacramental grace, on the independent authority of the Church as a divine institution, on the importance of the teaching of the

⁴²Ibid., pp. xxi-xxii.

⁴³John H. Newman, Apologia Pro Vita Sua (New York, 1947) p. 44.

early Church, and on the need for resisting the advance of liberalism."⁴⁴ Newman groups Erastian, latitudinarian, and Utilitarian principles together as "liberal." As the Tractarian's pamphlets grew in number, so did their followers. In Oxford University Newman had the opportunity of influencing the minds of theological students, and throughout the country this cry for an independent, self-contained, and doctrinally unique institution met with great success. The clergy of the Church of England, if not its prelates, could understand Newman, while Arnold's language was foreign to them. While Arnold offered compromise, Newman regrouped the Church militant. Should they lose their lands at the hands of an "Erastian" Parliament, their power would still stand "on the authority on which their authority was built - their apostolical succession."⁴⁵

The affectiveness of the Tractarian movement is disputable, at least insofar as the Church's financial and administrative crisis is concerned. It is true that they rallied a group of the clergy, previously phlegmatic, to their standard, but they, in the long run, fought not so much the "Erastian" Parliament, but rather the liberal forces within the Church. The statement of Dean Church, that:

The official leaders of the Church were almost stunned and bewildered by the fierce outbreak of popular hostility. The answers put forth on its behalf to

⁴⁴Quoted in Evans, Introduction, p. xxx.

⁴⁵Ibid., p. xxxi.

the clamour for extensive and even destructive change were the work of men surprised in a moment of security. They scarcely recognized the difference between what was indefensible and what must be fought for to the death; they mistook subordinate and unimportant points for the key of their position; in their compromises or in their resistance they wanted the guidance of clear and adequate principles, and they were vacillating and ineffective.⁴⁶

was presumably made to contrast the leadership of the Church with that offered by the Tractarians, but a rather clearer analysis by one eminent ecclesiastical historian throws considerable doubt upon the actual contribution of the Tractarians to the defense of the Church:

Undeniably pluralism, nepotism, and non-residence were rife, but the fact that these same evils were present on a larger scale in Italy, and generally in Roman Catholic countries suggests doubt whether the Tractarian proclamation of the apostolical succession and the divine right of the episcopacy was the remedy relevant and proper to such abuses.⁴⁷

But there was a third force which perhaps made the greatest effort to defend the Church of England. It falls into no definite category. These were men who were pursuing regularly their clerical functions until attacks forced them from their silence and frequently because of direct attack, into the field of battle. Some were inevitably drawn in by the very positions they held. The bishops, who in many ways were spokesmen for the Church and

⁴⁶Richard William Church, The Oxford Movement: Twelve Years, 1833-1845 (London, 1891) p. 2.

⁴⁷Norman Sykes, "Estimates of the Oxford Movement of 1833," in The Origins of the Oxford Movement (Philadelphia, 1935), p. 1.

possessed the opportunity for public statements, replied to attacks both in the House of Lords, and in their individual charges. Their opinion and approach is particularly important, for it was to them that the great bulk of the clergy looked for guidance, and if Bills were presented in Parliament, they spoke for the Church.

Besides the bishops, replies were drawn from holders of benefices, members of chapters, and others who, being attacked, replied in kind. They felt that they were fighting for their very existence. In general these clergymen confined themselves to answering specific charges. The bitter attacks of the Radicals were either ignored, or dismissed with the few words: "judge not and ye shall not be judged."⁴⁸ They did however, go into some detail when defending themselves against some wouldbe reformers. It is worthwhile glancing at what these men said and wrote, for their works reflect the temper of the clergy at this time.

The Dissenters had complained of the necessity of conformity to the rites of the Established Church in the ceremonies of baptism, marriage, and burial, and the use of the Established clergy by the State in their registration.⁴⁹ John Kaye, Bishop of Lincoln, replied that it was rather a grievance to the Church than to the Nonconformist, but

⁴⁸W. L. Bowles, A Last and Summary Answer to the Question "of what use have been and are the English Cathedral Establishment" (London, 1833), p. 1.

⁴⁹See above, p. 12.

stated:

The State thinks it essential to the well-being of the community that clandestine marriages shall be prevented; and that births, marriages, and deaths shall be correctly registered. In order to effect these objects, it has employed the instrumentality of the Clergy of the Establishment, by requiring that all marriages shall be solemnized in the Church; and that registers of all baptisms, marriages, and burials, shall be kept by the parochial minister. We acquiesce in the decision of the legislature.⁵⁰

The Dissenters demanded burial in the Church cemeteries, by their own clergy. To this Kaye replied, "Thus they claim the right of burial in the very churchyards which they refuse the means of supporting. Let there be no rates, say they - Let Churchmen keep up the churchyard - but let us who pay nothing towards it have the privilege of burying our dead in it."⁵¹ Finally, the Dissenters objected to exclusion from the universities. Kaye answers:

. . . I say to alter those statutes, [requiring acceptance of the thirty-nine articles,] for though it has been suggested that the admission of Dissenters might effectually be accomplished by a special exemption of Dissenting students from attendance in the college chapel, it is certain that such an exemption would speedily lead in practice to the same result in a total erasure of the statutes. The chapel doors would be closed, and even the forms of religion be banished from the colleges.⁵²

Other criticisms had to be refuted. The Radical and Nonconformist demand that the Church lands be confiscated

⁵⁰John Kaye, Nine Charges delivered to the Clergy of the Diocese of Lincoln, with some other works (London, 1854), p. 91.

⁵¹Ibid., p. 92.

⁵²Ibid., p. 97.

led numerous authors to show that the lands of the Church were donations, not by the State, but by generous patrons of the past, and the land was therefore the inalienable property of the Church; a freehold that could not legally be separated from its owner. In Burke's words, "The Revenues of the Church are taken from no man, they are incorporated and identified with the mass of private property of which the State is not the proprietor for use or domination."⁵³ Blackstone and Henry could be quoted to emphasize the point.⁵⁴ To clarify the issue and to rally support, one author asks:

Can it be imagined that they [the reformers] will be contented with the destruction of a hated establishment and the paltry division of its revenues, while plunder of an aristocracy remains to be shared? . . . The law of England is a law of precedents; the spoilation of the church property will be a precedent for the abolition of all property.⁵⁵

The tithe was defended from the attacks of the opponents of the Church on the grounds that production of tithed lands was as great as that of lands left untithed. Furthermore:

. . . in contradiction to all the agricultural committees and political economists that have ever dogmatized upon the subject, that to give a compensation for the tenth of the produce of every parish to an ecclesiastic and compel him to spend it in that parish of which he is pastor, for the purpose of community

⁵³Ibid.

⁵⁴Augustus Campbell, An Appeal to the Gentlemen of England in Behalf of the Church of England (Liverpool, 1823), p. 6.

⁵⁵Ibid., p. 14.

religious and moral instruction to the inhabitants, would be an invaluable benefit to any people, and that is an institution worthy of imitation in every nascent state.⁵⁶

Although the statistics of the Black Book were hotly denied at all levels, the discrepancy between the incomes of the clergy of the Church, both vertically and horizontally, had to be admitted. Accurate statistics were not available, even to the highest levels of Church administration, and in consequence accurate replies to accusations had to await the report of the Select Committee on the subject in 1835.⁵⁷ However, the admitted variations were defended on the grounds that the higher paying positions became the object of "laudable ambition." It induced men of the highest class to enter the Church, "not as a mere means of existence, but as giving claim to a certain elevation in society, which will at all times keep them on an equal footing of respectability with the upper classes."⁵⁸

Pluralities and non-residence were generally admitted to be an evil, as were advowsons, and other means which might lead to nepotism. But nepotism, it was claimed, was declining,⁵⁹ advowsons impossible to regulate because

⁵⁶Ibid., p. 45.

⁵⁷House of Commons Sessional Papers, "Report of the Commissioners appointed by His Majesty to Inquire into the Ecclesiastical Revenues of England and Wales" (London, 1835) Vol. 22.

⁵⁸Campbell, An Appeal, p. 44.

⁵⁹Hansard, Parliamentary Debates, Series 3, Vol. 2, pp. 359-360.

of the laws of private property, and pluralities not governable until such time as parish incomes were sufficiently increased to allow each parish to support one clergyman.⁶⁰

In the cathedral organization, the deans and chapters, were said to be essential to the continuance of daily cathedral services, and leisurely scholarship within the framework of the Church.⁶¹

In most cases, the apologists of the Church of England defended themselves logically, through an appeal to precedent and their ancient privileges. Occasionally they showed panic. One threatened the excesses of the French revolution.⁶² Another, in an obvious fit or frustration, tells the reformers that:

When the 'useless' chapters are abolished, I would 'suggest' that the new minister-dean make an auto-da-fe of the books in the old cathedral library, supplying in the place of the ponderous tomes of Crysostom and St. Ambrose with waggon-loads of yahoo-tracts, so conducive to morality.⁶³

Even Bishop Kaye gives vent to his fears. He suggests that there is "doubt respecting the permanence of the connection of the Established Church with the State."⁶⁴

These fears, which so obviously permeated the entire clergy, certainly contributed to their willingness to

⁶⁰Kaye, Charges, p. 108.

⁶¹Bowles, A Last and Summary Answer, pp. 14-65.

⁶²Campbell, An Appeal, p. 51.

⁶³Bowles, A Last and Summary Answer, p. 60.

⁶⁴Kaye, Charges, p. 78.

compromise, and, though they defended themselves at every point of attack, their reaction was sufficiently motivated by a fear of disestablishment and confiscation that they were, in all probability, willing to take the advice of the Christian Observer, when, in 1832, it suggested:

However, framed according to the best standard, and admirably adapted to its object, a system committed to human agency cannot fail in its complicated machinery to contract defects through the lapse and rust of time, the frailty of its instruments, and the change of habits and manners in successive ages. A readiness to admit, and a willingness to correct, such defects, upon mature deliberation and through proper authorities . . . would be the becoming conduct of the wise rulers of the Church.⁶⁵

⁶⁵Christian Observer, Vol. 32, p. 724.

CHAPTER II

G. M. Young has spoken of the early nineteenth century as a world where "medieval prejudice, Tudor law, Stuart economics, and Hanoverian patronage still luxuriated in wild confusion."¹ This was as true of the Church of England as of other institutions within England. But the Church, perhaps more than any other part of English life, retained much that was medieval. The Church was:

. . . in many aspects a survival of the Middle Ages, unchanged in several particulars of administration and organization from its predecessor of the thirteenth century. It would scarcely be an exaggeration to affirm that apart from the exclusion of Papal authority and the necessary changes consequent upon this in the sixteenth century, the administrative machinery of the Ecclesia Anglicana remained substantially unaltered during the long period from the death of Henry III to the accession of Victoria.²

The six centuries that separate the reigns of the two monarchs had naturally wrought major changes upon England and the English, and the Church, unwilling, or unable to keep pace with this development, particularly the increased tempo of the last quarter of the eighteenth century, appeared to the Englishman of the early nineteenth century as being filled with anachronisms and anomalies so repugnant to the reforming spirit of the age. The Church of England

¹Young, Portrait of an Age, p. 421.

²Sykes, Origins of the Oxford Movement, p. 1.

in the first third of the nineteenth century was essentially a static, rural institution in a dynamic, increasingly industrial society.

This becomes readily apparent at the episcopal level. Geographically, the dioceses were in a state of wild confusion. The last creation of new dioceses had taken place in the reign of Henry VIII with the general distribution of religious property, but even there it was a matter of the creation of new dioceses, rather than a redistribution of the populations or reorganization of the administration of the older units. Consequently in 1830 there were vast discrepancies in size, confusion of boundaries, and no real attempt to equate the diocese with the population growth which had occurred during the so-called "industrial revolution." While York, Chester, and Lincoln covered tremendous areas, probably adequate for the population of England in the sixteenth century, they were ill conceived for the new, urbanized English society. On the other hand, Bristol, Oxford, and Winchester covered an inordinately small area.³ While London ministered to the need of 1,688,899, York to 1,463,503, and Chester to 1,902,354 souls, Ely contained only 126,316, Carlisle 127,701, and Oxford 139,581.⁴

³See Map A, Appendix.

⁴House of Commons, Sessional Papers, First Report from His Majesty's Commissioners Appointed to Consider the State of the Established Church, with Reference to Ecclesiastical Duties and Revenues, (London, 1835) Appendix 1, p.12.

To further complicate this difficult situation, the dioceses were not organic units of administration to be governed by a single bishop. Bits of dioceses appeared in the center of others. For example, the diocese of Bristol was separated into two distinct units by the diocese of Bath and Wells. Rochester was split into three parts by a segment of the archdiocese of Canterbury, which was itself isolated from the main portion of the see by the diocese of Rochester. Bangor was in three distinct parts, and a large island of York was to be found in the very heart of Durham. The southern part of Lincoln, separated from its northern half by Peterborough and Ely, was literally mottled by parishes affiliated with other dioceses. In fact, there was hardly a diocese in England and Wales that did not contain an irregularity of some kind, which did not lend itself to efficient or inexpensive administration.⁵

These irregularities, stemming from the peculiar development of each diocese, rather than from a new "corruption" invading the ecclesiastical structure, are even more apparent when the income of the episcopate is analyzed.

The bishops of the Church of England were not nearly as John Wade had pictured them. Although one must assume that Wade exaggerated for emphasis, the discrepancy between his figure for the total annual net income of the episcopacy of the Church of England, £500,000,⁶ and the actual

⁵See Map A, Appendix.

⁶Wade, The Black Book, p. 209.

average net annual income for the years 1820-1830, £181,631,⁷ forces one to totally dismiss Wade's discussion of the subject. His figure for the average income of an individual bishop is necessarily equally inaccurate; £20,000⁸ as compared with an average net annual income of £6,727.⁹

A discussion, however, of an average income, derived from the total revenues of the episcopacy is of little value, for the discrepancies between the incomes of the various prelates was sufficiently great to render the term almost meaningless. To obtain a full understanding of the episcopal incomes in this period, it is necessary to analyze closely the revenues, and their sources, of each individual bishop.

The Archbishop of Canterbury between the years 1829 and 1835 inclusive had a net annual income of £21,863; the Archbishop of York, £11,437. Among the bishops, the largest average net annual income of these years was held by the Bishop of Durham with £22,185, followed by London, £13,890, and Winchester, £10,372. This should be compared with the English dioceses of Oxford, £1,630; Bristol, £2,084; Gloucester, £2,137; Rochester, £2,195 and Carlisle, £2,613,

⁷House of Commons, Sessional Papers, Report of the Commissioners Appointed to Inquire into the Ecclesiastical Revenues of England and Wales., (London, 1835), Table I, pp. 2-7.

⁸Wade, The Black Book, p. 209.

⁹Report of the Revenue Commissioners, pp. 2-7.

as well as with the Welsh dioceses of St. David's, £2,820, and Llandaff, £1,450.¹⁰ This episcopal income bears little recognizable relation to either the size or population of the diocese, but rather the whim of history, the chance lands and properties which the bishops had been able to accrue over the centuries, by purchase, gift, or other means.

Under these circumstances one can hardly fail to understand the reason for the frequency of translations, so often referred to by the critics of the Church. According to Bishop Stubbs' Registrum Sacrum Anglicanum,¹¹ between the years 1800 and 1835, the years when the Church was being most vehemently attacked, out of 41 bishops consecrated, 27 were translated at least once before the end of their career. Edward Maltby went from Chichester, (£3,587), to Durham, (£22,185), Charles Sumner was translated from Llandaff, (£1,450), to Winchester, (£10,372), and Charles Bloomfield from Chester, (£2,910), to London, (£13,890).¹² Because there is no example of a bishop being translated from a wealthy to a poorer diocese, one should not underestimate the monetary aspects of these translations, though

¹⁰House of Commons, Sessional Papers, First Septennial Return of the Revenues of the Archbishops and Bishops of England and Wales, with Correspondence, &c., (London, 1851), Part I, pp. 2-226.

¹¹William Stubbs, Registrum Sacrum Anglicanum (London, 1897), pp. 147-152.

¹²First Septennial Report, pp. 2-226.

of course the wealthier dioceses brought with them prestige, influence over ecclesiastical polity. But like so many of the criticized aspects of the Church, frequency of translation was not new. Between the comparable years of 1600 to 1635 there were 33 translations of the 70 bishops consecrated, including such notable figures as Launcelot Andrews, (Chichester to Ely) and William Laud, (St. David's to Bath to London).¹³

The cathedral chapters¹⁴ were equally foreign to the thought of the early nineteenth century. There were two general types of cathedral chapters, those of the "old foundation," and those of the "new foundation." The former, consisting of York, St. Paul's, Chichester, Lincoln, Wells, Exeter, Hereford, Lichfield, Salisbury, and the Welse cathedral chapters of St. David's, Bangor, Llandaff, and St. Asaph, differed from the latter, Canterbury, Durham, Carlisle, Ely, Norwich, Rochester, Winchester, Worcester, Bristol, Peterborough, Oxford, Gloucester, and Chester, in origin and constitution. The chapters of the "old foundation" had been in existence before the reign of Henry VIII, and were essentially unchanged by the reformation. They held their property separately, each prebend being endowed,

¹³Stubbs, Registrum, p. 111-116.

¹⁴For the complete history of the cathedral chapters see, House of Commons, Sessional Papers, Report of Her Majesty's Commissioners for inquiring into the State of Cathedral and Collegiate Churches in England and Wales and Matters connected therewith., (London, 1854).

and the income from that endowment furnishing the dignitary with his income. The management of this property was, as in the case of the bishops, completely in the hands of the incumbent. The chapters of the "new foundation," had been wither totally created, as in the case of Bristol, Peterborough, Oxford, Gloucester, and Chester, or reconstituted, as in the case with the rest, by Henry VIII's reforming statutes. They were constructed as a corporation sole, and the property, from which they derived their income was consequently, held jointly, and distributed in accordance with the statutes governing their creation.¹⁵

But in all the cathedral chapters by the beginning of the nineteenth century, with the exception of the Dean, the Precentor, the Chancellor, and the Treasurer, the duties of the canons were purely nominal, each doing little more than officiating at one or two annual services at the cathedral. With the exception of the dean, almost all of the members or chapters held stalls sine cura animarum. This lead to an almost universal system of plurality among the chapter members, as well as fostering an almost universal disregard for the statutes requiring a specified length of residence at the cathedral.

The Canons being generally possessed of benefices without limitation as to distance, have for the most part resided at the Cathedral only a short time, . . . and have thus become less capable of united action, less sensible of corporate responsibility, and less

¹⁵Ibid., p. iii.

available to the bishop as his council of advisors.¹⁶

The Archdeacon was customarily a member of the chapter, but possessed in every case his own estates.¹⁷ In most of the old cathedrals the Vicars Choral were corporate bodies, having a limited amount of property. In the foundations of Henry VIII, the number of minor canons was equal to that of the canons; (with the exception of one case) they generally did not form a corporation, and held no separate property.¹⁸

The bishop was, in so far as his episcopal property was concerned, a tenant for life. That is, he controlled the property as his own, but only for such time as he held his office, and subject to the restriction of Parliament, preventing alienation of property. This too, applied to any members of the cathedral chapters who, like the bishops, held property directly attached to the office or stall. It was naturally in their interest, and in the interest of their heirs, to acquire from the assets of their offices the maximum income for the period of their incumbency, rather than planning for the long term benefit of the office which they held. This was true, also, but to a far less

¹⁶House of Commons, Sessional Papers, Third and Final Report of Her Majesty's Commissioners for Inquiring into the State of Cathedral and Collegiate Churches and Matters Connected therewith., (London, 1855), pp. vi-vii.

¹⁷First Report of Cathedral Commission, p. vii.

¹⁸Third Report of Cathedral Commission, p. xii.

degree of the corporations aggregate, for being an undying corporation, the interest at least of the majority prevailed over the interest of the individual.

The income of the Church dignitaries was derived from roughly similar sources, and varied in degree than in kind. The largest single source of their income was derived from fines paid on the renewal of leases of Church lands.¹⁹ The statute of Henry VIII, c. 28 granted the power to let lands, and the Statute 1 Eliz. I, c. 19, s. 5 limited the right of Archbishops and Bishops to 21 years, or three lives, the two very probably being at the time considered "different in their certainty, but identical in their value." The Act 13 Eliz. I, c. 10 restricts similarly "any Master and Fellows of any College, Dean and Chapter of any Cathedral, or Collegiate Church . . . or any other having any spiritual or ecclesiastical living."²⁰

Church land varied considerably throughout England and Wales, both in type, tenure, and degree of cultivation. Some land was intermixed in small pieces, with freehold and lay-leasehold, some was in comparatively large units; most land was leased by wealthy tenants, who sub-leased the land, the remainder by small lessees, who worked the land themselves.

¹⁹Report of Ecclesiastical Revenues Commission, Table I, II, III, pp. 2-95.

²⁰House of Commons Sessional Papers, Report from the Select Committee on Church Leases, together with Minutes of Evidence and Index., (London, 1939), p. vii.

A large proportion of the episcopal land as well as a considerable amount held by the corporations aggregate, was let on leases for three lives. That is, the property was leased for the span of the life of three persons, usually members of the family of the lessee, or important persons in England, as for example, the sovereign, whose death would be well known to both the lessor and the lessee. A fine was taken upon the death of any one of the three lives within the lease, and was determined either by simply a customary number of years' purchase being asked, or by the more complex method of determining by the actuarial tables, then in existence, the number of years extension the addition of a new life would give the lease. The annual value of the property leased was then determined, either by a new survey, or by previous surveys, and the rate of interest which the Church was willing to permit the lessee established by the lessor. With this information, the agents of the Church could compute exactly the fine, in terms of years' purchase, which the renewal was to cost the lessee. The lessee either accepted these terms of renewal, or refused them, according to his feeling about the fairness of the terms. There are very few examples of the lessor showing the lessee the method of his determining the fine.²¹

It is obvious that many of the prelates, as well as cathedral corporations sole, were casual about their surveys,

²¹Ibid.

and there are several examples of the age of the new life being totally ignored.

By the early years of the nineteenth century it was well known that leases for lives were not advantageous to the lessor. As early as 1710 English lay-landlords had begun to exchange them for rack rent leases.²² They were particularly detrimental to the interests of the Church, first because, even if the second life in the lease were of middle age, the lessor could wring from the tenant for life over-favorable terms, on the threat of the second life in the lease outliving the dignitary who, usually being of advanced age, could hardly expect to outlive the two lives within the lease. At best, a dignitary attempting to run his life against those of the lessee reduced the tenure to "a species of lottery."²³

Furthermore, the Northampton Life Tables, frequently used by the agents of the Church, were detrimental to the best interests of the lessors. While insurance companies used them with benefit, gaining considerably by the under-estimation of life expectancy, the Church, in the position of the grantor of an annuity, suffered by such miscalculation.²⁴

²²H. J. Habakkuk, "English Land Ownership, 1680-1740.", in The Economic History Review. Vol. X, No. 1, p. 17.

²³House of Commons, Sessional Papers, Report from the Select Committee on Church Leases., (London, 1838), p. 375.

²⁴William Inwood, Tables for the Purchasing of

<u>Age</u>	<u>No. of Persons</u>	<u>No. that should have died by Northampton Table</u>	<u>No. that did die</u>
20-30	4720	68	29
30-40	15951	243	106
40-50	27072	506	201
50-60	33307	545	339
60-70	14705	502	426
70-80	5056	290	289
80-90	701	94	99

Even when the difference between the Northampton Tables, and newer, more exact tables was realized, it did not necessarily mean that the Northampton Tables would be abandoned. For example, the actuary for the Archbishop of York testified:

. . . calculations have been made for renewal of a fine, for instance, from the tables which are commonly known by the name of the Northampton Five per Cent. Tables; they have been made from those tables in preference to others, because it has been the custom amongst actuaries so to do. When I first went to York I endeavoured to introduce other tables that were preferable in my opinion, but in some instances they were objected to and I found it would be more in accordance with the custom of the place and of the country to use only the Northampton Five per Cent. Tables, and consequently all the renewal fines, which I have had to calculate of late years, have been made by those tables. . . . I should say that it [leases for lives] is a very beneficial tenure, inasmuch as his grace has authorized his agent very frequently of late years to made a reduction upon the actual fine, which the calculation would make much greater. Frequently a reduction of 5 per cent. is made, and sometimes even more, for those things are not actually like the laws of the

Estates, Freehold, Copyhold, or Leasehold; Annuities, Advowsons, &c and for renewing of leases held under Cathedral Churches, Colleges, or other Corporate Bodies; for terms of years certain, and for lives; also for valuing reversionary estates, deferred annuities, next presentations; together with Smart's Five Tables of Compound Interest and an extension of some to loans and intermediate Rates., (London, 1880), p. 24.

Medes and the Persians, but they are more a matter of bargain and sale.²⁵

The rate of interest used as a basis for renewing the leases, was equally subject to fluctuation. It was generally agreed that the rate allowed should be lower than a lease for lives due to the longer period for which the land was to be let. Mr. Finlaison, an eminent actuary of the day, estimated that a lease for three lives was equal to a term of 72 1/2 years.²⁶ The renewal for lives was calculated upon the five per cent. tables by the Archbishops of Canterbury and York; and the Bishops of Bristol, Chichester, Carlisle, Ely, Rochester, St. David's, Llandaff, Oxford, and Salisbury. They were calculated upon the eight per cent. tables by the Bishops of Norwich and Durham, and six per cent. by the Bishop of Hereford, and the Chapters of Canterbury and Ely.²⁷

The fine, that is the payment for the extension of that period of time after the death of the lives already in the lease, to the death of the new life added to the lease, was always expressed in terms of years' purchase. This, however, meant that the agent or surveyor of the ecclesiastic, had to estimate the annual value of the estate, at the present year, but the fine was for that period of time

²⁵Report from the Select Committee on Church Leases, 1838., p. 314.

²⁶Report from the Select Committee on Church Leases, 1839., p. xii.

²⁷See Appendix.

for which the lease was being renewed, and in consequence, this figure was to a large degree a matter of speculation. It was more speculative for life leases, than those for years, for in the latter it was for seven years commencing fourteen years hence, while in the former it could be, and usually was much further distant. Furthermore even present valuations varied. One witness testified:

. . . I have an instance before me of a valuation of an estate which one man valued at £2,300; I said I think this is overvalued. The next valuer makes it £1,600. Now I see from that great variation, that they have no definite principle; I am certain that they [the valuers] do not go upon any reasonable rule. . . . but I mean to say that a great deal of the value which a land valuer will put upon the property will depend upon the party that employs him. Thus, in this instance, the other valuer was employed to check upon the first calculation; we tell him we are going to lend money upon it, consequently we want a safe value; he sends back a value of £1,600; now upon that we can lend.²⁸

The value of Agricultural land was determined generally, aside from improvements and the like, by the value of corn. As corn fluctuated greatly over a period of years, the surveyor had, to arrive at a value, reflecting increases and decreases, but not totally dependent upon them. Thus, for example, when the price of corn rose to extreme heights during 1812 and 1813, this was reflected, but not to its full extent in increased fines, increased valuations, and equally during the depressed periods, following the French wars, the decrease was not as marked as that of corn. But

²⁸Report from the Select Committee on Church Leases, 1838., pp. 318-319.

in every case, according to the surveyor of the Bishop, and Dean and Chapter of Durham "I invariably give the lessee rather the advantage, and my employers admit the principle that it shall be so."²⁹

A second major source of the dignitaries' income from Church lands was fines taken for the renewal of leases for years. That is to say, after the expiration of seven years in a twenty-one year lease, the lease could be extended to its original twenty-one year period upon the payment of a fine by the lessor to the lessee. Here, as in leases for lives, the same three factors were essential to renewal: the annual value had to be ascertained, the rate of interest to be allowed the lessee established, and the period of years for which the renewal was to take place determined. The accuracy of the survey determining the annual value has been discussed. The number of years for which the renewal was to take place, unlike leases for lives, was determined, and exact. However, the fines could, and did fluctuate according to the interest rates allowed the lessee by the lessor.

The Chapters of Carlisle, Chichester, Durham, Exeter, Gloucester, York, Oxford, Rochester, and Winchester calculated septennial renewals of land leases by the nine per cent. tables; the Archbishop of Canterbury and the Chapter of Lichfield by the eight per cent. tables; the

²⁹Ibid., p. 273.

Bishops of Bath and Wells, Chichester, Carlisle, Rochester, Ely, St. David's Llandaff, London, Oxford, Salisbury, and Peterborough by the seven per cent. tables; the Bishop of Hereford by the six per cent. tables, and the Chapter of Bath and Wells by the five per cent. tables.³⁰ As with leases for lives, the percentage chosen was vital in determining the fine, so that in septennial renewals, if the fine were calculated at:³¹

5 per cent.	the fine would be 2.9225 years' purchase.
6 per cent.	the fine would be 2.4691 years' purchase.
7 per cent.	the fine would be 2.0900 years' purchase.
8 per cent.	the fine would be 1.7726 years' purchase.
10 per cent.	the fine would be 1.282 years' purchase.

Leases for years had several advantages over leases for lives, they guaranteed a degree of stability of income, if not annually, at least over a period of seven years. With leases for lives, unless as in the case of the see of Bath and Wells there were only five bishops over a period of 119 1/2 years, and thus a certain average income was achieved,³² there was no guarantee of any income whatsoever. Leases for years could guarantee this over a period of seven years.

In leases for years the prelates had the right of granting concurrent leases, with the consent of their dean

³⁰See Appendix.

³¹Report from the Select Committee on Church Leases, 1839., p. ix.

³²Ibid., p. xii.

and chapter: That is, the right to grant a lease for 21 years to another lessee, who would not come into the enjoyment of the property until the lease of the then occupying lessee had expired. The corporations aggregate had similar powers, though only after all but four years of the twenty-one year lease had expired. This power, though obviously granted to the episcopate as a compensation for the power of the lessee in dealing with a tenant for life, was seldom used. In 1837 the see of Canterbury had only six concurrent leases, all of them small, with two or three of which designed only for the protection of Lambeth Palace, "when there was a talk of having a bridge over the Thames from the Horseferry to Lambeth Palace." The Bishop of London had granted only two, both of which were small. Bishop Grey of Hereford exercised this power only five times, and the Bishop of Durham, had none in 1837, but had used the power several times. The Bishop of Ely granted several concurrent leases, principally to his son, as a private arrangement, but without financial damage to the see. The Dean and Chapter of St. Paul's exercised their more limited power once, and that upon an estate worth only about £70 annually. The Dean and Chapter of Durham granted six, but only because the incumbent was a bankrupt.³³

This right to grant concurrent leases was theoretically advantageous to the lessor, especially the bishops,

³³Ibid., pp. v-vi.

but in actuality it was of very little assistance, unless simply to bring estates into hand, or to chastise a lessee for misconduct, for the purchaser of a concurrent lease was paying for the use of property any where up to twenty-one years hence, and during the intervening years he had no control over the land. Consequently such a lease had to sell for far less than a lease by which the lessor could come into immediate possession. Even with annuities which were more saleable than land, John Finlaison testified that:

. . . in the National Debt Office life annuities are sold, either commencing immediately, or at any future period on which the purchaser chooses to fix, as a provision for old age; the former are very costly, the latter a mere trifle in comparison; yet in the last five years 8,000 immediate life annuities have been purchased, and not so much as ten perhaps of the deferred annuities.³⁴

In leases for lives, the Church corporations also had the power to substitute lives, that is replace young lives for old, without waiting for the death of the original life in the lease. It was considered necessary:

. . . from the peculiar circumstances arising out of a disposition to improve the [leasehold] property. I can state many instances where an exchange of lives has been applied for previously to erecting manufactories and houses, and also for the convenience of marriage settlements, by putting in the lives of the parties and of their children; and for mortgages, where the mortgagee has not thought the property sufficient without an exchange of a life or two lives, according to the age of those in possession; and making it a condition that the mortgagee's own children should be put in upon the principle of, perhaps, supposing that he should take better care of them, and have a knowledge when they are dead; and a variety of feelings of that sort, with

³⁴Ibid., p. xiii.

a view to making it a better security.³⁵

This, however, could be abused, for it could provide an elderly incumbent with a source of quick revenue. It could mean, insofar as the see was concerned, that an insufficient fine would be taken, as well as materially diminishing the revenue of the succeeding bishop.

The Church charged a nominal rent annually on all leasehold property which, though it was small, had the advantage of being regular, and annual. Dignitaries also generally reserved for themselves in their leases, timber, except that used for the construction and maintenance of farm buildings, as well as shooting and fishing rights.³⁶

There was a small amount of Church land bringing in a regular annual income. There were some fee farms, that is land, the fee-simple of which the Church had abandoned in favor of an annual, perpetual charge. This naturally produced a regular income. There was also a certain amount of land in hand, or let at rack rent, that is a larger annual rent was charged on land let for twenty-one years instead of the more normal septennial fine. This latter system did have the advantage of providing too a regular annual income, but was generally thought to be unprofitable in the long term, as it was thought that the annual fine

³⁵Report from the Select Committee on Church Leases, 1838., p. 212.

³⁶Report from the Revenue Commissioners., Tables I-IV., pp. 2-95

destroyed all incentive on the part of the tenant to make agricultural improvements.

Improvements to Church property were never made by the owner, but always by the tenant. In every case, with one exception, the improved value which such changes occasioned was not taken into consideration at the next evaluation of the land. The tenant, therefore, was forced to amortize his capital expenditure over a longer period of time.

Church agricultural leasehold land, then, was:

. . . let upon totally different principles from any other [in 1837] Other estates are let for 21 years at rack-rent, and there are covenants for the management of the property, and the tenant taking the property takes it with due consideration of the money he is to lay out, and a calculation of the return that is to be made to him for it. With respect to Church property, the lessee is quasi the owner for the time, and you have no covenants respecting it; and if a man makes up his mind not to renew, which some persons have done, you may then have the land worked out, and deteriorated considerably, without having the power of calling those parties to account for the impropriety of their conduct.

. . . the distinction between a tenant under a 21 years' lease, and a tenant under a Church lease [is that in] making improvements, [the former] will receive the advantage immediately in the shape of increased crops, whereas the other probably lets his land to another tenant, or only receives it in increased rent, which of course would not be so large a term as that of increased crops.³⁷

From the tenants point of view, Church leases were not wholly satisfactory. The most frequent complaint was that they had no method of determining how the surveyor of the Church arrived at his valuation, and the method of the

³⁷ Report from the Select Committee on Church Leases 1838., p. 107.

renewal fine was to them unknown. Leases for lives, had for the tenant, the advantage over leases for years of being longer, and consequently permitting them a far longer period of time to regain capital expended upon improving the land. Even the 14 years permitted by most dignitaries was insufficient to regain the cost of drainage and other long term improvements.

But leases for lives had disadvantages. It was almost impossible for them to predict the length of a life and it could well happen that two lives would drop within a short space of time, causing the lessee double renewal, and considerable hardship. This could be prevented by insuring all three lives against death, and thus providing the tenant with a safeguard against a sudden fine. However, the insurance rates fluctuated throughout England, but generally the cost was prohibitive to all but the more wealthy tenant,³⁸ for to make such a system workable, there had to be a large discrepancy between the fines and the profits from the land. A further hardship was caused by the lack of control the lessee had over his lives. If a life in a lease left the country, as he might if he, for example, joined the army, it was considered at law equivalent to a death. In some cases this lack of control made insurance more difficult to obtain. The lessee:

³⁸Ibid., p. 316.

. . . cannot oblige them [the lives] to appear before the insurance office, and he will be at a loss how to proceed; sometimes he cannot get it [the insurance] done at all; sometimes the life on the lease will turn restive, and will not appear, and will say, 'I have nothing to do with you and your loss.' These things frequently occur.³⁹

The lessee, up to 1835, could usually obtain up to 3/4 of the value of his lease in mortgage upon 4 per cent interest.⁴⁰ This was frequently done, particularly by the smaller leaseholders, to meet the fine on renewal. This meant however that the land had a further burden, and insurance became out of the question. This could lead to extreme complications in tenure:

. . . where the parties have not provided for the fine, and where the life died, they have got into difficulties, they have mortgaged [the property] and then eventually the mortgagee has got into possession, and has bought it, and the titles have been most intricate and complicated, and the consequence is, that in a great many leases, where originally the lease was granted to one individual, that individual is the person who has now to make the renewal when a life drops; but that individual, in former times, has been obliged to sell off little portions of his leasehold to other persons to pay the fine, so that what was originally comprehended in one lease, is now divided amongst many individuals, which is an additional difficulty with regard to renewing, to get all these lessees to agree to pay the money at the same time.⁴¹

In many instances, particularly in the dioceses of Carlisle and Durham, most of the agricultural landleases had by 1835 been sold to different persons by the descen-

³⁹Report from the Select Committee on Church Leases 1839., p. xii.

⁴⁰Report from the Select Committee on Church Leases 1838., p. 128.

⁴¹Ibid., p. 89.

dants of the original lessee. As these Northern dioceses had been in the past notoriously lenient about the percentages allowed the tenant upon renewal, the leases naturally sold for far more than they should have, theoretically. This meant that any increase in the profits to the Church, derived from an increase in the percentage on the investment made by the tenant, caused hardship to the occupants, who had paid an inflated price for their lease.⁴²

Speaking generally of Church agricultural leasehold land, it is fair to say that it was in better condition than lay leasehold land,⁴³ but considerably inferior in development to freehold. The lessees usually treated the Church land itself in the same manner as they would freehold, with regard to soil maintenance and improvement. However, for reasons specified above, drainage lagged considerably behind freehold, and the farm buildings were either of inferior quality, due to the increase in fine that would be demanded, or else, in the case of intermixed land, always built on the freehold even at considerable inconvenience to the tenant.⁴⁴

The income that the Church derived from its agricultural leaseholds had, with the exception of the diocese of Bath and Wells, universally risen between the years 1785

⁴²Ibid., pp. 190-191.

⁴³Ibid., p. 219.

⁴⁴Ibid., pp. 385; 457.

and 1835.⁴⁵ This was due to several factors. There was a marked change in attitude on the part of the Church lessors themselves. For example:

. . . when Bishop Barrington first came into the country [Durham] he stated that he would only charge a year and a quarter's value for the renewal of lives. He did this by the advice of his then agent. His predecessor, Bishop Thurlow, had an idea of taking them by the age of the existing lives, which alarmed the leaseholders very much at the time; he never carried it into effect; but when Bishop Barrington came to the see, he was informed of this, and as money was not much object to him at the time, as he had a large personal property, he said he would not charge more than a year and a quarter's value. . . . As soon as Bishop Van Mildert came, we adopted the other principle; that is we set them on the eight per cent. table, and according to the ages of the existing lives.⁴⁶

The demand for corn, and corn prices in general, though fluctuating considerably, had shown a general rise over the past half century, and the consequent increase in the valuations of Church lands had meant increased fines. Also, agricultural improvements generally had taken place, though not so rapidly as on freehold, but there was, at any rate, a certain increase in valuation from this source.

Perhaps the greatest source of increased fines was from the acquisition on the part of the Church lessors of a much better knowledge of the procedure. For in this period, by use of actuarial tables, definite interest allowances, the income of the Church rose accordingly. A lessee of the Bishop of York testified, when asked whether leases had in-

⁴⁵Ibid., p. 210.

⁴⁶Ibid., p. 160.

creased independently of the increase in the value of land:

. . . I think they have, because they are more minutely looked into. I believe that in very old times a fine was taken whether the lives were young or old; that neither the lessee or lessor troubled their heads whether the lives [inserted] were young or old. If a life dropped, it was understood that they should pay so many years' purchase. But I believe now that both the lessor and lessee go before a renewal to an actuary, and having got an annual value, they calculate according to the tables.⁴⁷

For example, agricultural leases of the Bishop of Peterborough varied in the following manner:⁴⁸

1800	£210	1821	£800
1807	£210	1828	£800
1814	£888	1835	£800

Another, and perhaps better example is from the leasehold property of the Dean and Chapter of Peterborough, Bellsie Farm:⁴⁹

1760	£ 75
1767	£ 80
1774	£ 96
1781	£ 96
1788	£ 96
1795	£ 105
1802	£ 105
1809	£ 258
1816	£ 258
1824	£ 782
1831	£ 450

Yet, in spite of this increase, by 1837 it was obvious that the Church was realizing considerably less than it should from its agricultural property, and that the leases, were actually beneficial. The lessee could derive,

⁴⁷Ibid., p. 422.

⁴⁸Ibid., p. 83.

⁴⁹Ibid.

even after all costs were deducted far more from a Church leasehold than from a freehold. If the tenant had purchased the land, the evidence shows clearly he would be content with a profit of 3 1/2 per cent. upon his investment, while with a Church lease "after paying his renewal, he would have more than five."⁵⁰

Another system, similar to that of lease, was by customary, or copyhold tenure. This system, so varied and complex, is difficult to analyze, but as a vast amount of land was let under this system (there were 3,000 instances of this tenure in Western England alone)⁵¹ it was a major source of ecclesiastical revenue. For example the bulk of

⁵⁰Ibid., p. 313.

⁵¹House of Commons, Sessional Papers, First Report of Her Majesty's Commissioners appointed by a Commission bearing date the 8th day of January 1849, "for the purpose of inquiring into the present system of leasing and managing the real property of the Church in England and Wales, belonging to the Archbishops and Bishops, to the Cathedrals and Collegiate Churches and the several members thereof being corporations sole, and to the several minor corporations aggregate within the said cathedrals, and also that vested in the Ecclesiastical Commissioners for England; and for considering how, and by what system of management, such property can be rendered most productive and beneficial to the said Church, and most conducive to the spiritual welfare of the people, due regard being had to the just and reasonable claims of the present holders of such property under lease or otherwise; and also for considering whether any and what improvement can be made in the existing law and practice relating to the incomes of the said Archbishops and Bishops, and of the several members of chapters, dignitaries, and officers of said Cathedrals and Collegiate Churches, so as best to secure to them respectively fixed instead of fluctuating incomes," together with Minutes of Evidence, Appendix, and Index., (London, 1850) p. 24. Hereafter referred to as the Episcopal and Capitular Revenues Commission.

the income of the Dean and Chapter of Exeter, the Bishop of Exeter, the Dean and Chapter of Worcester, the Bishop of Worcester, the Dean and Chapter of Bristol, and the Bishop of Gloucester was from land held by copy. Similarly held estates were in the hands of the Bishop of London, the Archbishop of Canterbury, the Dean and Chapter of St. Paul's, the Bishop and Dean and Chapter of Durham to mention only a few. The land was usually let by lease to so-called lord farmers, who, having acquired the manor, in turn sublet by copy to the actual tenants on the manor, all but the demesne (about 1/3 of the estate) which he held directly. The system was obviously detrimental to the interests of the Church, first because the quit rent, or annual fine paid to the Church for the land was small, and the lord farmer an intermediate tenant, was acquiring profits which would otherwise rest with either the tenant, or the Church.⁵² The Court of Chancery issued an injunction at the request of a lord farmer, preventing a sub-tenant from improving the land, due to the increased fine such improvement would occasion, when the copy was renewed.⁵³ And secondly, because of the ponderous tenure the lord farmer could not himself

⁵²Report of the Select Committee on Church Leases 1838, pp. 370-378.

⁵³House of Commons, Sessional Papers, Report from the Select Committee on Enfranchisement of Copyholds Bill together with the Proceedings of the Committee and Minutes of Evidence, Appendix, and Index., (London, 1851), p. 173.

maximize rents. In some manors, the copyholds were subject to fines certain, and quit rents, that is renewals, and rents were stationary, fixed by custom.⁵⁴ In others, the fines were arbitrary, and subject to fluctuation upon renewal.⁵⁵ In all cases, the copy was renewed by the steward of the manor, an appointee for life of the landowner, whose fees for renewal of a lease were purely arbitrary, and which in the case of small copyholders, could easily exceed the customary renewal fee of the landowner.⁵⁶

The actual tenure by which the copyholder held his land varied from manor to manor: the Dean and Chapter of Worcester for example, granted copyholds for four lives, one life in possession, and three in reversion. Upon the death of a life in possession, a customary three-quarter's of a year's rent was paid to the lord, with a heriot, usually commuted. The Bishop of Worcester granted copyholds in a similar fashion, except that there was one life in possession, and two in reversion.⁵⁷ Many Western Church manors were held on as many as six lives, plus the so-called widow's bench, which meant that a widow could inherit her

⁵⁴Ibid., pp. 60-61.

⁵⁵Ibid., pp. 67-69.

⁵⁶Ibid., p. 14.

⁵⁷Report of the Select Committee on Church Leases, 1838., pp. 189-190.

husband's life in possessions. For example, there was a case in the West of England where a widow of 19 married a man who was 77 and on his death bed, thus extending the length of the life in possession under her death. The statistical length of a six life copy, with the privilege of widow's bench was 120 years. This lease would be of little value to even a series of encumbent bishops.⁵⁸

The entire system was burdened by custom, heriots, and other feudal dues still being taken on some manors. The detrimental effects of this long tenure, and low income are obvious.

As many of the fines were customary, and even some of those which were arbitrary had become fixed by custom, any increases in fines were difficult if not impossible to obtain, except by an increase in the valuation at the time of renewal.

The only method by which the Church could hope to realize an income proportionate to the value of the land, was the method adopted by the Dean and Chapter of Exeter: running out the leases. They had possessed a manor in Devonshire consisting of 4,000 acres of very good land, since the time of Doomsday. This land, since the Restoration, had been leased to a lord farmer on 21 year leases. In the year 1810 Ralph Barnes, the Chapter Clerk, recommended that the lease not be renewed. The Chapter of Exeter

⁵⁸Report from the Episcopal and Capitular Revenues Commission., p. 24.

agreed to follow his recommendation, though it would obviously entail some immediate hardship to chapter members. Consequently, in the year 1824 the demesne land fell in, but as the copyholders had possession for two lives, to which there was attached the widow's bench, the chapter had therefore in order to get the land in hand, to wait until the death of the lives by which the copyholds were granted. They announced to the copyholders their intention of running out the copys, and substituting leases for years.⁵⁹ Barnes testified:

. . . the copyholders are themselves convinced that it [copyhold] is a very inconvenient tenure; they know well that the power of the copyholder, at any time of his life, or marrying for the express purpose that his widow should have the estate, is not convenient or proper. That has happened frequently in [our] manors, and they are really, I believe, sensible of the objections to the tenure on principle; at the same time they are reluctant, perhaps, to exchange this copyhold interest for a term of years, but that is the plan which is now being proceeded upon by the Chapter.⁶⁰

The copyholders were given no option, for not only did the Chapter of Exeter claim control over the fee simple of the manor, but an argument for customary renewal on the part of the copyholder could be refuted by proving it had been the custom of the manor to sell the reversionary rights.

⁵⁹House of Lords, Sessional Papers, Report from the Select Committee of the House of Lords appointed to Consider the Bill intituled, "An Act for the Management and Regulation of Episcopal and Capitular Estates and Revenues in England and Wales;" and to Report thereon to The House, together with the Minutes of Evidence and an Appendix and Index thereto., (London, 1851), pp. 113-131.

⁶⁰Ibid., p. 114.

The copyholder they claimed, held his land only for his life, there being frequent examples where the reversionary interest had been auctioned.

The members of the Chapter had made a considerable sacrifice of the immediate income from lease renewals to allow this change in tenure to occur, abstaining from taking £1,500 alone in copyhold renewals, but they gained a considerable increase of income in the long run. Once the leases were in hand, the Chapter had the unique opportunity of selling them at public auction, for which they received from 13 to 14 years' purchase, at the five per cent. tables.⁶¹ By 1851 the manor was well on the way to the state envisioned by Barnes in 1810, with the demesne land, and about a third of the copyholds in hand, and the remainder resting on only one or two lives which were naturally well advanced in years. This plan, though failing in some respects to meet the expectations of increased improvements, did more than justify its adoption. In the words of Barnes:

I think that they have vastly increased it [the value of the estate,] because they have brought the property into the power of the future Dean and Chapter. In all the copyhold estates, which are two-thirds of the manors, the Chapter have . . . full power in possession, without the intervention of a lease.⁶²

The owners of appropriate tithes normally leased them, rather than making any attempt to collect them themselves. Appropriation under Elizabeth I provided incomes

⁶¹Ibid.

⁶²Ibid., p. 116.

for the Bishops and Chapters of its recently created dioceses. By 1837 it had reached a point where, of an annual tithe income of £3,910,917 in fee simple, £650,216 was held by clerical appropriators, and a large proportion of the income of several chapters, and see was dependent upon revenue from this source.⁶³ The method of leasing was identical to that of land, tithes being leased for lives and years. They were usually leased to persons other than the actual tithe payers, but at higher tabular rates of interest than land.⁶⁴ This greater margin of profit had to be allowed because of the enormous difficulty involved in tithe collection, particularly when there were numerous tithe payers, and payments were small. In a few instances, where the number of payers was very large, and the payments were extremely small, it was uneconomic to even collect them at all. The tithe was further more sensitive to the annual fluctuations in agricultural produce, and consequently more of a gamble than land. By 1835 voluntary commutation had begun in isolated parts of England, and the consequent stability increased the value of appropriate tithes, but even the commuted tithe was not considered as advantageous an investment as land.

This preoccupation with investment in land can be seen even more clearly when one looks at the extremely small

⁶³See Appendix.

⁶⁴Report of the Select Committee on Church Leases 1838., p. 480.

investments of the Church dignitaries in the public funds. All such investments were clearly considered to be only temporary in nature. One investment by the Bishop of Durham in Consols, £4,826 in amount, earning three per cent., was only so invested because the investment was the cash remaining from a business transaction. The Consols were only to be retained until such time as the £4,826 "shall be invested in the purchase of lands."⁶⁵ The same is true of another group of Consols owned by the Bishop. The capital grew out of a forced sale of land to the ^ASto^Acton and Darlington Railway Company, and the Consols, the investment of the money received by the Bishop, was to be so held only until the funds could be "applied to the purchase of lands to be annexed to the see."⁶⁶

Another source of revenue, varying greatly from Diocese to Diocese was revenue derived from building leases. By the Act, 14 Eliz. I, c. 11, houses were excepted from the previous restrictive Acts, provided that the dignitary did not alienate the fee simple, that he received an annual payment, and that the building lease extended not more than 40 years.⁶⁷ Consequently most ecclesiastical building land was let for leases for 40 years, renewable every fourteen. In most cases property was owned by both the Dean and

⁶⁵First Septennial Report., pp. 15-16.

⁶⁶Ibid.

⁶⁷Report of the Select Committee on Church Leases 1839., p. iv.

Chapter, and the Bishop of the diocese in the town or city in which the cathedral was situated, and this land, other than that actually used for residences of the dignitaries and the cathedral was available for buildings of varying value, depending upon the size and industrialization of the town. The actual annual revenue from this source naturally varied enormously, up to an annual £2,633 to the See of Durham. The profitability of these 40 year leases was disputable, but in most cases it was agreed that they were restrictive, uncondusive to improvements, and generally responsible for the inadequate and abnormal development of the towns, or cheap and shoddy building, because the fourteen year period which was allowed to elapse before renewal, and consequently valuation was to take place was inadequate for a lessee to recover a sufficient proportion of his original capital investment to allow him to pay a fine based upon the improved value.⁶⁸ Some ecclesiastical corporations reported adequate, and even improved building under the 40 year lease. This was true of Durham, particularly South Shields,⁶⁹ the Dean and Chapter of St. Paul's,⁷⁰ and the Dean and Chapter of Canterbury,⁷¹ but the vast majority of ecclesiastical corporations testified to the

⁶⁸Report of the Select Committee on Church Leases 1838., p. 437.

⁶⁹Ibid., p. 134.

⁷⁰Ibid., p. 435.

⁷¹Ibid., p. 437.

inadequacy of the system. A lessee of the see of Bristol, reported unused lands within the city, due to Church tenure.⁷² A lessee from the city of Lincoln testified that Church property was:

. . . old and decayed, presenting altogether a different appearance from [buildings] upon freehold. You find frequently in the best parts of town an old down-coming sort of house, and if you inquire the reason why so indifferent a house should exist in so good a situation, you find that it is a Church lease; because it is notorious that persons having freehold expend their money more freely in improving their property than they would if it was upon a lease for 21 or 40 years.⁷³

From Exeter it was reported that Church "buildings were suffered to become deteriorated;"⁷⁴ from Chichester that the buildings there were "totally upon freehold," and that the lessees would "not build upon Church land;"⁷⁵ from Rochester that there was "no building [construction] now in Rochester due to most of the property belonging to the Dean and Chapter;"⁷⁶ and from Salisbury that the lessee considered "that the nature of the [Church] tenure has greatly retarded the improvement of the town of Salisbury."⁷⁷ In the words of a lessee of the Dean and Chapter of Lincoln:

. . . when you consider that they are in possession of this [building] property, and never expend any capital upon it, and that one of the effects of this [leasehold]

⁷²Ibid., p. 294.

⁷³Ibid., pp. 297-298.

⁷⁴Ibid., p. 372.

⁷⁵Ibid., p. 380.

⁷⁶Ibid., p. 390.

⁷⁷Ibid., p. 470.

tenure is to prevent other people from expending their capital upon it, because since the memory of man there has been no building on this sort of property, it appeared to me that the dean and chapter ought not to interpose and prevent other people from paying them the present value of the property; . . . in fact they are like the dog in the manger, they will not improve the property themselves, they could not be expected to do so, and the tenure has prevented the lessees from improving it.⁷⁸

The tabular interest rate allowed on renewals of building land was normally generous, averaging eight per cent.⁷⁹ although the Dean and Chapter of St. Paul's varied the rate with the quality of the houses. Thus, they calculated the renewal fine of their worst houses upon the eight per cent. tables, their next best houses upon the seven and three-quarter's tables, and their best houses upon the seven and one-half per cent. tables.⁸⁰ This generous interest rate did not prevent friction, and indeed hardship upon the tenant with the coming of a better understanding of the value of such lands, and the consequent increases in valuations. Two much publicised examples of vigorous objection to such increases are so similar, even in minute detail, as to lead one to suspect that Mr. J. A. Fulton of the pamphlet and Mr. W. Heseltine of the Select Committee are one and the same man.⁸¹ In 1821 he purchased a house, built on

⁷⁸Ibid., p. 304.

⁷⁹See Appendix.

⁸⁰Report of the Select Committee on Church Leases 1838., p. 435.

⁸¹See: J. A. Fulton, A Tenant's Statement of the

leasehold property of the Dean and Chapter of Canterbury, in South Lambeth at auction for £750. By this process he acquired a twenty-one year lease, renewable septennially which he proceeded to let at £50 annually. In the past the fine had amounted to one and a half year's purchase, or £80, but in the year 1838 he received a bill from the solicitor representing the Dean and Chapter for £235. 8s. 8d. as the fine for the renewal of the lease. Naturally objecting to the fine, he was informed by the Chapter solicitor on reappraisal that it was correct. He then appealed to Dr. Spry, rector of Marlebone, who had previously offered his services in reviewing such cases. He offered to submit a large number of affidavits from tenants proving the annual value, but was met with the rather curt reply from Dr. Spry that, "if you had 50 certificates from surveyors in London, if you had 50 affidavits from tenants, we should not attend you." Dr. Spry pointed out that the Dean and Chapter always declined to allow any evidence given against their calculation, and that they always "abided by the valuation of their own surveyor." He was then referred to the surveyor of the Dean and Chapter, Mr. Austin, who showed complete ignorance of the mode of valuing according to

conduct recently Pursued towards him by the Dean and Chapter of Canterbury on the Occasion of his Renewing his Lease., (London, 1838), and also: the testimony of Mr. William Hesselstine, Report of the Select Committee on Church Leases 1838., pp. 393-401.

Messers Hesselstine and Fulton. He then went before the Audit Board. of the Chapter of Canterbury, made up of ten of its members, presided over by the Dean of Canterbury, the Bishop of Oxford, but the case of the surveyor, presented by the receiver of the Chapter, Dr. Spry, that previously the house "had been Undervalued, that that which appeared exhorbitant really was not, nor was the land other than justly rated," prevailed. No redress was given, and the increased fine had to be paid. Hesselstine finished with stating:

. . . either the Dean and Chapter of Canterbury the persons having the administration of the temporalities of the Church for a series of years, must have been incompetent to the management, and have undervalued them [the properties in South Lambeth] in a most extraordinary way, or else they have committed now, in what they would term reverting to the value, a very great injustice indeed; because they deprive almost all the tenants of their leases, or do at least what is equivalent to it. Mine is not an isolated case; the fines all round me are raised 50 per cent. upon the average; consequently they must all have been formerly undervalued, or if we prove that they have been fairly valued before, they ought to keep to that valuation. Either this tardy wisdom of the dean and chapter has arisen from some external circumstance which has led to visiting unjustly upon the tenants all the laxity of former years, if such laxity existed, or else they are now committing positive injustice.⁸²

Mr. Austin, the surveyor for the Dean and Chapter, replying to this charge, pointed out that there would be no difficulty in renting the property at the increased value, and that this was not only his opinion, but the

⁸²Report of the Select Committee on Church Leases, pp. 393-401.

"opinion of some professional friends I have spoken to upon the subject." In Austin's opinion Heseltine underlet his property, probably for the purpose of assuring himself desirable tenants. Austin further pointed out that the objection was more than a year in coming, at which point the property of the chapter had, after the annual audit, been divided among its members. Yet, in spite of this they had offered to return Heseltine's fine if he would forego the renewal of his lease, which he refused to do. It appears then, in 1837, the surveyor for the Dean and Chapter of Canterbury took the maximum annual value for their building property, "without making any allowance."⁸³ Though they could force payment where construction had occurred, this policy was certain to prevent future building under such a system of leasing.

The only system whereby a sufficient amount of time could be granted to the lessee to permit him to fully develop building property, and regain his capital investment was the 99 year lease. During the early portion of the nineteenth century Parliament recognized this problem, and permitted the Archbishop of Canterbury, and the Bishop of London to grant leases for 99 years on improvable, potential building land. The Local and Private Act granting this power to the Archbishop of Canterbury was undoubtedly more favorable to the Church. Under its provisions, a

⁸³Ibid., p. 432.

lease for 21 years, or a least for three lives, could be exchanged for a 99 year lease of the land, the tenant receiving two-third's of the improved value of the land, the Archbishop one-third, commencing from the time of the exchange. The building plans had to be submitted by the lessor to a court of chancery for approval before the lease was binding.⁸⁴ Mr. Henry Harrison, valuer of the Archbishop, described the benefit to his employer in the following terms:

. . . we will take a piece of ground comprising four acres, the rack value of which to be let for building purposes should be £300 a year. I consider that the lessee's interest in that £300 a year is equal to two thirds, and that the fair rent for the lessee to pay will therefore be £100. a year, to commence immediately on the granting of the lease. The lessee, before he can realize this £300. a year, takes upon himself all the risk of the sub-lettings; he takes upon himself all the delay, and the time he must allow the various builders for carrying those buildings into effect, without receiving any rent, and still he must pay the ecclesiastic £100. a year, because the £100. a year is payable immediately upon the grant of the lease. If the ecclesiastic had not granted the lease at all but had waited till the expiration of the 21 years' lease, what would have been the position of the ecclesiastic, or the condition of the owner of the estate, admitting the value of the land, as building ground, was still kept up to the same value as it was 21 years before, namely; that the property was worth to be let £300. a year? The owner of the estate could not get £300. immediately, but he must let to A. B. C. and D., and he must allow those persons some two, some three, and some four years' rent, upon a pepper-corn or progressive rents, at the first, before the ultimate rent of £300. a year would commence, and therefore, supposing that he was to sell this estate when he came into possession of it at the end of 21 years, the utmost value it would fetch in the market, unencumbered with any lease, and

⁸⁴The Act, (L. & P.) 47 & 48 Geo. III., c. 128.

supposing it was worth £300. a year would be £6,000. Now, what is the position of the ecclesiastic on the other hand? Suppose he carries into effect this Act of Parliament, he has let it for 99 years at £100. a year; in the course of 21 years, the £100. a year he receives will amount, with its compound interest to £3,000. or thereabouts, then if he sells the estate, subject to the £100. a year for the remainder of the 78 years, the 21 years being expired out of the 99, taking the benefit of the reversion, the whole of the estate being covered with buildings by the tenant, in the course of 21 years the £100. a year would be secured, and the reversion be considered so valuable, that that would fetch 30 years' purchase, in the market, or perhaps 32, but, taking it at 30 years' purchase, that would produce £3,000.; that, added to the accumulation of the £100. a year will come to £6,000., which is quite as much as the estate would fetch at the end of 21 years, supposing the lease were suffered to run out, and the owner of the fee wanted to sell it with all its advantages of building ground, and presuming it was worth £300. a year. But the great advantage that the Act of Parliament has given to the lessor, by getting the lessee to cover a proportion of the ground during the 21 years, is, that it brings all the remainder of the estate in the same neighborhood into the situation of building ground, instead of waiting 21 years to effect that object, which could not be done without that, for it could not be done without the assent of the lessee. Under those circumstances, I am quite of opinion that the Act of Parliament is a very wise Act, and that it was more beneficial to the lessor than to the lessee; and that, if a private individual, he had better have let his land for £100. a year, for 99 years, than wait till the end of the 21 years and let it at £300. a year.⁸⁵

The Acts of Parliament permitting 99 year leases to the Bishop of London was slightly different in character, and was hardly as beneficial to the see.⁸⁶ By this Act, only the grass rent was paid to the Bishop until such time as the actual construction had taken place, after which

⁸⁵Report of the Select Committee on Church Leases 1838., pp. 441-442.

⁸⁶Local and Private Acts to govern this were passed in 1795, 1805, 1808, and 1825.

one-third of the improved rent was paid to the Bishop directly by the sub-lessees.⁸⁷ But, as the largest portion of the Bishop of London's building ground lay in the Paddington estate, which had been let for lives, and as the reversionary interest in leases for lives was considered equal to the reversionary interest of a lessor in a 21 year lease (which was far from true by the tables) the Bishop of London gained considerably, if not to the extent of the Archbishop of Canterbury, by his Private Act.⁸⁸

Most of the construction under these Private Acts of Parliament took place during the building boom at the end of the Napoleonic wars, but by 1837 the option to use these Acts was not being taken by lessors. With the decrease in building prices, Mr. Harrison reported numerous cases where lessees had availed themselves of the Acts, and "regretted much that they ever did so, and [they] have lost a considerable sum of money by carrying those contracts into effect."⁸⁹ The Bishop of Carlisle had a Private Act passed permitting similar leases, but because the end of the boom preceded the passage of the Act, not one person had

⁸⁷Ibid.

⁸⁸For a full discussion of the Paddington lease see the testimony of Mr. Thomas Budd, First Report of the Episcopal and Capitular Revenues Commission., pp. 1-6.

⁸⁹Report of the Select Committee on Church Leases 1838., p. 403.

offered to build under his terms by 1837.⁹⁰

The final important source of revenue for Church dignitaries in this period was mining property. As the income from the housing property of the Archbishop of Canterbury and the Bishop of London stemmed from their fortuitous ownership of property which could be developed by building leases, so the corporations of Durham benefited from their good fortune in possessing property which contained coal. Mining property, however, differed from all other, in that its development by ecclesiastical corporations meant exploiting capital reserves, which in time would cease altogether, rather than simply enjoying the interest from property.⁹¹

Aside from the Durham coal, there was other mining property in the hands of the Church. There were lead mines, for example, the property of the Bishop of Bath and Wells, and Bishop of Exeter, and the Bishop of Durham. The leases of these mines generally permitted the lessee to develop the property, but reserved a proportion of the produce as the rent. Thus the southern dioceses received one-tenth of the produce of the Cornish lead mines,⁹² and the Bishop

⁹⁰Report of the Select Committee on Church Leases 1839., p. vi.

⁹¹Ibid.

⁹²Report by the Select Committee of the House of Lords appointed to Consider the Bill intituled, "An Act for the Management and Regulation of Episcopal and Capitular Estates and Revenues in England and Wales., p. 142.

of Durham one-ninth of the lead of the Weardale lead mine.⁹³ But from the point of view of the power to produce income, no property in the possession of a single ecclesiastical corporation could rival, in 1837, the leases of the owners of the northern coal fields.⁹⁴

The collieries of the Bishop of Durham were usually let on leases for three lives or leases for 21 years, with reserved annual rents. The fine usually amounted to one and one-half years' purchase. The Dean and Chapter of Durham leased their fields for 21 years, on the payment of a fine, or a certain annual and tentale rent, and sometimes both when the lease stipulated the number of tens to be worked annually. In letting a colliery in the latter fashion, the lessee guaranteed the payment of a certain price per ten, usually varying from 20s. to 30s. per ten for a fixed number of tens. If the lessee withdrew more than that number of tens, he paid the same rate for each additional ten, but if he worked under the stipulated number, he still paid the same annual rent. The lessee had, for his own protection, the length of the entire lease to average the stipulated number of tens, thus permitting him a limited number of years of surplus, and a limited number of years of underproduction without penalty. For example:

⁹³Report of the Select Committee on Church Leases 1838., pp. 266-267.

⁹⁴Report of the Select Committee on Church Leases 1839., p. vi.

if a colliery let for a term of 21 years, at a certain annual rent of £1,000. and a tentale of 20s., [the lessee] would be entitled to work 1,000 tens to cover the rent of £1,000; but for every ten which he should work more than 1,000, he would have to pay 20s; on the other hand, if he should work only 900 tens, he still pays the £1,000. rent; but he would be entitled to work up the arrear of 100 tens the next, or any succeeding year of the term, without paying any tentale rent for the same.⁹⁵

If the coal were not worked at all, the mines never having been developed, which, particularly in the case of the Bishop of Durham, was often the case, the lessee paid a nominal, or "sleeping" rent.⁹⁶ This nominal rent was usually continued for seven years beyond the period when the mines were won, in order to compensate the lessee for his vast capital expenditure. The cost of winning a colliery varied considerably, but one witness estimated that it ranged from £10,000. to £200,000. depending upon the conditions.⁹⁷ This investment was at best a gamble, for once the investment had been made, there was no certainty that the mine could be profitably won.

For this, as well as for other reasons, the extensive collieries of the Bishop of Durham were actually worked, not by the tenant of the bishop, but by sub-lessees, who were granted leases by the tenant of the Bishop for periods of either forty-two or sixty-four years, "provided

⁹⁵Ibid., p. vii.

⁹⁶Ibid.

⁹⁷First Report of the Episcopal and Capitular Revenues Commission, p. 167.

his interest either under the then existing or any renewed lease shall extend to that term, binding himself by express covenant to use his utmost exertions to obtain such renewal, and to pay the requisite fine."⁹⁸

This system of sub-letting was most injurious to the best interests of the see, for it permitted the bishop's tenant to make a considerable profit without having to invest in other than the bishop's lease. This system drained from the bishop much of the revenue which would have otherwise been his. The coal agent for the Duke of Northumberland testified that one manor of the bishop's which would have produced a septennial fine of £7,000. if it had been in the hands of a private individual, was producing only £1,500. septennially, the remainder being paid by the sub-lessees to Lady Barrington, the bishop's lessee.⁹⁹

The Dean and Chapter of Durham owned a considerable number of coal fields, and had developed the unique practice of separating the leases of the coal deposits from the leases of the land. The coal was usually leased to a single individual, while the surface was leased to a large number of tenants. Thus, when a mine was won, the population in the area increased, thus increasing the revenue from the surface to the Dean and Chapter. This system, however, had the disadvantage that "no party was able to get at the

⁹⁸Ibid.

⁹⁹Ibid., pp. 172-173.

subterraneous strata without encroaching upon the property of the other."¹⁰⁰ For this reason, in letting the surface, the Dean and Chapter reserved wayleaves, sinking pits, and other essential needs of the colliery upon the surface. The bishop's mineral rights, enclosures, and copyholds, frequently did not include these surface privileges, increasing the costs of the colliery operation on his estates. The rents, charged for granting these reserved rights, formed, in 1837, an increasingly important part of the ecclesiastical corporations of Durham.¹⁰¹ The privileges, if possessed by the lessor, always formed part of the mining lease, but rents for the same rights were charged to others wishing to avail themselves of the same benefits. These rents were purely arbitrary, their maximum only being determined by the amount the rentor could pay. In some of their mining leases, the Church reserved the right of granting these privileges to others, provided the second party compensated the first for wear and tear, and paid the Church for the right. For example:

The Stanhope and Tyne Company contracted with the Bishop for a wayleave . . . of at least 15 miles, for part of which they paid annually £200. per mile to the lessors, besides double damages to the lessees.¹⁰²

¹⁰⁰Report of the Select Committee on Church Leases 1839., p. vii.

¹⁰¹Report of the Select Committee on Church Leases 1838., pp. 231-232.

¹⁰²Report of the Select Committee on Church Leases 1839., p. viii.

The income from this source to the ecclesiastical corporations was truly impressive. One single fine renewal amounted to £70,000, and the combined average annual incomes of the Durham Chapter amounted to a staggering £74,824.¹⁰³

The net annual income of the bishops and chapters of the Church of England in 1837 amounted to £350,000, most of which came directly from land.¹⁰⁴ On the whole it was underlet due to both the type of lease generally in use, and further to an undervaluation of the annual value and the prevalence of the sub-tenant. On the whole the management of the chapters was better than the management of the bishops, but with the exception of a few London building leases and the mines of the Dean and Chapter of Durham, most of the leases of all ecclesiastical corporations, though showing generally increases in revenue in 1837, could still be termed beneficial.

¹⁰³Report of the Select Committee on Church Leases 1838., p. 232.

¹⁰⁴See First Septennial Report.

II

The difficulties involved in any discussion of the finances of the 10,718 parochial benefices existing in 1835 are only too evident, and generalizations formed either from sampling, or based upon averages of the whole, necessitate the serious qualifications forced by numerous exceptions. Nevertheless, an analysis is sufficiently vital to an understanding of the financial framework of the Church of England to warrant the risks involved in such a work.

Episcopal and capitular administration and finance can easily be paralleled in parochial life in 1835. The resulting frictions, were to the contemporary, more grating, for the incumbent by the very nature of his office and endowments, was forced into continuous contact with the general public, rather than being permitted the comparative isolation of the bishop, dean, and chapter. If the lease, with actual contact confined to the dignitary's agent and the lessee, was characteristic of the endowments of the higher clergy, the rector's income was largely dependent upon the general public, particularly for the Church Rate, thus placing the unfortunate cleric in the role of a rate-collector. The frictions which this role generated, had, during the period of the Napoleonic wars been aggravated by the general increase in Dissent. Here too, as at the

diocesan level, the Establishment, though obviously of necessity more sensitive, showed little ability to adapt itself to the major changes in thought and society which characterized this period of Britain's industrial development.

The right of appointment to a living had long been considered an aspect of private property, a marketable commodity. By 1835 patronage had become so scattered that the control of the episcopate over the clergy was clearly at a minimum. The Crown controlled 952 appointments, with a gross annual income of £281,225; ecclesiastical corporations sole and aggregate (irrespective of diocese) 3,801 with a gross annual value of £1,128,786; Colleges, universities, and other public bodies, 939, valued at an annual gross £348,517; and the livings in private patronage were 4,790, with a gross annual revenue of £1,425,503.¹⁰⁵

The sources of this gross annual income of £3,184,031 of the beneficed parochial clergy were as varied as those of the higher clergy. The tithe was by far the most important. Parochial tithes, however, during the previous three centuries had been alienated in large portion, to either furnish other endowments for religious

¹⁰⁵House of Commons, Sessional Papers, "A List of the Ecclesiastical Preferments in the Patronage of the Archbishops, Bishops, Deans and Chapters, and other Corporations Aggregate and of the several Dignitaries, Prebendaries, and other Corporations Sole." Report of the Commissioners of Ecclesiastical Revenue Inquiry, (London, 1835).

foundations or simply to provide ready cash. This left large segments of the parochial clergy totally bereft, or in some cases partially bereft of tithe income. Of the parish tithes in 1835, 38 were in the hands of the Crown, 385 the episcopacy, 702 the deans and chapters, 438 the ecclesiastical corporations sole, 281 the universities and colleges, 43 municipal corporations, and 2,552 in the possession of private owners, leaving 121 parishes partially endowed, and only 132 wholly endowed with the great tithes.¹⁰⁶

The fortunate benefice holder who, in 1835, was wholly, or even partially in control of his tithes was in the advantageous position of not only possessing a source of income beyond that of many of his profession, but an income which increased ^{not} out only with a rise in the price of agricultural produce, but also with improvements in the land, or the methods of production.¹⁰⁷

He had, on the other hand, to deal with a public, often antagonistic, who resented the charge imposed, and who could well, by refusal to pay, force the cleric into the ruinous expenses of legal action, which, even assuming a favorable decision, hardly guaranteed a stable income, and surely failed to further his *raison d'etre*.¹⁰⁸ If, as was

¹⁰⁶See Appendix.

¹⁰⁷See Appendix.

¹⁰⁸Report of the Select Committee on Church Leases 1838., p. 301.

frequently the case, the tithe unit had been sub-divided by the sub-leasing of the land, the expenses of collection from numerous sub-tenants paying very small tithes, could exceed the profits from the charge.¹⁰⁹ Further, if the zealous cleric pressed his claim too hard, or if the tithe payer was particularly opposed to payment, tithes could be substantially reduced, if not eliminated, by the substitution of pasturage for tilled land with the consequent elimination of the titheable produce.¹¹⁰

The tithes varied enormously with the methods of production, the crop produce, and the quality of the soil. For example, the tithe in the south of England on hops was a lucrative source of revenue to its owner,¹¹¹ while, in the less fertile areas of the north, it formed but a small portion of the clerical income.¹¹²

There were a few fortunate clerics, who, by 1835 had, through availing themselves of the enclosure Acts, commuted their tithe payments for a portion of the enclosed common, and thereby achieved a comparatively permanent,

¹⁰⁹Ibid.

¹¹⁰Ibid.

¹¹¹House of Commons, Sessional Papers, Report of the Select Committee appointed to Consider the best mode of effecting the Surveys of Parishes for the Purpose of Carrying into effect the Commutation of Tithes in England and Wales, and who are empowered to report their observations thereupon to The House, together with Minutes of Evidence taken before them., (London, 1848).

¹¹²Ibid.

stable, and frictionless source of revenue in exchange for the more prevalent but less productive payment in kind.

Another source for the maintenance of the parochial clergy was the glebe, house and land, which theoretically furnished them with the necessaries of life. Here too, by 1835, distortions had taken place through neglect, abuse, or simply insufficient funds for its maintenance, and many glebe houses had fallen into disrepair. Of a reported 10,533 benefices, the glebe houses of only 5,947 were inhabitable, while of the remainder, 1,728 had houses unfit for residence, and 2,878 had no houses at all.¹¹³ This obviously was not only a major factor for the often attacked pluralism and absenteeism, but also a major problem with which any reconstructor of the Church livings would have to grapple.¹¹⁴ Without a glebe, a minister or curate could not exist in a poor parish.¹¹⁵

The pew rent furnished the poorer clergy with a large portion of their incomes. The primary object of Church seating was the accommodation of all the parishoners. Throughout the eighteenth century, large portions of parish churches, had been taken over as private property on the payment of an annual rent, contributing to a serious lack

¹¹³"A List of Ecclesiastical Preferments, &c." Report of the Commissioners of Ecclesiastical Revenue Inquiry., p. 48.

¹¹⁴Ibid.

¹¹⁵Ibid.

of accommodation within populous parishes. As in 1835, pew rents were a major factor in the income of many clergymen, the Commission of 1832 took an ambiguous stand on the subject. On the one hand they reported:

The existence of claims to the exclusive enjoyment of Pews in the body of the Church by Faculty or Prescription has of late years produced injurious consequences, especially in parishes where there has been a large increase of population. Sometimes these exclusive rights prevent an arrangement of Church-room in the most beneficial for the general accommodation.¹¹⁶

Yet they also insisted that "due consideration must be paid to rank, station, number in family . . ."¹¹⁷ Nevertheless by this period it was becoming obvious that the pew rent, so important to so many of the poorer clergy, was no longer an acceptable form of income. Its legality was questionable, Sir John Nicholl deciding that "all pews in a parish church are the common property of the parish; they are for the use, in common, of the parishoners, who are all entitled to be seated orderly and conveniently, so as best to provide the accommodation of all."¹¹⁸ They further opened the Church to the charge of condoning class distinctions, a charge which

¹¹⁶House of Lords, Sessional Papers, Report of the Select Committee of The House of Lords appointed to "Inquire into the Means of Spiritual Instruction and Places of Divine Worship in the Metropolis, and in other Populous Districts in England and Wales, especially in the Mining and Manufacturing Districts; and to consider the fittest Means of Meeting the Difficulties of the Case;" and to Report to The House; and to whom were referred several Papers and Documents relating to the Subject Matter of the Inquiry., (London, 1858), p. xvii.

¹¹⁷Ibid., p. xviii.

¹¹⁸Ibid., p. xvii. See also, Fuller v. Lane.

the Church throughout the nineteenth century was attempting to refute.¹¹⁹

Poor but populous parishes also received considerable aid in fees received for rendering service to the State. These surplice fees, fees for the registration of births, deaths, and marriages, were as has been shown, extremely unpalatable to the Dissenters, but they formed the basis of the income of the clergy in just those parishes where funds were needed, poor and populous districts, and indeed could furnish up to £200 a year.¹²⁰

Perhaps even more irritating to the Dissenter was the Church rate, a rate imposed by the parish vestry for the maintenance of the fabric of the parish church. The cleric himself, from income derived from tithes and glebe, was held responsible for the chancel, but the remainder was the responsibility of the parish. Unlike the poor rate, the church rate was normally not levied annually, but only when repairs were considered necessary. At worst they were not large, varying from 1d. to 6d. on the pound valuation of the property.¹²¹ Like the tithe, in city areas they were

¹¹⁹Report by the Select Committee of the House of Lords appointed to "Inquire into the Means of Spiritual Instruction and Places of Divine Worship, &c"., p. 316.

¹²⁰Ibid., p. 201.

¹²¹House of Commons, Sessional Papers, Report from the Select Committee on Church Rates; together with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index., (London, 1851). p. vii.

difficult to collect due to their being imposed upon the occupier, and consequently, in housing areas, with many sub-tenants, the rate was smaller than the cost of collection.¹²² But this difficulty was nothing compared to the problems arising from the natural disinclination of the Dissenter to pay rates maintaining an Established Church. This resulted in the long dismal series of court actions, of vestry revolutions, and of violence between churchman and Dissenter which characterized the history of the church rate in the second third of the nineteenth century. In 1835 the church rate was, on the whole, only collectable in the rural areas and other strongholds of the Establishment, forcing just those areas which were in greatest need to fall back upon other endowments, or allow the church to fall into disrepair.¹²³

The parochial clergy received annually from these sources, in gross, £3,184,031, and in net, £2,993,174:¹²⁴ the average annual gross being £304, and net £286.¹²⁵ However, if these averages are analyzed, it can be seen that the fluctuations were equally as great between individual parochial clergymen as among the higher clergy.¹²⁶

¹²²Ibid., p. viii.

¹²³Ibid., p. ix.

¹²⁴"A List of Ecclesiastical Preferments, &c." Report of the Commissioners of Ecclesiastical Revenue Inquiry., pp. 41-44.

¹²⁵Ibid.

¹²⁶Ibid.

<u>Income</u>		<u>Number of Incumbents</u>
Under	£50	297
£50	- £100	1629
£100	- £150	1602
£150	- £200	1354
£200	- £300	1979
£300	- £400	1326
£400	- £500	830
£500	- £700	843
£700	- £1000	434
£1000	- £1500	134
£1500	- £2000	32
£2000	and up	18

The diocesan averages varied from an annual net average income of £414 in the Diocese of Rochester, £399 in the Diocese of London, £353 in the Diocese of Ely, and £352 in the Diocese of Durham, to £137 in the Diocese of St. David's, £175 in the Diocese of Carlisle, £242 in the Diocese of York, and £252 in the Diocese of Chester.¹²⁷

There were, in addition to the incumbents 5,230, curates, usually paid by the incumbent, averaging £78 annually, and fluctuating by diocese from £109 annually in Rochester to £55 annually in St. David's.¹²⁸

Although the differences between the incomes of the higher clergy and the rectors, as well as the rectors and the curates obviously seemed, by the nature of anticlerical criticism, to be great to the contemporary in this period, one only has to make a similar comparison using the Liber Regis, or the first fruit payments to see that these differences were neither new nor increasing.

¹²⁷Ibid.

¹²⁸Ibid., p. 40.

What was essentially new and increasing was the population, and the distribution of population in England. The Church of England was an established church, and with the establishment went obligations. The Church of England assumed the responsibility for all Englishmen who were not officially members of another sect. Long before the massive population growth and shifts had occurred in England, the parishes of the Church of England had been established, the interests and endowments vested, its income provided for. Yet the Church of England, organized and endowed to meet the needs of a rural, an agricultural England had, by its position as the Established Church assumed obligations which it was financially, as well as from other aspects, totally incapable of meeting. Its parishes were, in certain sections, insufficient in number, its parish churches insufficient in size, and its clergy too few in number and insufficiently endowed to care for the millions of Birmingham, Manchester, Liverpool and London.

But as the Establishment owed services to the State, the State had a responsibility to the Establishment. Aside from the legality of rates and tithes, it was obvious long before 1835 that the funds of the Church were insufficient to meet the demands upon it. It had long been recognized that the incomes of the lesser clergy were in need of augmentation. Queen Anne, by the Act 2 & 3 Anne c. 11 gave up the right possessed by herself and her predecessors to first fruits and ten in favor of the Church. She assigned them

both for herself and her successors to the augmentation of the incomes of the poorer clergy. All sees, chapters, rectors, etc., were charged their first year's annual value, (first fruits) and one tenth of this annual value for every succeeding year (tenths). The valuation used for these charges was the Liber Regis of Henry VIII, which naturally had by 1835 little or no relation to the annual income of the cleric. Thus Canterbury paid £2,682 in first fruits, York, £1,610, Durham, £1,821, and Winchester £2,873 to name the highest payments. Tenths were then paid annually, usually a tenth of this amount, although there were some sees excepted by statute: Canterbury, Bath and Wells, Chichester, Ely, Hereford, London, Norwich and Worcester. In 1837 there were 4,898 benefices liable to first fruits - 4,500 of them liable to tenths. There were two boards, each with a receiver, who levied the fines, and collected the payments. The Board of First Fruits, being the superior, received the payments from the Board of Tenths, and transmitted both their payments to the Exchequer, from which the Bounty Board, or the Board empowered to administer the funds, withdrew it.¹²⁹

The entire organization of collection was wildly

¹²⁹House of Commons, Sessional Papers, Report of the Select Committee appointed to inquire into the Constitution of the Boards connected with the receipt of the First Fruits and Tenths and Administration of Queen Anne's Bounty; and are empowered to report their Observations, together with the Minutes of Evidence taken before them to the House. (London, 1837), p. **iv**.

confused. They delayed notifying incumbents of their debts, thus increasing their own fees when notification occurred. The hours kept were absurd, and work was obviously made to keep the paid clerks busy. Thus, the Board of Tenths issued receipts for dead arrears, that is for "parties upon whom no legal claim exists," the party having been exempted by statute. These receipts were never sent, but "put away in a drawer."¹³⁰

It was the considered opinion of the Committee upon the subject in 1837 that "under present construction of the Boards of First Fruits and Tenths, a large sum is most unprofitably diverted from the augmentation of poor livings; and they have arrived at the opinion, that both these Boards ought to be forthwith abolished; and that the receipt, as well as the expenditure of the funds appropriated to the augmentation of small livings should be concentrated in the Board of the Bounty."¹³¹

The Bounty Board handled all the expenditure of the funds. The members of the board were purely honorary, the actual administration of the fund being controlled by the bishops. The annual average of the funds derived from first fruits and tenths was £14,000, the benefactions averaging £13,363 annually. The Bounty Board possessed £1,320,884 in reduced 3 per cent. annuities, and £86,308 in

¹³⁰ Ibid., p. ix.

¹³¹ Ibid.

consolidated 3 per cent. annuities making a total amount of stock, the interest of which had been assigned to relief of poor parishes of £1,407,193. Originally the Governors of the Bounty Board made the entire augmentation, the method being by "that of placing the names of the unaugmented poor livings in a box, and dividing the sums in hand among such as might be drawn out the first."¹³² They also agreed to meet benefactions, and by 1835 the vast proportion of their augmentation was by this method.

In 1809 the funds of the Bounty Board were augmented by the first of a series of eleven Parliamentary grants of £100,000,¹³³ for which it was stipulated that populous parishes were to receive preference. A similar system of meeting benefaction was adopted, and by 1837 all but £20,000 had been appropriated.¹³⁴

By the 17th Geo. III, c. 53, and 43 Geo. III, c. 104 the Governors were authorized to advance money on mortgage for the construction of parsonage houses and lands for residence. The incumbents paid 3 1/2 per cent. interest on the loan, payable in 20 years. In 1835 there was £360,185 outstanding from this quarter, with an annual interest payment of £10,749.¹³⁵ The Bounty Board, unlike the Boards of

¹³²Ibid., p. ix.

¹³³Ibid.

¹³⁴Ibid.

¹³⁵Ibid., p. vii.

First Fruits and Tenths was obviously attempting to meet the parochial crisis but was so severely handicapped by insufficient funds that it was totally incapable of meeting the needs.

A second method adopted to meet the needs of the poorer parishes was permission granted by Parliament by the Acts 29 Chas. II, c. 8 and 1 & 2 Will IV, c. 45 to allow the corporations sole and aggregate to augment livings by alienation of property in perpetuity. These were availed of in a limited number of cases, but neither the funds of an included bishop or chapter was sufficiently large to meet the need.¹³⁶

Finally, by the Act 58 Geo. 3, c. 45, and later by the Act 3 Geo. 4, c. 103, a total of £1,500,000 was allocated by Parliament for the construction of new parish churches, particularly in populous parishes. These Acts, administered under the Church Building Commissioners, were revolutionary in that they permitted the construction of new churches, with the consequent rearrangement of the English parish structure. However, because of the entrenched interest of the older units, they fell far short of expectations. The actual construction of the edifice was indeed accomplished, but the endowment of the new unit was difficult to accomplish. In the case of a Distinct or Separate Parish,¹³⁷ the new unit became a separate benefice,

¹³⁶Ibid., p. vi.

¹³⁷58 Geo. 3, c. 45. and 3 Geo. 4, c. 103.

the incumbent being the incumbent of the older parish until his death. For funds it existed primarily from pew rents, the proportion of which to total seating was determined by the Building Commissioners at the time of its creation. In the case of the creation of a District Parish, the endowment was similar, but the new unit remained permanently served by a curate, subordinate to the mother parish.¹³⁸

The fact that the Building Commissioners were forced to rely on the already discredited pew rent, for the endowment of the new parishes created, is simply one more illustration of the fact that in 1835 the funds of the Church for the parishes were totally inadequate for the demands, in spite of Parliamentary assistance. If the crisis of spiritual destitution were to be met, if the Establishment were to operate efficiently, then new sources of revenue or more efficient handling of the old had to be adopted. This then was the essence of the crisis of the Church in 1835.

¹³⁸For the work of the Church Building Commissioners see: House of Commons, Sessional Papers, Annual Report of the Commissioners for the Building of New Churches., 36 vols., (London, 1821-1856). The Church Building Commission was united with the Ecclesiastical Commission for England and Wales by the Act 19 & 20 Vict. c. 55 in the year 1856.

CHAPTER III

The crisis facing the Church of England was two-fold. First, the haphazard system of financing the Church was unacceptable; the system which permitted extreme variations in incomes of clerics of similar status. Secondly, and the more important, the redistribution and increase of population growing out of the industrialization of England, gave added responsibilities to the Establishment, both at the diocesan and parochial levels. The Church of England was, in 1835, totally incapable of meeting this responsibility. New sees and parishes had to be formed and financed, and the poorer sees and parishes had to be augmented.

It was clear as early as 1831, that Parliamentary action had to be taken if the problems were to be met. Both major parties were agreed that some sort of reform was necessary. In 1831 Earl Grey said in the House of Lords:

Those right reverend Prelates have shown that they were not indifferent or inattentive to the signs of the times. They have introduced in the way in which I think all such measures ought to be introduced, namely by the leading members of the Church itself, measures of amelioration. In this they have acted with a prudent forethought. They appear to have felt that the eyes of the country are upon them; that it is necessary for them to set their house in order, and prepare to meet the coming story.¹

¹G. M. Trevelyan, Lord Grey of the Reform Bill, (London, 1920.) pp. 307-308.

Sir Robert Peel expressed a similar opinion when he said, writing to Henry Phillpots, the Bishop of Exeter:

My main object is the interest of the Church of England. I will most willingly return to private life, and make the very small sacrifice of office, rather than consent to anything which I conscientiously believe to be prejudicial to the great and sacred object for which the Church was established.

But my earnest advice is that the Church should avail itself of this, possibly the last, opportunity of aiding its true friends in the course of judicious reform, to enable us to go to all the lengths we can go with perfect safety, and to make, if possible, a satisfactory and final settlement.

Let us do all that we can do consistently with our own conviction that we are making no concession hurtful to the true interests of religion. I need hardly assure you that all mere political considerations . . . are as nothing in my mind, compared with the great object of giving real stability to the Church in its spiritual character; and that I believe enlarged political interests will be best promoted by strengthening the hold of the Church of England upon the love and veneration of the community.²

Both Peel and Grey had shown a sufficiently conciliatory attitude toward self-reformation to allow the first attempt at reformation be made by the Church itself.³ The Archbishop of Canterbury introduced, in 1831, three bills designed to be a comprehensive reformation. These would have permitted easier commutation of tithes, simpler means of augmenting poor parishes, and a partial restraining of pluralities.⁴

It was obvious even to the best friends of the

²C. S. Parker, Sir Robert Peel from his Private Papers., (London, 1899.) pp. 265-266.

³Hansard, Third Series, vol IV, pp. 292; 1362-1378.

⁴Ibid.

Church that these bills were inadequate, and that any adequate legislation would first require far more comprehensive knowledge of Church finances than was then available.

Consequently in 1832, Earl Grey appointed a Commission "to inquire into the revenues and patronage of the Established Church of England and Wales."⁵ This Commission, consisting of twenty-five members six of whom were bishops. sat between the years 1832 and 1835, when it issued a comprehensive report.⁶ This report, the first major analysis of clerical finances since the Liber Regis, provided the essential basis for any reforms to follow.

In his Tamworth Manifesto, Peel not only accepted the principles of the Reform Bill, but announced his willingness to reform the Church of England, which he assured the country, would aid the nation and benefit the Church. Upon taking office in 1835, he implemented this promise by appointing a Commission "to consider the state of the Established Church with reference to Ecclesiastical Duties and Revenues."⁷ The Commissioners were:

to give forthwith consideration to the statute of the

⁵Report of the Commissioners of Ecclesiastical Revenue Inquiry.

⁶Ibid.

⁷House of Commons, Sessional Papers, First Report of the Commissioners appointed to consider the state of the Established Church in England and Wales, with reference to Ecclesiastical Revenues; also Correspondence thereon., (London, 1835.)

several dioceses of England and Wales, with reference to the Amount of their revenues, and the more equal distribution of Episcopal duties, . . . that the state of the several Cathedral and Collegiate Churches in England and Wales should also be taken into consideration, with a view to the suggestion of such measures as may render them most conducive to the efficiency of the Established Church.⁸

The Commission consisted of twelve members, five episcopal and seven laymen. It sat between the years 1835 and 1837. During this time is issued four complete reports⁹ and the draft of a fifth.¹⁰ The creation of the commission had the advantage of allaying, at least temporarily, criticisms of the Church, but it also gave rise to extreme fears on the part of the high Tories, particularly the fear that all Church livings were to be equalized. To conciliate this group, Peel said in February of 1835:

⁸Ibid.

⁹First Report of the Ecclesiastical Revenues Commissioners; House of Commons, Sessional Papers, Second Report of the Commissioners appointed to consider the state of the Established Church in England and Wales, with reference to Ecclesiastical Revenues; also Correspondence thereon., (London, 1836.); House of Commons, Sessional Papers, Third Report of the Commissioners appointed to consider the state of the Established Church in England and Wales, with reference to Ecclesiastical Revenues; also correpondence thereon; (London, 1836.); House of Commons, Sessional Papers, Fourth Report of the Commissioners appointed to consider the state of the Established Church in England and Wales, with reference to Ecclesiastical Revenues; also correspondence thereon., (London, 1836.)

¹⁰House of Commons, Sessional Papers, Draft of a Fifth Report of the Commissioners appointed to consider the state of the Established Church in England and Wales, with reference to Ecclesiastical Revenues; also correspondence thereon., (London, 1837.)

It is a very harmless occupation for 'some of our Tories' to keep themselves in wind by attacking wind-mills of their own creation. Who ever dreamed of 'equalization of livings?' I am sure I never did.

Is the Church to be a provision for men of birth of learning, or is its main object to be the worship of God, according to the doctrines of the Reformed faith?

That worship is promoted by men of birth by inviting men of birth and of learning into the Church I do not deny, but you have left hundreds of thousands to become Dissenters, or more likely infidels, because you would not divert one farthing of ecclesiastical revenues from this deanery or that great sinecure -- if the time shall come when a strict scrutiny shall be made by unfriendly inquiries into the principle of which great preferments have been given by politicians, 'some of our Tories' who now profess their exclusive friendship to the Church will find their friendship the severest measure of hostility from which the Church ever suffered. . . . For God's sake don't let pretended friends of the Church provoke the statement of the case which can be made out in favour of temperate review of the present state of Establishment. . . . Is this right, that a parish of 10,000 acres overrun with Dissent, the whole tithes go to an ecclesiastical corporation [Trinity College, Cambridge] to the amount of £2,000 a year; that there is only one service in the church, and cannot be two because the said corporation will allow only £24 a year as a stipend to the vicar?¹¹

The Reports of the Commission were largely the result of the work of two men, William Howley, Archbishop of Canterbury, and Charles James Blomfield, Bishop of London. It was an extraordinary work, for Howley was an arch-conservative who had opposed in 1829 the Roman Catholic Relief Bill, in 1831 the Reform Bill, and in 1833 the Irish Church Reform Bill.¹² An insight is given into his character by noting that, in 1828, when he was translated from

¹¹Parker, Peel., pp. 284-285.

¹²G. W. E. Russell, "William Howley" in The Dictionary of English Church History., (London, 1948.), p. 296.

London to Canterbury, he was installed by proxy, which one cleric called an "act of the most extraordinary indolence ever recorded in history."¹³

Blomfield was a very different type of man. He had been an active advocate throughout his career of Church reform, and while Bishop of Chester had been an active opponent of non-residence within his diocese.¹⁴ After his translation to London he continued as an active liberal, and an advocate of Church reform. He expressed his position in a letter to the primate:

I have long been convinced of, and have for some time past been urging, the necessity of a mixed commission of Clergymen and laymen to consider what measures should be adopted in the way of Church reform, whether as to the establishment of a consistent scheme of discipline, or the arrangement of ecclesiastical property. Whether this commission should be permanent and be invested with the power of initiating all legislative measures affecting the Church in its spiritual character, or in its secular provisions, or in both, I am not quite prepared to say; but that as things now are, the Church is governed in an indirect, and in some respects a merely conventional manner, cannot be denied.¹⁵

The task given to these men was not simple. It cannot be denied that Blomfield was the driving spirit behind reform. The Archbishop of York stated, "'Till Blomfield comes, we all sit and mend our pens and talk about the weather."¹⁶ Blomfield himself spoke of their "invidious

¹³Ibid., A full biography of Archbishop Howley is badly needed.

¹⁴Alfred Blomfield, (ed.), A Memoir of Charles James Blomfield, D.D., Bishop of London, with selections from his Correspondence., (London, 1863.) vol. I, p. 167.

¹⁵Ibid., p. 206.

¹⁶Ibid., p. 222.

and unpopular task." One group he said was sure to call them a "rash innovator, who in order to . . . satisfy a clamour would not hesitate to play nine-pins with ecclesiastical dignities venerable with the prestige of centuries."¹⁷ The other would look upon their efforts as "the mere shufflings of the cards from which no advantage would accrue."¹⁸

The First Report of the Commission, the only Report which Peel remained in office to receive, was issued in March of 1835. The commissioners dealt primarily in this report with the easiest of the several problems, and the re-arrangement of the dioceses. At least two new dioceses were needed to meet the growth and change of population in England, and to accomplish this end, they first recommended the union of the diocese of Bangor and St. Asaph, Llandaff and Bristol, (later Gloucester and Bristol, Carlisle and Sodor and Man) to allow the formation of the dioceses of Ripon and Manchester.¹⁹ This would have the advantage of not increasing the number on the bench of bishops and consolidating the revenues of four of the poorer dioceses.²⁰ They further recommended a more equitable and uniform arrangement of most of the other sees.²¹

¹⁷Ibid.

¹⁸Ibid.

¹⁹First Report of the Ecclesiastical Revenues Commissioners., pp. 2-3.

²⁰Ibid.

²¹Ibid.

They further noted the fact that the incomes of the bishops "is very unequally distributed, the incomes of one-half of the Bishoprics falling below the sum necessary to cover the expenses to which a Bishop is unavoidably subject. A different distribution of the Episcopal Revenues is the natural remedy of this inconvenience."²² They added rather wistfully, "incomes must also be provided for the two new Sees which are to be created."²³

Even at this early point, they realized "the total income of the Bishoprics in England and Wales will no longer be sufficient to afford an adequate income to each bishop, merely by a different distribution;"²⁴ They recommended reducing the episcopal incomes by advocating that impropriations, given originally to the sees in compensation for manors and estates be confiscated, and used to aid populous and impecunious parishes. If their criticism of pluralities was met, the incomes of the bishops would be still further reduced.

Lord Melbourne lost no time in passing many of these recommendations into law. An Act, "for carrying into effect the Reports of the Commissioners . . . so far as they relate to Episcopal Dioceses, Revenues, and Patronage," the so-called "Bishop's Act," was passed in August 1836.²⁵

²²Ibid., pp. 8-9.

²³Ibid.

²⁴Ibid., p. 9.

²⁵6 & 7 Will 4, c. 77.

It established a permanent ecclesiastical commission, which, by being given the right to effect changes by Orders in Council, could accomplish many of the minor changes recommended by the earlier Commission. The Act further laid down what was to be the incomes of the English prelates: the Archbishop of Canterbury was permitted an annual £15,000, York, £10,000, Durham, £8,000, Winchester, £7,000 in recognition of their former wealth, while all other sees were allotted between £4,000 and £5,000 a year.²⁶ However, these changes were only to affect a See, the Bishop of which was in possession after [4 March 1836] or at the Avoidance of the See, or with the Consent of Bishop.²⁷

The incomes of the poorer bishops were to be augmented, and the newly created sees financed, by grants from the "episcopal fund" controlled by the Ecclesiastical Commissioners. This fund was to be created by the wealthier sees handing over to the Ecclesiastical Commissioners their surplus income (i.e. income above their prescribed statutory limit.) The episcopal fund was also to be used to aid the bishops in the construction and maintenance of their places. To further help in this respect, bishops were permitted to borrow sums from the Queen Anne's Bounty Board.²⁸

The newly formed Ecclesiastical Commission was

²⁶Ibid.

²⁷Ibid.

²⁸Ibid.

identical in membership with the previous commission with the exception of the addition of one new lay member, with the result that the control of the Ecclesiastical Commission rested with laymen, and thus with the Government.²⁹

By the Act of 1836 the Dioceses of Gloucester and Bristol were united, permitting the creation of the Diocese of Ripon. By Order in Council, in 1838, the Dioceses of Sodor and Man and the Diocese of Carlisle were to be united at the avoidance of the former, thus allowing the creation of the Diocese of Manchester. On union of dioceses there was general agreement among the influential bishops, yet even here the Commission met opposition.³⁰

The dying, blind Bishop of Sodor and Man rose to the defense of his diocese. Regardless of the benefits accruing from such a change, no single bishop wished to see the abolition of his see as an independent unit. Bishop Ward wrote to the Commissioners, explaining the unique position and history of his see, and finishing:

²⁹Ibid.

³⁰House of Commons, Sessional Papers, Communications Addressed to His Majesty's Commissioners Appointed to Consider the State of the Established Church in England and Wales, with reference to Ecclesiastical Duties and Revenues; and the Ecclesiastical Commissioners for England and Wales relating to the Union of Sodor and Man with that of Carlisle; and also copies of all Communications made to the Commissioners from Cathedral and Collegiate Churches in England and Wales, from their several Chapters, Dignitaries, Members, and Officers., (London, 1838).

. . . I will never cease to repeat the warning with the greatest earnestness as the approach of my death hastens the accomplishment of this measure: to avert the threatened calamity from my church, I am prepared to make any sacrifice, even friendship, for I believe most solemnly that in a few years after the removal of the bishop, the name only of the Church will be left to her, and her empty walls will stand as memorials to an arrangement, needless and uncalled for in itself, burdensome to Carlisle, and destructive to her own best interests. But it shall never be said that the last of this long line of bishops stood by with folded arms without an effort in the name of God, to arrest the stroke before it fell.³¹

The Bishop's efforts did arrest the stroke, and the Order in Council was rescinded in 1838, the Diocese of Manchester being established without the new bishop being given the privileges of the House of Lords.

The Bishop's Act was, in many respects, poorly conceived, and improperly executed. It was designed to equalize the bishops' incomes, and to prevent major fluctuations in their annual revenues. However, due to the avoidance clause, the Commissioners were provided with no immediate income with which to begin augmentations. John Kaye, Bishop of Lincoln, recalled:

. . . if it had not happened that the first bishopric which fell vacant after the passage of the Bishop's Act, in the year 1836, was the Bishopric of Durham, I do not know how we could have been able to carry on the Commission at all. The payment was fixed at £11,000; and unless that large sum had been at our disposal, we could not have provided the means of making up the incomes of the poorer bishops.³²

³¹Ibid.

³²House of Commons, Sessional Papers, Report of the Select Committee appointed to inquire into the Composition and Management of the Ecclesiastical Commissions for England and Wales, to whom a Petition has been referred from certain

Furthermore, when a vacancy did occur, the Commissioners simply decided upon an arbitrary fee with which to charge the see. Considering the sources of revenues of the various sees, such an arbitrary figure could only allow the roughest approximation of the statutory income allowed the see. The Commissioners in some cases demanded what proved to be too little, and in other cases too much. If too large a sum were demanded, the Commissioners could reduce the fine, but if too little were asked, they had to wait for the avoidance of the see. So long as the episcopal revenue was derived primarily from fines on the renewal of leases, the methods adopted by the Ecclesiastical Commission resulted in only an inaccurate approximation of their statutory incomes.³³

On the other hand, if the alternate system, requiring each bishop to pay to the Commissioners all sums above the statutory limit he received had been adopted, the leveling of the incomes of the wealthier dioceses would have been achieved. However, the episcopal fund would have been subject to far more fluctuation than by the system adopted.

The See of Ripon was endowed by the Ecclesiastical Commissioners in 1837 from funds received from the Dioceses

Lessees in Norwell, and who are empowered to Report the Minutes of Evidence taken before them, together with their opinion thereupon, to the House. (London, 1848). p. 13.

³³See Appendix

of Durham and York. As the actual leases, the majority of which were leases for lives of tithes, were transferred to the bishop, the newly created see's income remained subject to all the uncertainty and fluctuation of his older colleagues.³⁴ Thus, between the years 1837 and 1843 the income of the See of Ripon varied between an annual net £1,343 for the year 1837 and an annual net £6,288 for the year 1840. During only two of the seven years did its income from endowments even approximate that which the Bishop's Act had contemplated.³⁵

Due to the principle of avoidance, acceptance by the Act 6 & 7 Will 4, c. 77 of other sees were slow to contribute to the episcopal fund. Some dioceses, i.e. Canterbury, had obligations for which they had contracted prior to the Bishop's Act and payment to the episcopal fund consequently had to await the liquidation or at least diminution of these debts. It was not until 1849 that Canterbury began to contribute to the fund, while York did not commence until 1850. By 1850 neither Winchester nor London had yet begun their contributions.³⁶ Therefore, by 1850, although most episcopal property was still controlled by the bishops, the episcopal fund was able to give £1,100. to the diocese of Chester, £650 to Chichester, £1,600 to St. David's, £3,000

³⁴Second Septennial Report.

³⁵See Appendix. See also, Second Septennial Report.

³⁶Ibid.

to Ely, £3,150 to Llandaff, £4,200 to Manchester, £1,150 to Peterborough, £2,700 to Ripon, £3,750 to Rochester, and £1,100 to the See of Worcester.³⁷

The bishops freely availed themselves of the right to call upon the episcopal fund for the purchase and repair of the bishops' palaces. Danbury, the palace of the Bishop of Rochester, and Riseholme, the palace of the Bishop of Lincoln were financed by the Commissioners, and the old episcopal palace at Rochester was sold by the Commissioners. The Select Committee of 1839 commented on these transactions, as well as the cases in which the existing palaces of the bishops were repaired from the Commissioners funds:

. . . it cannot fail to have struck your Committee very forcibly, . . . that in the cases of building, as well as repairing Bishop's houses, the actual cost incurred has so far exceeded the estimated expense. . . . Your Committee think that peculiar and special care should have been taken to guard against such excesses in these instances, having regard to the sacred nature of the fund from which payment was to be made.³⁸

The Bishop's Act had further permitted the use by a bishop with the permission of the Ecclesiastical Commissioners, of funds borrowed from Queen Anne's Bounty, if they did not exceed two years income of his see. However

³⁷House of Commons, Sessional Papers, First Annual Report for the Ecclesiastical Commissioners for England and Wales., (London, 1845). Second Annual Report for the Ecclesiastical Commissioners for England and Wales., (London, 1846).

³⁸Report of the Select Committee on the Ecclesiastical Commission, 1848., p. vi.

the Act 5 & 6 Vict., c. 26 permitted, in cases where the payment of such a loan reduced their income of the borrowing bishop below his statutory annual income, the Ecclesiastical Commissioners should make up the deficiency. This meant, in fact, that the Commissioners were servicing the loan. This Act, if fully used by the bishops, would have led to an almost unlimited drain for this purpose upon the episcopal fund. The Bishop of Bath and Wells did avail himself of this right, borrowing £4,000 from the Governors of the Bounty for repairs to his papace.³⁹ By 1839 the demand for building and repairing was sufficiently heavy to force the Select Committee of that year to state:

. . . your committee are compelled to an expression of regret that such large contributions towards the building and repair of palaces should have been made from this [episcopal] fund, and that more reserve has not been shown in the disposal of it.⁴⁰

Apart from the failure of framers of the Bishop's Act to grasp the fundamental problems of the episcopal incomes, and the rather inept administration of the Commissioners, the Bishop's Act had far wider implications than either Parliament or the Commissioners expected. The Act 6 & 7 Will. 4, c. 20, which had prohibited the granting of concurrent leases was, in itself, hardly a hardship to either the lessees or the lessors of Church lands, for, as has been shown, neither the bishops nor the deans and

³⁹Ibid., pp. vi-vii.

⁴⁰Ibid., p. vii.

chapters exercised the right to any great degree.⁴¹ However, as an indication of future Parliamentary action regarding Church leases, it was definitely disconcerting to the Church lessees. There is little doubt that the passage of this Act in 1836 was responsible for a decline in the value of Church leases. The Bishop of Durham had warned before its passage: "I am decidedly of opinion the proposed alteration in leasing by preventing the lessees from putting in the lives of children and near relatives, will tend to deteriorate the value of leasehold property."⁴²

But the effects of this Act were very small when compared to the feeling inspired by the acceptance by the Ecclesiastical Commissioners of the principle voiced in the Second Report of the Church Commission:

. . . that one mode of rendering those [episcopal] incomes less uncertain would be, to allow the existing Leases, both for Lives and for Terms of Years, to expire. But any plan for accomplishing this Object must involve the Necessity of borrowing Money upon the Security of the Episcopal Estates, in order to compensate the Bishops for the Loss of Fines, which accrue to them under the present System, and which form an important part of their Incomes. The practical Result of such an Operation would be, to transfer to the Parties, lending their Money, that Interest in the Episcopal Estates, which is now possessed by the Lessees.⁴³

This struck the lessees as a "thunderclap," and resulted in the almost immediate deterioration of the value of the

⁴¹See above, Chapter II.

⁴²Report of the Select Committee on the Ecclesiastical Commission, 1848., p. 10.

⁴³Second Report of the Ecclesiastical Revenues Commissioners., p. 3.

leases. One witness described the resulting agitation as having:

. . . so unhinged people's minds that they do not know what to be at; the property cannot be disposed of in the readiness it used to be. It also operates in the same way in regard to incumbrances that are on the property, which are to a very extensive degree. I will engage to say that two-thirds of the estates in my diocese [Bath and Wells] are under mortgage or settlement. People are beginning . . . to be alarmed; they are calling in their money, and they will not allow it to remain upon the property which they used to do. I have known mortgages to continue up to where there has been only one life upon it, such was the certainty of renewal; that is not so now, and confidence is shaken to the foundation. And there is also a moral feeling upon the subject; as well as a temporal one going about; it is creating an uncomfortable excitement in people's minds against the Church generally, which I never heard of.⁴⁴

The position of the lessee who had mortgaged his property, or the lessee who wished to sell his lease became extremely critical. Mortgages were called in, and small lessees, in the Dioceses of Carlisle and Durham, who had paid far more than the tabular value of their leases found them-

⁴⁴House of Commons, Sessional Papers, First Report from her Majesty's Commissioners appointed "for the purpose of inquiring into the present system of leasing and managing the real property of the Church of England and Wales, belonging to the Archbishops, and Bishops, to the Cathedrals and Collegiate Churches, and to the several minor corporations aggregate within the said Cathedrals, and also that vested in the Ecclesiastical Commissioners for England; and for considering how, and by what system of management, such property can be rendered most productive and beneficial to the said Church, and most conducive to the spiritual welfare of the people, due regard being had to the just and reasonable claims of the present holders of such property under lease or otherwise; and also for considering whether any and what improvement can be made in the existing law and practice relating to the incomes of the said Archbishops and Bishops, and of the several members of chapters, dignitaries, and officers of the said Cathedrals and Collegiate Churches, so as best to secure to them respectively fixed instead of fluctuating annual incomes., (London 1850). p. 103.

selves in a situation where their mortgages were being called in, and the market value of their land insufficient to even meet the mortgage.⁴⁵ The lessees generally panicked, some threatened to use up the property so that when the Church came into possession its condition would have materially deteriorated.⁴⁶ Others developed ingenious theories of the value of the tenant to the Church. One suggested that there were dark elements within the country who were:

. . . very anxious to see the Church owners in possession of all this property, and that party is comprised of the bitterest enemies of the Church; they openly tell us, "Oh, we very much wish to see all you lessees put out; we wish to see the Church in possession of all their lands, because we know very well that in such a country as this, a corporation such as the Church would never be allowed to make a monopoly of such an immense extent of the country as the Church possessions are." Such are the views of that party. We, the lessees, as we are at present . . . now stand . . . as a sort of bar between the party I have mentioned and the Church and that party cannot now, nor could they hereafter, . . . get at the Church's possessions without first attacking our interests, and our pockets, any more than the Scotch in former days could reach the Church of Durham without first breaking through the spears and battleaxes of our forefathers.⁴⁷

In 1837 the Ecclesiastical Commissioners suspended all action on the matter, awaiting the report of the Select Committee appointed in that year to consider Church leases. A restoration of confidence in the Church as a lessor, however, did not return to the lessees until the publication of

⁴⁵Ibid., p. 181.

⁴⁶Ibid., p. 212.

⁴⁷Ibid., pp. 153-154.

the Committee's report in 1839, which recommended, " . . . the state of Uncertainty among the Church lessees [and that] they find considerable difficulty in selling or borrowing money upon their property and all improvement is suspended, to the injury of both lessors and lessees."⁴⁸ The Committee recommended, "The customary confidence of renewal by the lessee be considered according to local circumstances, by the authorities under this Act . . ."⁴⁹

The second portion of the Reports of the Church Commission was intended to deal with the problem of spiritual destitution, which they determined could only be relieved by a material reduction in the size of the Chapters of Collegiate and Cathedral Churches, and the standardization of the members' incomes. The Commissioners determined to fix the number of members of Chapters to five, a dean and four canons, the funds belonging to the remaining stalls could then be diverted to the poorer benefices, and the establishment of new parishes.⁵⁰

⁴⁸House of Commons, Sessional Papers, Report of the Select Committee appointed to inquire into the Mode of granting and renewing Leases of Lands and other Property of the Bishops, Deans, and Chapters, and other Ecclesiastical Bodies of England and Wales, and into the probable Amount of Increased Value which might be obtained by an improved management with a due consideration of the interests of the Established Church and of the present Lessees of the Property, and who are empowered to report their opinion, together with the Minutes of Evidence taken before them to the House., (London, 1839.) p. xiv.

⁴⁹Ibid.

⁵⁰Second Report of the Ecclesiastical Revenues Commissioners.

The reaction to these recommendations was immediate. Hundreds of letters of protest poured into the Commissioners. Protests were received from the Dean and Chapters of Canterbury, Bristol, Carlisle, Durham, Ely, Norwich, Oxford, Rochester, Winchester, Worcester, Westminster, York, Exeter, Hereford, Lichfield, Lincoln, and London.⁵¹ The memorial from the Dean and Chapter, of Durham, although considerably reduced in length, is typical of these protestations:

. . . your memorialists feel it incumbent upon them to state their decided objection to all those recommendations which contemplate the suppression of any cathedral dignities and appointments, and by doing so, threaten to impair the efficiency and stability of the venerable institutions, which, as your memorialists were led to believe, it was the purpose of the honourable Board to strengthen and secure.

They wish to record their own settled conviction that the maintenance of the cathedrals in their integrity is the object of the utmost moment to the Church Establishment, and to the interests of true religion; and being well persuaded that the proposed changes must go far to destroy the influence and usefulness of cathedral establishments and to render them unfit to accomplish the objects for which they are to be preserved, they respectfully submit to your honourable Board that no sufficient reason has been advanced which can call for a diminution of this important branch of our ecclesiastical system.

The importance of improving the smaller livings, and of providing for the spiritual wants of a growing population, is fully recognized by your memorialists, who have not been inattentive to these great objects in their own practice; but they believe the deficiencies in our parochial system may be more effectively and conveniently supplied without resorting to measures confessedly incompatible to their purpose, which involve the confiscation of cathedral property, and disturb the ancient and wholesome arrangements of the Church.

Your memorialists desire, that the schemes of your

⁵¹Communications Addressed to His Majesty's Commissioners., pp. 1-327.

honourable Board which affect the integrity of chapters may be reconsidered, with a view to the augmentation of livings by means which will leave the cathedrals entire and unimpaired.⁵²

Sidney Smith characterized the proposals as "the most awful confiscations ever known in England." They were, "the horn-book and infantile lessons of revolution." They would "inaugurate such a scene of revolution and commutation as has not been seen since the days of Ireton and Cromwell. . . ." "The new, not yet crowned Queen will shudder as she looks upon the degraded Ministers of the Gospel and realized that she is stalking to the throne of her Protestant ancestors over the broken altars of God."⁵³

The British Critic, hitherto friendly to reform, denounced the whole scheme as a "sorry exhibition that the episcopal commissioners should transfer to their own order what belonged to another."⁵⁴ When the commission retreated enough to allow incumbents to hold their positions for life, the Critic merely considered it a "fresh aggrevation," for, they thought it placed the possessor of an eliminated stall in the position of standing in the way of progress, of holding a position that the Commissioners felt served no purpose, and should be abolished.⁵⁵ Even the Christian

⁵²Ibid., p. 276.

⁵³The British Critic., vol. xxiii. p. 147.

⁵⁴Ibid.

⁵⁵Ibid.

Observer objected to the diversion of these cathedral endowments.⁵⁶

With the opposition so vocal, and diverse, the Cathedral Bill was assured a stormy journey through Parliament. The bench of bishops split upon the subject. The firey Henry Phillpotts, Bishop of Exeter, spoke of the provisions of the bill as being:

. . . absolutely monstrous, showing a direct disregard of things hitherto considered scared in this country. I would venture to say that the grievous injustice and absurdity of these provisions never would have found an author, if the preparation of the bill had been entrusted to any single member of the commission. Not one of those eminent persons . . . possessed a mind so miserably small as to be capable of devising such a scheme. No; it required the united crotchetiness, the no-wisdom of the whole body, to recommend such a measure.⁵⁷

It was left to the Bishop of London, Blomfield, to reply, both due to the leadership he had shown on the Commission and because of the rapidly increasing spiritual destitution within his diocese. He spoke of the inadequate number of clergy in his diocese, continuing:

. . . I traverse the streets of this crowded city with deep and solemn thoughts of the spiritual condition of its inhabitants. I pass the magnificent church which crowns the metropolis, and is consecrated to the noblest objects, the glory of God, and I ask myself, in what degree it answers that object. I see there a dean, and three residentiaries, with incomes amounting to the aggregate of between £10,000 and £12,000 a year. I see, too, connected with the cathedral twenty-nine clergymen whose offices are all but sinecures, with an annual income of £12,000 at the present moment, and are likely to

⁵⁶The Christian Observer, 1837, p. 263.

⁵⁷Hansard, Third Series, vol. LV, p. 1128.

be very much larger after the lapse of a few years. I proceed a mile or two to the east and north-east and find myself in the midst of an immense population in the most wretched state of beggars, thieves, to the number of at least 300,000. . . . I find no more than one church and one clergyman for 40,000 people. I naturally look back to the vast endowments of St. Paul's, a part of them drawn from these very districts, and consider whether some portion of them may not be employed to remedy, or alleviate, those enormous evils.⁵⁸

The measure passed the House of Lords comfortably, in spite of the opposition of five of the fifteen bishops present. Thus the most controversial of all Bills affecting the Church was enacted in 1840.

The Act fixed the number of canonries: Canterbury, Durham, Ely, and Westminster were permitted six; Exeter and Winchester, five; all others, except St. David's and Llandaff which were permitted only two, were permitted four canons. In all cases the office of dean was included in the allotted number of stalls. Thus Canterbury was reduced from 12 to 6 canons, York remained at 4, St. Paul's increased from 3 to 4, Durham decreased from 12 to 6, Winchester from 12 to 5, Bangor increased from 0 to 4, Wells decreased from 6 to 4, Carlisle remained at 4, Chester decreased from 6 to 4, Chichester remained at 4, Ely decreased from 8 to 6, Exeter from 8 to 5, Gloucester from 6 to 4, Bristol from 6 to 4, Hereford from 5 to 4, Lichfield from 6 to 4, Lincoln increased from 3 to 4, Llandaff from 0 to 4, Manchester remained at 4, Norwich decreased from 6 to 4, Oxford remained

⁵⁸Ibid., pp. 1131-1138.

at 8, Peterborough decreased from 6 to 4, Ripon remained at 4, Rochester decreased from 6 to 4, Salisbury from 6 to 4, Asaph increased from 0 to 4, St. David's from 0 to 4, Worcester decreased from 10 to 4, Westminster decreased from 12 to 6, and Windsor from 12 to 4.⁵⁹

The incomes allotted to the Deans and Chapters after suspension were:⁶⁰

Dean of Durham.		£3,000
Deans of St. Paul's and Westminster .		£2,000
Canons of the Three above Churches. .		£1,000
Dean of Manchester.		£1,500
Canons of Manchester.		£ 600
Deans of the Old Foundation		£1,000
Deans of the New Foundation		£1,000
Or in some cases, between	£1,000 &	£2,000
Canons.		£ 500
Or in some cases, between	£ 500 &	£1,000
Deans of Cathedrals in Wales.		£ 700
Canons in Wales		£ 350

The incomes of the Deans of the Old Foundation (it will be remembered that in most cases the capitular revenues of the Old Foundation were not corporate) were, in the event their income fell below the statutory £1,000, to be augmented by the Ecclesiastical Commissioners. If their incomes exceeded £1,000 per annum, the surplus was to be paid to the Commissioners.⁶¹ In the case of members of chapters of the New Foundation, in the event that the income of the dean fell between £1,000 and £2,000 no action was taken,

⁵⁹3 & 4 Vict., c. 103.

⁶⁰Ibid.

⁶¹Ibid.

but, if their income exceeded, descended below these limits, the same arrangement would operate. A distinction was drawn between the canons of the Old Foundation (£500) and the New Foundation (£500-£100).⁶² In the case of the suppression of the stalls of the Old Foundation, the property belonging to that stall as a corporation sole, was turned over to the Commissioners, while, in the case of the Old Foundation, only that portion of the income of the corporation aggregate which would have gone to the suppressed canonry became the Commissioners. With Canons of the Old Foundation, the property was transferred, with the New Foundation, the property, and its management remained with the chapter. Other suppressed offices, such as Archdeaconries, were treated as corporations sole. As in the case of the Bishop's Act, all suppressions were, by the Act of 1840 delayed until the next avoidance, or the incumbent's interest commuted by the payment of annuities to him by the Ecclesiastical Commission.⁶³

In order to handle the increased business, and provide for the permanent possession of property, the composition of the Ecclesiastical Commission was materially changed. Its membership was increased from 13 to 49, including, ex officio, the two Archbishops, five members of the Government, all the bishops of England and Wales, three deans, six common law, equity and ecclesiastical judges, together

⁶²Ibid.

⁶³Ibid.

with eight permanent lay commissioners, six of whom were Crown appointments, and two appointed by the Archbishop of Canterbury. By this change in organization the Church gained control of the Ecclesiastical Commission which had previously rested with the Government, the proportion of clerical to lay members shifting from five to eight in the Commission which sat until 1840 to thirty to twenty in the reconstituted body.⁶⁴

Unfortunately the increased body was unwieldy, due to its size, and furthermore, because of the important positions held by the majority of the members, the record of meetings between 1840 and 1847, is, with the exception of a small minority of the Commissioners, a record of absences.⁶⁵ The worst offenders were the judges: the Lord Chief Justice of England and the Master of the Rolls never attended, and of 189 meetings held, the Lord Chief Justice, Common Pleas, attended twice, the Lord Chief Baron not at all, the Judge of Prerogative Court only 50 times, and the Judge of Admiralty Court nine. Even the Bishop's records were undistinguished; with the exception of the Archbishop of Canterbury and the Bishop of London to whom a London meeting was no inconvenience, few attended more than 50 of the 189 meetings.⁶⁶

⁶⁴Ibid.

⁶⁵Report of the Select Committee on the Ecclesiastical Commission, 1848., p. iv.

⁶⁶Ibid.

But the effect of the Act of 1840 was greater than the simple change of personnel. It also implied a total change in the concept of the Ecclesiastical Commission. Fundamentally, the previous Commission had confined itself to receiving money, the sources of which still remained under episcopal control, and making payments of this money to bishops whose income was beneath the statutory limit. The newly constituted Commission had the right to possess property, and thus became a perpetual corporation in absolute control of a steadily increasing amount of property.

The Act of 1840 gave the Commissioners no guide to the management of their property, but the Commissioners determined to run out the leases of all property which fell into their hands. The Bishop of London suggested that it was for just this purpose that the lands were given to a perpetual corporation.⁶⁷

The immediate effect of this decision is obvious. The fears of the lessees which were only allayed in 1839 by the recommendations of the Select Committee of that year were again aroused, and indeed intensified, for while the action of the Commission of 1836 was primarily only a threat, the Ecclesiastical Commissioners did in fact begin to run out the leases in 1840. There ensued a considerable amount of consternation among the lessees when they discovered that they were unable to renew. One memorial to the House

⁶⁷Ibid.

of Commons describes the reaction of the lessees in the following terms:

. . . the decision of the Ecclesiastical Commissioners not to renew any leases had created a complete revolution in the value of property, and in the condition of its owners. Mortgagees were calling in their money, having no longer any confidence in the security. Nobody would lend any more money on the lands, consequently mortgagees were foreclosing and taking possession of the lands and houses, very little satisfied with their bargains, but to the utter ruin of the present holders.⁶⁸

In 1841 the Ecclesiastical Commissioners suspended their determination to run out the leases whose reversions they possessed because of this opposition. Between the years 1841 and 1845 no definite principle of action was adopted by them. In 1845 they issued a statement of policy.⁶⁹

Among the provisions were the following:

- 1) That no lease for lives be renewed by the addition of a new life, nor any lease whatever upon consideration of a fine.
- 2) That no estate, which is subject to a lease when it becomes vested in the Commissioners, shall at any time be sold to any other than the person beneficially interested in the existing lease, until he shall have had the option of becoming the purchaser.
- 3) That every estate, already and hereafter vested in the Commissioners, shall at the first convenient opportunity be surveyed, and a full report made of its value, and of its circumstances with references to the relative advantage of retaining or parting with it.
- 4) That the Commissioners, having taken such report into consideration, shall, unless they find special reasons for not parting with the property, hold

⁶⁸Ibid.

⁶⁹First Report of the Ecclesiastical Commissioners for England and Wales., (London, 1845).

themselves prepared to entertain an offer, for the purchase of the reversion, from the person beneficially interested in the lease.

- 5) That in all cases of the Commissioners declining to sell, an entry shall be made upon their minutes, of the special reasons for their so declining.
- 6) That the price of the reversion shall be, as a general rule, the amount of the difference between the value of the whole fee, calculated as if the estate were actually in possession and the value of the leasehold interest.
- 7) That, whether the Commissioners for any special reasons decline to sell or the lessee decline to purchase the reversion, the Commissioners shall hold themselves prepared, in any case, to purchase the leasehold interest at its market price, if the lessee be willing to sell the same.
- 8) That in any case in which the lessee shall have declined either to purchase the reversion, or to sell his leasehold interest, the Commissioners shall consider themselves free from any restraint respecting the sale or letting of the property.
- 9) That tithes, and lands or other hereditaments allotted or assigned in lieu of tithes, vested in the Commissioners, shall not in any case be sold, until due consideration shall have been had of the wants and circumstances of the places in which such tithes arise or have heretofore arisen.

The problem, and implications of enfranchisement will be dealt with in a later chapter, but suffice it here to say that the adoption of these resolutions by the Ecclesiastical Commissioners, at least until the tenants of the Church understood the interpretation which the Commissioners placed upon them, cheered the tenants and the stability which was so lacking in Church leasehold property between the years 1840 and 1845, was at least temporarily restored.

In many other respects, the Ecclesiastical Commissioners, as created by the Act of 1840, proved to be a far

different type of lessor from the Bishops or Chapters. For centuries, either lack of interest, or lack of knowledge had led to confusion about the boundaries of individual Church lands. This was particularly true of prebendial property. Neither the lessor nor the lessee had attempted to maintain proper terriers which made it extremely difficult in many cases to define the extent of the property.⁷⁰ Dignitaries had not infrequently been renewing leases on a constantly decreasing amount of land. When this land, either through avoidance, or purchase, came into the hands of the Ecclesiastical Commissioners, they moved at once to determine the exact extent of the property. For example, one of the solicitors of the Commissioners explained a case:

. . . I have claimed 183 acres of land, and he [the lessee] originally offered to renew or deal with it as if it were 57, and that was because he produced a map of 1753, showing that quantity [of land]. The Commissioners became possessed of ancient papers relating to this prebend, and it appears from 1724 down to 1801 there had been a contest between the Church and the lessees of the day on the one hand to narrow, and on the other to ascertain, the real boundry. In 1801 there were two estates held by lease, one under the chapter and one under the prebend; the chapter got into a chancery suit, and they were put off with ten acres of land by a decree against them, which was in 1836. The papers relating to the prebend clearly demonstrated to me the chapter estate was 200 acres. Had there been an accurate terrier I have no doubt that would have been all prevented.⁷¹

He speaks of a "vast amount of property" being lost to the Church by uncertain boundaries and "descent cast."⁷² The

⁷⁰Report of the Ecclesiastical Revenues Commissioners 1850., p. 22.

⁷¹Ibid.

⁷²Ibid.

lessees, he complained were trying to follow the dictum of Lord Eldon that "if you mix my pea in your bushel of peas, I will take the whole bushel if you cannot give me my pea."⁷³ The individual prebendaries, and even the chapters could hardly afford to fight this encroachment, for the cost was great, but the Ecclesiastical Commissioners, possessing the time, money, and manpower, could, and did establish their claims to property long considered freehold though at the expense of gaining a reputation for being litigious.⁷⁴ The Commissioner's solicitor, testified that, "I am repeatedly obliged to go to Domesday to find out the Church land, and very often I find it of the greatest use. The most approximate terrier I can get is the parliamentary survey, and the ultimate one is Domesday."⁷⁵

Throughout the period 1840 to 1850 the amount of land in the possession of the Commissioners grew considerably in size. By 1852 there were six Canterbury canonries suspended, with a consequent payment of £1,908 to the Commissioners, Durham three suspended, paying £6,437. There were a total of 62 suspensions, (only 21 remaining to be suspended,) and a consequent payment of £42,827 to the Commissioners, of a total gross capitular income for the

⁷³Ibid., p.23.

⁷⁴Ibid., p. 22.

⁷⁵Ibid.

year 1852 of £312,236.⁷⁶

However, it will be remembered that the actual management of the property remained in the hands of the various ecclesiastical corporations. Naturally they desired to effect increases in the returns from their lands, particularly those whose tabular calculations had been shown to be below the norm. A letter from the dean and Chapter of Carlisle to all tithe lessees dated 16 September 1846 illustrates this arbitrary increase by such a corporation:

We are directed by the Dean and Chapter of Carlisle to apprise you that it is their intention from this time forth to raise their fines on renewals under the Commutation Act from one and a half year's value to one year and three quarters. They feel satisfied that their lessees cannot reasonably object to this advance, when it is considered how low is the present rate of interest for money invested in the funds, and that there is scarcely any chapter or collegiate body which has not for some years raised their fines to the amount at which the Chapter of Carlisle now proposes to fix theirs, whilst several take fines of two years, and some even two and a half's value. We annex the amount which will be due on the renewal of your lease . . . on the 23rd. day of November next, and will thank you to say as early as you possibly can whether you intend to renew.⁷⁷

⁷⁶House of Commons, Sessional Papers, First Report of Her Majesty's Commissioners for inquiring into the State of Cathedral and Collegiate Churches in England and Wales, and matters connected therewith., (London, 1854.) House of Commons, Sessional Papers, Second Report of Her Majesty's Commissioners for inquiring into the State of Cathedral and Collegiate Churches in England and Wales, and matters connected therewith., (London, 1855.) House of Commons, Sessional Papers, Third and final Report of Her Majesty's Commissioners for inquiring into the Cathedral and Collegiate Churches in England and Wales, and matters connected therewith., (London, 1855.)

⁷⁷Report of the Ecclesiastical Revenues Commissioners 1850., p. 231.

The objections of the tenants to this increase was mutually great, resulting in public meetings, and considerable controversy between the lessees and the Dean and Chapter.⁷⁸ Many initially refused to renew, but as renewal was clearly still profitable, the majority finally accepted the new terms.⁷⁹ Nevertheless, it added to the growing ill feeling between the Church, and her lessees.

In the year 1842 the rights of the ecclesiastical corporations to lease was further abridged, by the passage of an Act of Parliament which provided for 99 year leases to be granted by all Church corporations for land to be used for building purposes.⁸⁰ In these leases fines were prohibited, and a reserved rent substituted. This rent was to be small for the first six years to allow for the partial recovery of the capital investment by the lessor, and then materially increased for the remainder of the term.⁸¹ It further provided for a similar arrangement for the opening of mines and quarries, the distinction between the two being that the mining leases were restricted to sixty years, and between one-half, and two-thirds of the profits from new mines were reserved to the Ecclesiastical Commissioners.⁸²

⁷⁸Ibid.

⁷⁹Ibid.

⁸⁰5 & 6 Vict., c. 108.

⁸¹Ibid.

⁸²Ibid.

The resulting reaction of the Dignitaries to the new mining leases is an excellent example of the lack of cooperation which was shown by the bishops and chapters of the Church with the Commission. The solicitor for the Commissioners complained in 1850:

. . . [the Act] is very much evaded, or I should rather say not used, by parties who grant leases . . . to work mines. I am now more particularly alluding to Cornwall, where they grant licenses instead of applying for a lease. . . . When licenses are granted, which is the exercise of a very doubtful power, and one which I should venture to say could scarcely be sustained at law, the whole royalty is absorbed by the party granting the license. I have reason to believe that this practice is general, not only with the dignitaries in the south-west of England, but with incumbents also.⁸³

In spite of its illegality, White insisted that these lessors "do not scruple even to opening [new] mines."

. . . It is difficult to know what old workings are; and there is another difficulty in the case. There are a great many mines which would now be called old workings, which have become customary workings, simply because no one can call the incumbent to account for waste, at least no one can do it but the patron, and if the patron does not call the incumbent to account, of course the latter takes the benefit to himself.⁸⁴

Other problems of Church finances were dealt with by Parliament during this period, exclusive of, or in cooperation with, the Ecclesiastical Commissioners. As early as 1832 Blomfield recognized the necessity for action regarding the tithes; writing to Archbishop Howley:

There are some matters which will not wait for the investigation and deliberation of a commission, es-

⁸³Report of the Ecclesiastical Revenues Commissioners 1850., p. 29.

⁸⁴Ibid., p. 30.

pecially the question of commutation of tithes, which must be settled at once, if it is to be settled at all, in any other way than that of spoilation.⁸⁵

Lord Althorp introduced a Bill for the commutation of the tithe in 1833,⁸⁶ and Sir Robert Peel followed suit in 1834,⁸⁷ but it was not until the administration of Lord Melbourne in 1836, that the first Act was passed.⁸⁸ This Act provided a six month period during which the commutation could be voluntarily achieved by agreement between the two parties. After this period either party could force the other to accept an agreement to be decided by compulsory arbitration. The basis for the fixing of a rate was determined by the average price during the past seven years of the number of bushels of corn equivalent to the tithe. The tithe rent charge would thereafter fluctuate with changes in the price of corn. A Tithe Commission was established, made up of three members, (two to be chosen by the Prime Minister, one by the Archbishop of Canterbury) to organize, and oversee the commutation. The matter of the tithe has been discussed at length elsewhere, and it is sufficient here to say that as the harvests previous to the commutation had been bad, corn was dear. Consequently, the number of bushels of corn to which the tithe rent charge was con-

⁸⁵Blomfield, A Memoir., vol. I, p. 206.

⁸⁶Hansard, Third Series, vol. XXII, pp. 820-826.

⁸⁷Ibid., p. 839.

⁸⁸Ibid., vol. XXIII, p. 176-182.

sidered equivalent, was less than might have been the case if a longer period of prices had been used.⁸⁹

The commutation relieved the tenant of an increased tithe due to his improvements in methods of cultivation, and eased tensions between the local cleric and his parishoners. They would no longer "have to listen with profit to his [the minister's] exhortations on the Lord's Day, when, in the course of the preceding week, they had been engaged in angry dispute with him about the amount of his temporal dues."⁹⁰ It is further true that the price of corn mounted steadily during the mid-nineteenth century, thus increasing steadily the rent-charge.

Much clerical opposition to tithe commutation formed around its theological implications. It was argued that the tithe was originated to "remind the people of the obligation under which they stood to testify their gratitude to God for the increase with which he had blessed their substance,"⁹¹ and that the fate of the clergy should vary with the fate of the people. In years of bountiful harvest both should suffer.⁹² It was not, however, until 1851 that the real harm was seen in commutation. In those very parishes which Parliament was striving to augment and de-

⁸⁹6 & 7 Will. 4, c. 72.

⁹⁰Kaye, Charges, p. 121.

⁹¹Ibid., p. 123.

⁹²Ibid., p. 124.

velop, the Tithe Commutation Act worked the greatest hardship. In a draft Supplementary Report submitted to the Sub-division of Parish Commissioners, it was stated:

The Tithe Commutation Act deprived the clergy of the advantage which they had always previously enjoyed, of having their income increased in proportion to any increase in the cultivation and prosperity of their parishes. As no compensation for this very serious loss has been given, the clergy had reason to expect that in all events they would not be subjected to any further disadvantage. But, hitherto, this expectation, however just, has not been realized; for rent-charges in many cases cannot be collected without great difficulty and expense, and they are liable to peculiar and very heavy burdens.

In some parishes the rent-charge is too minutely subdivided, and consists of several hundred trifling payments; and when the parties liable are indigent or ill disposed, the clergyman is tempted to forego his right rather than enforce it by legal process against large numbers of parishioners.

This evil is liable to be aggravated in parishes with which this Commission is especially concerned [populous] for when population multiplies, and land is appropriated to building purposes, the rent-charge previously payable by the owner or occupier of many acres may be subdivided into small payments from the occupiers of numerous tenements, and the collection becomes so difficult and expensive, that the value of the rent-charge is seriously reduced.

A further aggravation of the evil is, that the party liable to a payment of rent-charge may resist the claim, and involve the clergyman, with impunity, in ruinous expenses; for he must be served with two notices: at the expiration of 10 days after the service of the second notice, the collector and broker must present themselves at his land or residence to distrain; the lowest expense before a distraint can be made is 8s.: should the defendant then tender the amount before the distraint can be effected, the collector is bound to receive the money and withdraw. Thus the expense of the proceeding falls wholly upon the owner of the rent-charge, who may be compelled to expend 8s. in the recovery of 6d.

. . . Nor is this all. The clergyman is subjected to a further hardship; for the amount of his rent-charge is known to all the parish, but the amount of rent may be known to the actual payer and receiver. Land, therefore, is entered in the parish books for rating, not at its actual rent, but according to the opinion of a valuer; and it appears from the evidence given before

a Committee of the House of Commons, on the Parochial Assessments Act, that in order to prevent dissatisfaction and complaint, the valuer usually enters the rent at 15, 20, or 25 per cent. below its actual amount. In many cases the reduction must be still greater, for property has been assessed for the property-tax at more than 50 per cent. above its estimated rental in the parish books. The result is most unfair to the clergyman, and might be absolutely ruinous; for if the parochial taxes in any parish should amount to 20s. in the pound on the estimated rental, his rent-charge would be entirely absorbed; nothing would be left for his support; but the case of the landowner would be wholly different; for all the value of the land beyond the reduced rent entered in the rate-books would remain untouched.⁹³

Nevertheless, in spite of the injurious effects of tithe commutation upon just those parishes where an increase in income was needed, commutations proceeded in an orderly fashion.⁹⁴ The period during which voluntary commutation could occur was extended to 1838, and by 1839 it was estimated that five-twelfths of the tithe had been commuted.⁹⁵ By 1851, the Tithe Commissioners were able to report that "it becomes evident that the great work of Commutation is substantially achieved."⁹⁶ Rent-charges "in 12,144 districts had been achieved, 2,778 voluntarily, 5,366 by compulsion."⁹⁷

It was generally agreed that copyhold tenure was detrimental to the interests of both the lord of the manor

⁹³Report of the Select Committee on the granting and renewing of Leases 1839, p. 285.

⁹⁴House of Commons, Sessional Papers, Reports of the Tithe Commissioners, vols. 1-14, (London 1838-1850)

⁹⁵Ibid., vol. 2, (London, 1839).

⁹⁶Ibid., vol. 15, (London, 1851).

⁹⁷Ibid.

and tenant. In 1841, the first of several Acts, 4 & 5 Vict. c. 35, was passed permitting a change in this tenure. The treatment of the copyhold was in every respect different from that of the tithe, due to the fundamental difference between the two types of Church revenue. The latter was a rent, separated from the fee simple of the land, while the former involved the fee itself. The latter was wholly associated with ecclesiastical revenue, while the former involved equally as many ^{lay} by landowners.

The Act permitted enfranchisement, although on a purely voluntary basis, and established a commission whose function was simply that of mediation.⁹⁸ There had to be naturally considerable cooperation between the Copyhold Commissioners, and the Ecclesiastical Commissioners.

Commutations were slow.⁹⁹ Only such lands by 1851, as were essential to an estate had been enfranchised, and those at far above their actual market value. One owner paid 125 years' purchase for a portion of Church copyhold which divided his estate into two parts.¹⁰⁰ The voluntary basis for action, the inflated prices of the land, and the constant expectation of a change in the law all contributed

⁹⁸4 & 5 Vict. c. 35.

⁹⁹House of Commons, Sessional Papers, Annual Report of the Copyhold Commissioners, vols. 1-9, (London, 1842-1851).

¹⁰⁰Report of the Select Committee on the granting and renewing of Leases, 1839., p. 307.

to the extreme slowness of copyhold enfranchisement, at least when compared to the speed of the commutation of the tithe. One of the Commissioners testified:

. . . we find this feeling constantly in the public mind: they have believed that there would be some compulsory Act either for commutation or something else, and they have been unwilling to proceed [with enfranchisement.] They come for ever to ask what Act is to be passed, and when it is to be passed. That has impeded very much the progress . . . they have shown a great desire for it, but they constantly put it off, waiting to see what Parliament would do.¹⁰¹

The problems of copyhold enfranchisement involved far more complexities than those associated with the tithe. For example, small tenants could not afford enfranchisement, for they hardly possessed the money to renew their copy. Further, problems of commuting the interests of the stewards, the quit rent, heriot, etc., created difficulties, both because of their variations from manor to manor, and because of their peculiar nature.¹⁰² Ecclesiastical corporations desiring enfranchisement had first to obtain the permission of the Ecclesiastical Commissioners. This made negotiations by the enfranchising parties mandatory with two government commissions.¹⁰³ Nevertheless, one can certainly say

¹⁰¹Report of the Ecclesiastical Revenues Commissioners, 1850. p. 75.

¹⁰²Report from the Select Committee on the Enfranchisement of Copyholds Bill, together with the Proceedings of the Committee, and Minutes of Evidence, Appendix, and Index., (London, 1851). p. 75.

¹⁰³Ibid., p. 122.

that by 1851 those enfranchisements of Church copyhold which had occurred, were advantageous to the Church.

The parochial structure of England remained, throughout this period, relatively unchanged. The problem was, as has been seen, the augmentation of poor livings, and the creation of new livings in populous areas. It was also necessary to relieve the Church from the accusation of plurality. The last was the first to be considered. As there was no dispute about the evil nature of pluralities, the problem was in finding a method of eradication. The Second Report of the Commissioners of Inquiry dealt in part with this question, stating:

. . . It is difficult, in many cases, to provide for the Performance of the Spiritual duties of very poor livings, except by intrusting them to the Clergyman of some neighbouring Parish.¹⁰⁴

A compromise was reached. It consisted of the abolition of plurality where benefices were more than ten miles apart, or if the income from either exceeded £500. An Act of Parliament raised the maximum annual value of a benefice which could be held in plurality to £1,000, and added a population restriction.¹⁰⁵ No two benefices could be held if either contained more than 3,000 or if the annual income of the benefice was under £150, and its population exceeded 2,000. Exceptions were permitted, if granted by license from the Archbishop of Canterbury. As with the Acts of 1836

¹⁰⁴Second Report of the Ecclesiastical Revenues Commissioners.

¹⁰⁵2 Vict., c. 106.

and 1840, this pluralities Act was to be effective only after the next avoidance of the living. The penalties for non-residence were increased to $3/4$ of the income of the living, except in cases of plurality, where the clergyman was required to reside in one of his parishes.¹⁰⁶

Criticisms of the opponents of the Church were silenced by this Act, but by the addition of population restrictions, the government succeeded in aggravating an already difficult problem, for populous districts were already badly in need of increased funds and clergy. This Act of 1838 further increased the need for both.

A further Act of 1838 modified the administration of the funds of the Bounty Board.¹⁰⁷ The income from tenths and first fruits was to be administered by the Bounty Board, and the expensive Boards of First Fruits and Tenths totally eliminated. The basis for payment of first fruits and tenths was modified. The use of the Liber Regis with its exceptions was abandoned and the annual value of the benefice substituted. First Fruits consisted after this, of the payment of £1. for every £100. annual value, and tenths, 17s. 6d. per £100. annual value. This resulted in the leveling off of the income of the Bounty Board at approximately £12,000 annually. The Board, however, continued

¹⁰⁶Ibid.

¹⁰⁷1 & 2 Vict., c. 20.

to insist upon the right of benefaction to poor parishes with constructed and consecrated buildings.¹⁰⁸ They continued to refuse grants to livings, the annual incomes from which exceeded £200. Thus by their very rules of augmentation they excluded many of the parishes which most urgently needed their assistance. A poor district could frequently obtain neither a church nor a donor willing to make the necessary benefaction, and, in a very populous parish, an annual £200, the Board's maximum, was totally insufficient to meet the obligations of the Establishment. Furthermore the annual £12,000 of the Bounty Board was too small to meet the nation's needs.

Recognizing this, Parliament passed in 1840 the Chapters Act. The income of the Ecclesiastical Commission from Chapters, the source of which has been described, was placed in a "common fund." This was created for the purpose of augmentation of poor livings. Parliament, however, placed a restriction upon the administration of the common fund. The phrasing of the Act is of sufficient importance to require its quotation:

And be it enacted, that except as herein specified, all the Monies and Revenues to be paid to the Ecclesiastical Commissioners by and under the Authority of this Act, together with all Accumulations and Interest produced by and arising therefrom, shall be from time to time carried over by the said Commissioners to a common fund, and by Payments and Investments made out of such fund, or, if in any case it be deemed more expedient, by means

¹⁰⁸Ibid.

of an actual conveyance and assignment of such Lands, Tithes, or other Hereditaments, or of a Portion thereof, additional provision shall be made, . . . for the Cure of Souls in Parishes where such Assistance is most required, in such Manner as shall . . . be deemed most conducive to the Efficiency of the Established Church: Provided always, that in making any such additional Provision out of any Tithes, or any Lands or Hereditaments allotted or assigned in lieu of Tithes, . . . or out of the Rents and Profits thereof, due consideration shall be had of the Wants and Circumstances of the Places in which such Tithes now arise or have heretofore arisen.¹⁰⁹

The distribution of the common fund was not settled until 1844 when the Commissioners passed a series of resolutions respecting augmentation grants, "in conformity with the intent and meaning of the Act 3 & 4 Vict. c. 113 and 4 & 5 Vict. c. 39." Augmentations "out of the limited amount of monies at present at their disposal," were to be granted to benefices with cure of souls. These were divided into four classes: the first which was made up of benefices or churches in public patronage, was to be given grants unconditionally in order to raise their average annual net incomes in relation to their population:¹¹⁰

Population 2,000	Income £150
Population 1,000	Income £120
Population 500	Income £100
Population to 500	Income £ 80

The Second Class was to receive grants to augment income, and to provide parsonage houses, regardless of whether the parish was in public or private patronage, if

¹⁰⁹ 3 & 4 Vict., c. 113, s. 67.

¹¹⁰ House of Commons, Sessional Papers, First Report of the Ecclesiastical Commissioners for England and Wales, (London, 1845).

the commissioners' grant was met with benefactions from other sources. This applied, however, only in cases where the income was below an annual £200. per annum.¹¹¹

The Third Class was either to augment the income or for the construction of the glebe house, in areas from which tithes vested in the Commissioners arose. (excluding tithes belonging to an Ecclesiastical corporation aggregate, in spite of the fact that the Commissioners received a share of these corporate revenues)¹¹²

The Fourth Class consisted of grants to benefices and compensation to the incumbents for the loss of fees for district churches appropriated by the Ecclesiastical Commissioners.

The rules of the Commissioners were designed to increase the income of the poor parish, although their strict interpretation of the tithe clauses in 3 & 4 Vict. c. 113, severely hampered their operations. These resolutions did not permit the formation of new parishes, so necessary for the effective spiritual care in a populous parish.¹¹³

To lessen the problems arising from the population increase, in 1843 allowances were made for the creation of new districts.¹¹⁴ The funds for such endowment were to be

¹¹¹Ibid.

¹¹²Ibid.

¹¹³Ibid.

¹¹⁴6 & 7 Vict., c. 37.

provided in a novel manner, for the income derived from the Cathedral Act was insufficient for even the augmentation of poor parishes. It was agreed that the Ecclesiastical Commissioners would borrow from Queen Anne's Bounty Board £600,000 in the funds, the income from which the Board had used to pay clergymen. The interest from this fund was to be treated by the Commissioners as income. It put at their disposal for endowments and augmentations an annual £30,000. In order to meet the regular needs of the Bounty Board, the Commissioners agreed to make twice yearly payments to them of £9,000. The Commissioners were relieved of the responsibility of replacing the borrowed capital for at least thirty years.

As security to the Bounty Board, a simple mortgage was given to them by the Commissioners. Security for this mortgage was the entire property vested in the Ecclesiastical Commission, and the Bounty Board was protected from any material reduction in the estates of the Commission by the Act providing "all fines and purchase-monies received by them [the Commissioners] shall, unless applied in replacing the stock, be treated as capital, and be, as soon as convenient re-invested in land."¹¹⁵

The Act resulted in the creation of "Peel Districts" which materially relieved the pressures on populous parishes but the funds were again inadequate to the task. By 1850

¹¹⁵Ibid.

then, it was clear that neither the problems of poor livings, nor the problems of increased population had been solved. Furthermore the lot of the tenant, as well as numerous Chapter members had materially deteriorated. Action had to be taken, if spiritual destitution were to be relieved, and if the Church tenants were to again gain security.

... but this had not been, in fact, increasing at an alarming rate. The year 1801 was the year of the population of 1801, and the year of the population of the ... years 1801 and 1801. For example: the London ... from a population of 925,475 to 1,250,000; ... with Belfast, 96,875 to 101,121; Liverpool, 78,100 to 111,975; Birmingham, 70,670 to 112,822; Leeds, 72,100 to 112,270; and Bristol, 61,153 to 110,325. These are only a few of the more spectacular increases in population.

Spiritual provision for this increase was difficult to obtain. It was agreed that the "distresses in religious buildings are not required for more than 25 per cent of the

House of Lords, Sessional Papers, 1801-1802, ... of the House of Lords, reported to ... of ... instructions and Plans of ... in other ... especially in ... the ... of ... and to ... of ... and ... of ... (London, 1801, p. 104)

CHAPTER IV

It was clear by 1850 that the efforts of the Government through the Ecclesiastical Commission were not only failing to decrease the spiritual destitution in England and Wales, but that destitution was, in fact, increasing at an alarming rate. One need only look at the population statistics of 1851 census to see the vast increase in the populations of the numerous industrial centers between the years 1801 and 1851. For example: the London District increased from a population of 958,876 to 2,362,236; Manchester with Salford, 94,876 to 401,321; Liverpool, 82,295 to 375,955; Birmingham, 70,670 to 232,841; Leeds, 53,162 to 172,270; and Bristol, 61,153 to 137,328. These are only a few of the more spectacular increases in population.¹

Spiritual provision for this increase was difficult to obtain. It was agreed that the "sittings in religious buildings are not required for more than 58 per cent of the

¹House of Lords, Sessional Papers, Select Committee of the House of Lords appointed to "Inquire into the Means of Spiritual Instruction and Places of Divine Worship in the Metropolis, and in other Populous Districts in England and Wales, especially in Mining and Manufacturing Districts; and to consider the fittest means of meeting the difficulties of the Case," and to report to The House; and to whom leave was given to Report from time to time to the House; and to whom were referred several Papers and Documents relating to the Subject Matter of the Inquiry. (London, 1858), p. iii.

entire community, but that accommodation for such a proportion is no more than would be absolutely needful if all persons able to attend were also willing."² But actual parochial conditions in these larger urban centers were shocking. The Select Committee on the subject of spiritual destitution noted:

It appears further that Middlesex, the county which may be considered the central seat of the civilization, the enterprise, the wealth and power, as well as the government of this great empire, is actually the very lowest of all the counties in England, in the provision made for Divine worship by all denominations.³

And the county of Durham led the list, with provision for only 17.6 per cent of the population. Durham was followed by Northumberland, 18.1 per cent, and Middlesex, 18.7.⁴

If individual parishes are analyzed, the situation appears even worse. In the parish of Shordich, there was seating for 1 in 11 with 17 clergymen, each in charge of 7,000 souls. In Stepney, with a population of 90,447, there was seating for 1 in 10.8, and one clergyman for every 6,460 souls. In one district of St. Dunstan's (population 10,000), three in St. Mary's Whitechapel (population 16,000) with seating for 1,500. In Newington the population was 70,000, ten clergymen, and seating for only 6,570; St. Luke's,

²Ibid.

³Ibid.

⁴Ibid.

Oldstreet, 42,825, five clergymen, and seating for 4,816.⁵ In Lambeth, the rector testified that the population of the whole parish numbered 150,000, in fourteen districts. In his own, there were 27,000, seating for 1,460, of which 800 were free from pew rents. To raise the seating to the desired 58 per cent would require additional seating for 45,991. In those parts of the county which were within the Diocese of Winchester, viz., Bermondsey, Camberwell, Clapham, Lambeth, Rotherithe, and Southwar, the population amounted to 336,117, or one church to every 11,590 persons, and 4,604 to every clergyman.⁶

The more prosperous sections of the city showed an equally appalling picture. St. Clement Danes, hardly one of the poorest London parishes reported a population of 17,000, and seating capacity for 1,700 of which only 250 were free, and of those 250, 100 unfitted for adults, leaving 150 for 10,000 people who were unable to pay rates. The rector of the parish had a clear annual income of £190, out of which he was required to contribute to the salary of one of his two curates.⁷ The rector of St. Clement Danes, speaking of his parish, stated that there was:

. . . a frightful amount of infidelity; this is the crying evil they have to contend with; infidelity in all its shapes, extending not only to the denying of

⁵Ibid., p. iv.

⁶Ibid.

⁷Ibid.

Christian Revelation, but even to the grossest and darkest heathenism; in fact, they have not any idea of the existence of God.⁸

The rector continued by saying that with his small seating capacity and with his pittance, he was incapable of attempting to deal with the vice and irreligion about him. He ended his testimony with the pathetic, "I do not know what to do. . . ."⁹

The wealthiest districts of London, St. James's, St. George's Hanover-square, and Marlebone, presented no better a picture. In St. James's there was a population of 27,000, seating for 4,140, of which about 1,250 were free. In St. George's, a population of between 18,000 and 25,000, with seating for 1,250 of which only 300 were free. In Marylebone, a population of 33,000 seating for 2,500, of which only 500 were free. A section of the parish reported a population of 10,000 for which there was, in 1851, no accommodation whatsoever.¹⁰

The report of the secretary to the Bishop of London pointed out that for his diocese there averaged one church for every 11,000 and one clergyman for every 4,800 people. It should be remembered that one clergyman could comfortably minister to the needs of only 2,000, meaning a want of not only seating capacity within the diocese of London, but

⁸Ibid., p. v.

⁹Ibid.

¹⁰Ibid., pp. v-vi.

also a want of not fewer than 527 clergymen. The need for clergy throughout all of greater London was estimated at not less than 600.¹¹

In Birmingham the Bishop of Worcester reported one church for every 10,000 population, and one clergyman for every 4,838 people. The down of Dudlye reported one church for every 8,374 and one clergyman for every 6,939. The Rural Dean of Birmingham stated that in the parish of St. Thomas there was one clergyman for every 10,000 and that "even the few clergymen of these large populations cannot give their undivided attention to their purely spiritual, especially pastoral, duties, much of their time being occupied in devising and executing plans for raising funds for the support of their churches. . . ." ¹²

Liverpool and Manchester reports were similar; the long and dismal story need not be discussed at length for they simply mirror the conditions in London parishes.

Yet, far from relieving this pressure at the parochial level, the actions of Parliament actually tended to increase the pressure. As a result of the legislature, the revenues at the disposal of many of the incumbents of populous parishes declined. It will be remembered that the benefice holder's income stemmed primarily from tithes, with additional income from pew rents, surplice fees, Easter

¹¹Ibid., p. vii.

¹²Ibid., p. ix.

offerings, glebe, and occasionally some endowment. The actual maintenance of the fabric of the church was dependent upon Church rates.¹³

The previous chapter has shown how, following the commutation of the tithe, the income of the incumbent of a populous parish frequently fell.¹⁴ By the mid-century the pew rent was still an important factor in parochial finance, in spite of the fact that, as a source of income, it was almost universally condemned, both as being detrimental to the Christian character of the Church, and as being at least partially responsible for the inadequate seating facilities of many large city parish churches. The Church Building Commissioners frequently secured an income for the incumbent of a newly created parish or district by permitting a proportion of the pews to be let. Not only was the common law prohibiting pew rents in the old parish churches flouted, but a far larger proportion of the pews in many of the Church Building Commission Churches were reserved for those willing to pay rent than the Church itself in theory permitted. By 1851, particularly in the more populous parishes, the laws were defied, the public free seats few, and inaccessible. Many free seats moreover carried with their use the stigma of poverty. Thus for example, there was reported from Liverpool, the "melancholy case" of St. Anne's Richmond-

¹³See above, Chapter III, p. 130.

¹⁴See above, Chapter III, p. 113.

street: "16,000 population gross; proportion of Churchmen, two thirds; sittings in gross, 1,800; number of free sittings, none."¹⁵ The incumbent of the parish of Holy Trinity in Liverpool (population 6,000) when asked about free sittings, replied, "Alas! none; the church was built as a money speculation."¹⁶ Often those seats marked as free were not. The Archdeacon of Manchester satisfied himself that "in this free church pew-rents are still in the question, and that the benches marked free, are as much private property as the pews with doors paying rent. . . . Even in churches that profess to be free, the seats are not left free to the poor."¹⁷

Nor were those free sittings which were actually free much used. This was attributed to the fact that the free sittings were "in the most uncomfortable positions, where people feel degraded, under some organ-gallery, or in some remote corners."¹⁸ The Archdeacon of Manchester reported questioning a local church warden. Asked where the free sittings in a Church Building Commission Church were by the Archdeacon, "the Churchwarden was at a loss to point them out to me."¹⁹ Finally when pressed, he discovered one

¹⁵Select Committee on Spiritual Instruction, p. ix.

¹⁶Ibid., p. ix.

¹⁷Ibid., p. x.

¹⁸Ibid.

¹⁹Ibid.

free sitting to each pew.

. . . 'Where is it?' and he pointed to a little bracket at the end of his pew, outside, in the aisle, with a hinge under it, so that it could be raised at any time for his servant, or any poor person in the aisle, to sit upon it. I said to him, 'How often is it that your operatives from your works come and sit by your side?' - 'Oh! he said, 'it is out of the question; they never come there; it serves me to put my hat upon.'²⁰

The pew rent, furthermore, was a constantly decreasing source of revenue for the incumbent, as many families once having established their claim to a pew, proceeded to occupy their seat without any payment whatsoever for the privilege. One church reported a reduction in income from this source from an annual £300 to an annual £150. In spite of this no attempt was made to open the sittings to the public.²¹

The dilemma of the Church regarding pew rents was this: it was an ever decreasing source of revenue, it promoted class distinction, it permitted spacious accommodation for the few, while at the same time it allowed no space whatever for the spiritually destitute, yet it was frequently the only source of income of a poor parish or district, and could not be abandoned without substituting another source of revenue. Furthermore, its abandonment would alienate just the class from which a permanent endowment, the only possible substitute for the pew rent, would naturally be expected to originate.

²⁰Ibid.

²¹Ibid., p. xiv.

Another source of revenue to the benefice holder, particularly of the populous parish had been the so-called "surplice fees," that is, the payment to the cleric of fees for which he performed certain functions as the legal representative of the government: marriage, birth, and death registrations.²² However, with the establishment of the Poor Law authorities, these functions were, due primarily to pressures exerted by the Nonconformists, taken over by the State at the expense of the Church. Thus, by an Act of Parliament the Anglican cleric lost his special status.²³ The burial fees were removed from clerical income by a series of Acts, commencing in the year 1860.²⁴ The result of this action was to please the Nonconformist, but again to seriously diminish the revenues of many parochial incumbents. As one witness said:

. . . it has tended to impoverish many most laborious and deserving clergymen, but also as it has deprived them of the means of procuring help in the discharge of their pastoral functions in their crowded parishes.²⁵

The rector of St. Clement Danes, London, reported an annual decline in revenue of from £150 to £200 from his loss of surplice fees, "leaving his actual income less than £200."²⁶

²²See above, Chapter II, p. 81.

²³The Act 6 and 7 Will. IV, c. 85.

²⁴The Act 15 & 16 Vict., c. 85.

²⁵Select Committee on Spiritual Instruction, p. xiv.

²⁶Ibid.

The Committee of 1851 concluded their remarks about the unfortunate nature of these Acts relating to surplice fees by saying:

[References to the Acts] . . . shows that both of them alike recognize the incumbent's right, though both of them fail to provide the necessary means of compensation, and in giving due powers to enforce it.

Still, the unhappy result of the defective provisions of the statute remains; and a very large part of the income of many of the poorest and most laborious of the clergy of London has been, contrary to the intention of the legislature, practically taken from them. It has been the just and honourable course of Parliament to secure compensation to all who have any reasonable claim to it, for losses caused by any statute for the public good; and we cannot but express our great regret that no adequate means have, as yet, been devised of providing a remedy for this very crying evil, by securing that compensation.²⁷

A steadily increasing drain, particularly upon the incomes of the larger metropolitan parishes was due to the dispute over the Church rate. This unhappy controversy, as has been shown, began as early as the 1820's, and by 1851 the situation was gloomy indeed.

As early as 1834, Lord Grey had proposed that the obnoxious rates be abolished and that the upkeep of the Church buildings be subsidized by a general tax.²⁸ The Dissenters, rejected this proposal on the grounds that Grey was simply advocating the substitution of one form of taxation for another. Without consultation with the "bench of bishops," or the Investigating Commission, Lord Melbourne introduced a bill in Parliament in 1837, which would have

²⁷Ibid.

²⁸Hansard, Third Series, vol. XXV, pp. 1014-1015.

put all Church fabrics, with its adjoining property in the hands of a permanent Commission, the revenues from which were to be substituted for Church rates.²⁹ Had the bill been enacted, among many of its detrimental effects would have been the placing of the revenues of these ecclesiastics at the disposal of the Church as a whole, tying them to the maintenance of Church fabrics, and thus preventing their use for the endowment of either impecunious Church dignitaries or parochial incumbents. As has been shown, there was already an insufficient amount of money in the Episcopal Fund. A further drain would have been created on the already overstrained resources of the Church. Furthermore, ~~a~~ a large proportion of the rate which was actually collected was in the country parishes. It was the city and town rates which were difficult to collect. Such a move would have diverted more of the meagre Church funds to the country parishes, which already enjoyed the benefits of local claims in the administration of tithes, depriving the populous city parishes of an even greater proportion of the assistance, which was at best, inadequate.

The bishops met in London to consider the bill and unanimously condemned it.³⁰ Unfortunately this was done without the knowledge of Lord Melbourne. At this point Melbourne felt that his government could cooperate no longer

²⁹ Hansard, Third Series, vol. XXXVI, pp. 1212-1215.

³⁰ Hansard, Third Series, vol. XXXVII, p. 150.

with the Commission, and the Inquiry was terminated without the completion of its fifth report.

Archbishop Howley said in the House of Lords of Melbourne's Bill:

. . . the principle of the Bill and its outlines were so unkind to the Church, that the measure seemed so pregnant with mischief in its consequences, that he certainly never would give his assent to its becoming law. It took property from the Church which had belonged to it from time immemorial, and appropriated it to purposes which had hitherto been otherwise provided for.³¹

To this Melbourne characteristically replied that he simply wanted to bring about "freedom from dissention, freedom from disturbance." He further considered such a move to be "advantageous to the Church . . . beneficial to the community," and further threatened to "persevere in proposing it to the consideration of Parliament."³²

The opinion which fully reflected the attitude of the Church, and the opinion which ultimately prevailed, was that of Bishop Blomfield, Bishop of London. He characterized the bill as "spoilation," and the speech of Melbourne as "sophistry." He continued:

. . . the noble Viscount says that the present state of things is most scandalous - that the present dissentions of the community is scandalous. I admit that the state of this is scandalous - but to whom is it scandalous? Not to the Church, but to the small body of persons who now call upon you to relieve them from a burden which does not press heavily upon them, and under which they have inherited their property, well knowing all its liabilities. Peace! produce peace! Does not the noble Viscount know that this measure can never produce peace?

³¹Ibid., p. 148.

³²Ibid., pp. 153-4.

Is he so blind to the experience of the past as not to see that peace will never follow concession made so absolutely at the expense of one party alone? Measure after measure we passed to conciliate Ireland, and always under the promise that they would remove contention and promote peace; and have they not all been made the substrata for further agitation?³³

The Bill was defeated and it was not again seriously put forward until the 1860's.

Nevertheless the Church rate question continued to plague the Church. A Select Committee of the House of Commons in 1851 reported in detail about the subject. In some parishes, the objectors to the Church rate were able to control the vestry, and thus were able either to postpone or outright refuse to institute a rate. Often the churchwardens, or other interested parties formed rump vestries, in an attempt to impose a rate. In other parishes, churchmen were able to control the vestry, and thus force through a rate, objectionable to others.³⁴ The Church took the position that it:

. . . considered that the abolition of church rates would be equivalent to the abolition of parishes, because you would take away from parishes the power of self-taxation. The same principle applies to a county. Take away from a county the power of self-taxation and I do not know what county would any longer exist. I may, perhaps, be allowed to say one word with regard to what are supposed to be grievances, namely, the church rates being applied to other objects than that of Divine

³³Ibid., pp. 155-156.

³⁴House of Commons, Sessional Papers, Report from the Select Committee on Church Rates, together with the Proceedings of the Committee and Minutes of Evidence. (London, 1851).

worship and the maintenance of the fabric. I do not consider that such applications of church rates are necessarily grievances, provided they tend to benefit the parish at large, because it must be borne in mind that church rates, as they now remain, are only a part of that general power of taxation for the public benefit which in most ancient times, every parish possessed itself. The abolition of the church rate, as now proposed, would deprive the parish of the power of doing anything for itself.³⁵

Between the years 1846 and 1850, 1,743 court cases involved the question of the payment of church rates.³⁶ The tale grows more dismal when the list of debts to the Church, as well as confiscated property, is examined. Of the 1,734 cases, the total amount of rates involved was £3,528. The list of confiscated property includes "dining table and cover, and 5 cane-bottom chairs, 1 1/2 sack of flour, three pigs; 14 tons of best coals; mahogany dining table; 119 lbs. of lump sugar at 50s. per cwt."³⁷ This list could be expanded indefinitely. The House of Lords, in the years 1859 and 1860 supplemented the work of the Commons with its own Select Committee on the subject. The Committee reported:

That it appears from the evidence that "by the common law, that is to say, by immemorial usage in this country, the parishioners are bound to repair the church and to provide everything that is necessary for the decent performance of Divine Service" and that for the attainment of these objects recourse from very ancient times has been had to a system of parochial assessment which assessment is still maintained in the great majority

³⁵Ibid.

³⁶Ibid.

³⁷Ibid.

of parishes throughout the nation.³⁸

They pointed out however, that there was no recourse in common law for failure to levy the necessary rate. Therefore, the rate was not, for several reasons, either fear that it could not be enforced, or failure of the vestry to agree to a rate, levied.

The chief Parliamentary objections to the rate lay in the occasional abuse of the rate "in its assessment for, and application to improper objects or in excessive charges!" "The assessment of new parishes and districts having churches of their own to the rate of the Mother Church . . . local causes of irritation unconnected with the rate." And finally, "the opinion entertained against Church Rates by certain classes of Dissenters on religious or political grounds."³⁹

The Committee also recommended that, for the future, "persons desiring to be exempted from contributing to the Church Rate in any parish, may give yearly notice to that effect to the churchwardens prior to the meeting of any vestry for the purpose of making a Church Rate."⁴⁰ These

³⁸House of Lords, Sessional Papers, Report from the Select Committee of the House of Lords Appointed to Inquire into the Present Operation of the Law and Practice respecting the Assessment and the Levy of Church Rates; and to Report thereon to The House; together with the Proceedings of the Committee, Minutes of Evidence, and Appendix (London, 1860).

³⁹Ibid., p. iii.

⁴⁰Ibid., p. iv.

persons would then be exempted from the rate, but also participation in the affairs of the affairs of the Church or vestry. The Church Rate would be levied upon all persons not requesting this exemption. To meet other objections to the Church Rate as it existed, the Select Committee recommended that the items for which the rate was to be levied be publicly listed, and further that the rate should apply only to those persons in the parish or district in which it was to be used. Finally, and perhaps most important, they recommended that the rate be enforced using the same powers that existed for the recovery of the poor rates, "and in case of objection to the validity of the rate, an appeal shall lie to the General Quarter Sessions, and that the jurisdiction of the Ecclesiastical Courts in such matters shall cease."⁴¹ This final provision tightened a law, formerly loosely drawn, and the subject of much controversy and bad publicity for the Church. The recommendations of the Select Committee, after a stormy parliamentary passage, were embodied in the Compulsory Church Rate Abolition Act of 1868.⁴²

A third major cause of parochial poverty in this period stemmed from the confused parochial organization.

By the 1850's there were superimposed on the older parochial structure of the Church of England, eight different

⁴¹Ibid.

⁴²The Act 31 & 32 Vict., c. 109.

types of new parishes, each different in origin, statute authorizing its creation, endowment, relationship to the mother parish, patronage and methods provided for repair. These eight types of new parishes were quite distinct from those to which contributions were given by the Church Building Commissioners and the Queen Anne Bounty Board. They consisted of the following: 1) Distinct and Separate Parishes, 2) District Parishes, 3) Consolidated Chapelries, 4) District Chapelries, 5) Particular and Patronage Districts, 6) Endowed Chapelries made Separate Parishes, 7) Peel Districts, and 8) New Parishes, including Blandford Districts.

The endowments of the distinct and separate parish consisted of a portion of the tithes, glebe etc. belonging to the mother church. No fees, except for burial could be received by the incumbent of the new parish before the avoidance of the mother parish. Pew rents could be provided if the Church Building Commissioners donated the funds for the erection of the Church. It was however, a separate and distinct benefice, held by the incumbent of the mother church until the next avoidance, at which time the two benefices were separated. Patronage of the new church belonged to the patron of the older parish and repairs were provided by Church rates.⁴³

⁴³The Acts 58 Geo. III, c. 45, s. 16 and 1 & 2 Vict., c. 107, s. 12.

The district parish was also formed by orders in Council. The consent of the Bishop was necessary for its establishment, but the permanent endowments of the old Church were not affected by the division. However, no fees could be collected by the incumbent of the new parish until the avoidance of the mother church. If the Church Building Commissioners gave a grant in aid for the building of the district Parish Church, they could set the scale for pew rents. The district parish was served by a curate, nominated by the incumbent of the old parish, until it became a separate benefice. The repair of the fabric was provided by church rates, levied upon the inhabitants of the District parish, who, however, remained liable for twenty years for the general church rates. This, protected the old parish from losing the revenues from the new parish -- revenues on which the churchwardens might have planned in long term repairs for the older church, yet had the distinct disadvantage of subjecting at least for twenty years, the inhabitants of the district parishes to double rating.⁴⁴

The consolidated chapelry was created out of several older parishes. It was created by Orders in Council Consent by the bishop and patrons, or a majority of the patrons of the several parishes affected by the division was necessary. The permanent endowments of the parishes out of which the consolidated chapelry were taken were not affected

⁴⁴The Acts 58 Geo. III, c. 45, s. 211, and 1 & 2 Vict., c. 107, s. 12.

by the division, but the rector or vicar of any such parish could annex tithes to the new church, or could grant a rent charge on his living in favor of the minister of the new church.

The offices of the Church might upon the formation of the consolidated chapelry, be performed in the new church, as long as the fees were reserved for the incumbents of the several original parishes, until their avoidance. If the Church Building Commissioners made a grant in aid in building the Church, they could fix a scale of pew rents. Except for the fees he had to account for, the incumbent of the consolidated chapelry was totally independent. Patronage was fixed by a majority of the patrons of the several parishes affected. Repairs to the fabric were not provided for, which prevented the use of a special church rate, throwing the responsibility on the parish in which the new church was located, and placing a double burden upon the ratepayers of that parish.⁴⁵

The permanent endowments of the parish out of which the district chapelry was taken were not affected by the division, but the rector or vicar had the right to transfer tithes to the new church or transfer a rentcharge to the minister of the new division. The Commissioners, with the Bishop's consent determine whether all or any of the offices

⁴⁵The Acts, 59 Geo. III c. 134, s. 6; 8 & 9 Vict. c. 40, s. 9; 14 & 15 Vict. c. 97, ss. 19 and 20; and 1 & 2 Vict. c. 107, s. 14.

of the Church may be performed in the new church, and how the fees were apportioned until the avoidance of the mother church or relinquishment of the fees by the incumbent of the mother church. If the Commissioners made a grant in aid from the building, they might fix the scale of the pew rents. The minister of the district is independent, except that he had to account for the fees to the mother church. Patronage rested with the incumbent of the mother church, but if the division was not of an integral part of the parish, the patronage rested with the bishop. The repair of the church, as with the consolidated chapelry, rested with the parish as a whole in which the district was situated.⁴⁶

A permanent endowment to the satisfaction of the Ecclesiastical Commissioners was required before the particular and patronage district could be formed. The fees were reserved to the incumbent of the mother church until its next avoidance, but, with the consent of the patron, he voluntarily surrendered. The Ecclesiastical Commissioners could allow the patron or trustees to fix pew rents. The minister of the district was independent of the mother church, except for the fees, etc., which might have been reserved. The patronage was invested in the person, or body building and endowing the district. The Ecclesiastical Commissioners required that a repair fund be provided

⁴⁶The Acts, 59 Geo. III, c. 134, s. 16; 1 & 2 Vict. c. 107, s. 12; 2 & 3 Vict., c. 49, s. 3; and 3 & 4 Vict. c. 60, s. 1.

for the church, and the inhabitants of the district were liable for the rates levied by the vestry of the mother church.⁴⁷ The endowments of the original parish were not affected by the endowment of the new parish, being separate, and satisfactory to the Bishop. All of the offices of the Church could be performed when the separation took place, the fees being the property of the incumbent of the new and separate parish. No provision was made for pew rents. If, however, the incumbent of the old parish withheld his consent, any separation could not take effect until the next avoidance of the original parish church. Once the separation had taken place, the new parish was a separate and distinct benefice. The patronage of this new benefice was to be decided by an agreement between the Bishop and the patron of the older benefice. Being a separate and complete parish, the church rates could be levied by the vestry of the new parish.⁴⁸

No endowment was necessary for the creation of a Peel District provided an adequate maintenance from other sources could be expected. If not, then an endowment was required; an annual £100 per annum, to be increased to £150 on the district becoming a new parish. Until the building of a Church, the incumbent of the old parish per-

⁴⁷The Acts, 1 & 2 Will IV. c. 38, as 10, 11; and 14 & 15 Vict., c. 97, ss. 14, 61, 21.

⁴⁸The Acts 1 & 2 Will IV, c. 38, s. 23; and 1 & 2 Vict., c. 107, s. 7.

formed the offices of the Church, and received the fees. The Ecclesiastical Commission, with the consent of the Bishop could authorize pew rents, if sufficient funds could not be found from other sources. The incumbent of the district was simply a perpetual curate, but with the consecration of a Church, he became the incumbent of a new parish. The Ecclesiastical Commissioners could assign the patronage, either in perpetuity, or otherwise, to the contributors of the endowment, or to the incumbent of the mother parish. Until such patronage was assigned, the Ecclesiastical Commissioners and the Bishop alternated as patrons. Immediately upon consecration of a Church, the district became a new parish, and therefore repairs to the Church could be made in the usual manner, i.e. ⁴⁹ Church rates.⁴⁹

In the case of an existing district, other than a Peel District, whenever the incumbent had the right to perform and to receive fees for the offices of the Church, other than for burials, the district became a new parish. The Bishop's consent was necessary for the formation of the district, but such consent was not necessary with the existing district became a new parish. The Ecclesiastical Commissioners could require or not, an endowment for the new parish. Normally, with the exception of Peel Districts, no additional endowment was required to change a district into

⁴⁹The Acts 6 & 7 Vict., c. 37, ss. 9, 11, 12; 7 & 8 Vict., c. 94, s. 10; and 19 & 20 Vict., c. 104, ss. 1, 2, 3, 14.

a new parish. Once the change was made, the incumbent was ecclesiastically independent of the mother church, and the incumbent was exclusively entitled to perform all the offices of the Church, and to take all the fees. The Ecclesiastical Commissioners had the power to authorize the use of pew rents. Patronage was similar to that of the Peel District, and, being a parish, the new parish was in the same position to levy a Church rate as was the mother church.⁵⁰

It is evident from the foregoing that the new parishes, so desperately needed by the populous areas of England, had the choice of tapping the often meagre resources of the older parish, a process which could easily reduce the incumbent of the older parish to poverty, or they could independently search for a separate endowment, an endowment which at best would probably be given by donors who normally would have given to the older district. The formation of almost any one of these new districts demonstrated the pitiful lack of funds at the disposal of the Church for the creation and endowment of both the new and the adequate endowment of the older parishes.

⁵⁰The Acts 6 & 7 Vict., c. 37, s. 14; and 19 & 20 Vict., c. 104, ss. 1, 2, 14, 15. See also House of Commons, Sessional Papers, First Report of Her Majesty's Commissioners Appointed "to inquire into the practicability and mode of subdividing into distinct and independent parishes, for all ecclesiastical purposes all the densely-peopled parishes in England and Wales, in such manner that the population of each, except in particular cases, at our discretion, shall not exceed four thousand souls," (London, 1849); House of Commons, Sessional Papers, Second Report of the Subdivision of Parishes Commissioners (London, 1850); and House of Commons, Sessional Papers, Third Report of the Subdivision of Parishes Commissioners (London, 1855).

II

In spite of its obvious poverty, in 1850 the Establishment could not look to Parliament for assistance. Yet, Parliament, recognized the Church's need for additional funds, primarily for the augmentation of poor parishes or creation of new parishes in populous districts. A Select Committee of the House of Commons of 1847-8 determined that a larger proportion of the funds of the Church itself could be diverted to this purpose if better management of the property in the possession of the Church could be achieved.⁵¹ Of the Ecclesiastical Commission, for example, the Committee said,

. . . that it is too large for the convenient transaction of business in detail that is committed to it. That though the breaking up of the general body into committees has been a great improvement on the early practice, still there is a want of that regular and systematic attention which more direct and undivided responsibility can ensure.⁵²

They therefore recommended a change, not in the composition of the Commission, but by the addition of a small Committee "for the purpose of managing in all its

⁵¹Report of the Select Committee Appointed to Inquire into the Composition and Management of the Ecclesiastical Commissions &c., (London, 1848), p. iv.

⁵²Ibid.

branches the property of the Commission."⁵³ This new Committee should consist, the Select Committee felt, of three Commissioners, two nominated by the Crown, and one by the Archbishop of Canterbury. By the Act 13 and 14 Vict. c. 94 the recommendations were enacted. All of the estates held in trust by the Ecclesiastical Commissioners, i.e., the estates from suspended canonries, were managed by the Estates Committee.⁵⁴ The original Committee consisted of the Earl of Chichester, the Archbishop's appointee, and Lord Goulbourne and Mr. George Shaw Lefevre, appointees of the Crown.⁵⁵

With the creation of this more close knit organization, and with it the more efficient management of the resources of the Ecclesiastical Commission, the Church began to move toward better management generally. However, if this was to be achieved, it would not be by the Estates Committee's control of the property of the Ecclesiastical Commission alone. Rather, the entire land holdings of the Establishment had to be reconsidered, and an effective method of management devised. Alienation and consolidation

⁵³Ibid., p. iv-v.

⁵⁴The Act 13 & 14 Vict., c. 94.

⁵⁵House of Commons, Sessional Papers, Twelfth General Report from the Ecclesiastical Commissioners for England, with Appendix. Appendix No. 27, "Report from the Commissioners Appointed by the Lords of the Treasury to investigate the Duties and Establishment of the Office of the Commissioners," (London, 1860), p. 113.

of Church landholdings had to be considered, and quite naturally, this would involve the cooperation of the lessees of the Church.

For alienation of Church lands there were several precedents, although none involved the quantity of land with which the Estates Committee proposed to deal. Perhaps the earliest example of the alienation of Church properties, as opposed to outright confiscation, occurred with the redemption of the land tax. By the provisions of the statute passed in 1799, corporations sole and aggregate were permitted to alienate property for the purpose of raising funds, which were then to be converted into Consols. The land tax on the dignitaries' estates was then redeemed by transferring a sufficient number of Consols to the Treasury so that the interest from the Consols equalled the annual amount of the land tax. Were this not done, the tax was levied on the land in perpetuity.⁵⁶

By this Act, Commissioners for the Redemption of the Church and Corporation Land Tax were appointed. They were fourteen in number, two of whom, Lords Auckland and Glenbervie, were paid. It was the function of the Commissioners to supervise all enfranchisements of land. This reduced itself quickly to simply approving the terms of the agreements between the lessors and lessees, for any attempt at a real

⁵⁶Report of the Select Committee on Church Leases together with the Minutes of Evidence, Appendix and Index (London, 1839), pp. 1-4.

understanding of the value of the land involved was obviously quite impossible. The estates were too scattered, and their value too different. Therefore the statements of the dignitaries' surveyors had to be accepted. The Commissioners could, however, protect the Church from any terms of enfranchisement which were flagrantly disadvantageous, by using the average value of land as their criteria.⁵⁷

Actually, the entire operation depended upon an understanding between the lessors and the lessees. The reasons for a particular piece of land being chosen for enfranchisement varied considerably. As the individual portions of land enfranchised were generally small, often an area was chosen simply because of the high price which the lessee would pay for Church land intermixed with his own freehold. Sometimes, and this was often the case with enfranchising bishops, land was chosen because of the state of the lease. All leases were renewed fully before enfranchisement, the fine for this extraordinary renewal remaining with the dignitary. Bishops therefore often enfranchised land on which the maximum renewal fine could be had, regardless of the effect of such an enfranchisement upon the endowment of the see as a whole. Others enfranchised property which was leased by a friend or relative for obvious reasons.⁵⁸

⁵⁷Ibid., p. 1.

⁵⁸Ibid., p. 4.

Usually the deans' and chapters' methods were more systematic, for they, as corporations aggregate, were less interested in immediate personal gain. Speaking of the Dean and Chapter of Gloucester, their clerk, John Phillpots, testified:

. . . their object was to sell, as far as they could do so, the reversion of houses in the first place; next, estates held upon lives; and not to dispose of any estates that were held for 21 years' lease, unless it was found necessary after other had been contracted for.⁵⁹

The lessee was always given the first option to buy the reversion. This he usually accepted, for the reversion was obviously far more valuable to him than to any outsider. But if, as occasionally happened, he declined the offer, the reversion was then usually sold at public auction.⁶⁰

The price paid for the reversion varied. Although cases are recorded where over 100 years' purchase was paid, twelve years' purchase appears to have been close to the normal price. This is slightly above the tabular value of such reversions.⁶¹

When asked about the value of these enfranchisements, Phillpots testified that he thought such sales beneficial to both the Church and her lessees. However, he pointed out:

⁵⁹Report of the Select Committee on Church Leases together with the Minutes of Evidence, Appendix, and Index (London, 1838), p. 99.

⁶⁰Ibid.

⁶¹Ibid.

. . . the Church was not sufficiently taken care of in the mode in which the sales were directed to be made under that Act, because, by the operation of that Act, the immediate possessors of the Church property, that is, the then dean and chapter, or the then bishop, which was redeemed by the sale of property which was reversionary, and consequently they anticipated that income which they otherwise must have looked for prospectively; and moreover, they were placed in a situation which enabled them to take their fines for all the time that had elapsed up to that period, in addition to the advantage which they derived from the sale of the reversion; for example, supposing a term of five years to have expired of a 21 years' lease, which would not be renewable till seven, they took their aliquot proportion of the septennial fine in the first instance, and so anticipated thereby the amount of benefit which they would have derived at the expiration of the usual time, having also a benefit in possession from the redemption of the land-tax by the sale of the reversionary property.⁶²

Phillpots then offered a theoretical example of the benefit which the Church derived from the sale of these reversions:

. . . the property, supposing it to be holden for 21 years' lease, produced to the dean and chapter, as I have before stated, a fine of a year and a half every seven years; that is, supposing it to be of the value of £100. a year, the property would produce a fine every seven years of £150; that being divided by seven would give an annual income of £21. 8s. 5d. Supposing therefore that annual income be taken, they would derive from a property of £100. a year, held for 21 years an income of £21. 8s. 5d. The reversion of property of that description then sold for twelve years' purchase. I apprehend from the difference of times, at least 13 or 14 years' purchase would now be obtained for such property; and that the reversion, after a 21 years' lease would sell for 14 years' purchase; but taking it only at 13, it would produce £1,300. This £1,300 laid out in land or invested in the purchase of a rentcharge or a perpetual annuity producing 3 1/2 per cent., would give an income of £45. 10s., consequently the benefit derived from the sale under such

⁶²Ibid., p. 103.

circumstance would be the difference between £21. 8s. 5d. and £45. 10s. That is as to 21 years' leases.⁶³

By 1839 the total amount of sales under the Act had reached approximately £1,460,010, although redemptions had more or less ceased with the increase in the price of Consols about 1805.⁶⁴

The only other example of the alienation of English Church land-holdings occurred with the passage of the Durham University Act in 1832. This however could not serve as a guide for the Church generally, for the amount of land involved was small, £48,000, and the land enfranchised confined almost completely to South Shields. Nevertheless it was noted that the entire transaction, by the terms of the Act, was left in the hands of the Dean and Chapter of Durham, who came to private agreements with their lessees.⁶⁵

Perhaps a far better guide was the experience of the Crown. By an Act passed in 1786, Commissioners were appointed "to inquire into the state and condition . . . of the land revenues of the Crown," and to suggest "such plans for the future management and improvement of those estates as they should think best calculated to render them most productive and advantageous to His Majesty and the public."⁶⁶

⁶³Ibid.

⁶⁴Report of Select Committee on Church Leases, 1839, p. 5.

⁶⁵Report of Select Committee on Church Leases, 1838, p. 110.

⁶⁶Abstract of Four Reports of the Surveyor-General of His Majesty's Land Revenues of 1797-1808 (London, 1838), p. 541.

The commissioners issued 17 Reports, in which they showed that the Crown lands were being beneficially leased. They advocated major changes in the tenure by which these lands were held, in order that the revenues from this source of the Crown might be increased. As a consequence of these reports, the Act 34 Geo. 3, c. 35 was passed. This Act embodied the recommendations of the committee of inquiry, and the Surveyor-general was entrusted with their execution.⁶⁷

John Fordyce, the Surveyor-general, saw at once that the problem revolved about the question of tenant-right. He issued a statement, dated August 5, 1794 in which he pointed out that the House of Lords had issued a legal decision in the matter of tenant-right. In this case, *Lee v. Vernon*, 1776, the House of Lords decided that the tenant had "no legal claim or any certain or even contingent right or interest beyond the subsisting terms of his lease, but only a chance or right to expect a favour."⁶⁸ In his recommendations, the Surveyor-general suggested several methods for solving the problem of tenant-right. He promised his recognition of tenant-right on the state of the Crown property. If the property had been improved, or at least not harmed, he was willing to give the tenant a favored position. If major improvements had been made, he

⁶⁷Ibid.

⁶⁸Ibid., pp. 542-543.

was even willing to renew the leases one more time on their old beneficial terms, for the transition did not, as he saw it, necessarily have to be immediate but could occur over a period of time. Only those tenants who had harmed the property needed to fear an immediate change. Finally, Fordyce suggested that Crown property should rent for a little less than that of "a landlord attentive to the management of his property." He therefore suggested a reduction of one-eighth of the rental value to all tenants, except in those cases where -- as for example with house property -- such reductions might tend to decrease proportionately the rental value of adjoining property.⁶⁹

This system generally was rejected by the Treasury. In a vigorous minute the Lords of the Treasury stated:

My Lords are of opinion that the lessee of the Crown should have, in all cases, a preference over others in granting a new lease; that no retrospect should be had whether he has improved the property or injured it; but all lessees of the Crown should be informed in future that the preference to renewal will be forfeited on their part if the property is not preserved, or if it is injured; when more than a mere preference over offers is proposed, a special report upon the case from the Surveyor-general will be expected.

The lessee of the Crown will not be enabled to fulfill engagements he may have entered into with his subtenants beyond his existing term, unless upon the same conditions, and at the same rate, as would now be required under the Act, for the additional term, if no such engagements had been entered into. Where houses have been built, or improvements made, in expectation of renewal, at a time when no adequate term of the lease remained, My Lords are of opinion that a certain

⁶⁹Ibid., pp. 542-544.

number of years should be added to such lease, but reserving the same rent for the additional term as would have been required previous to the building if the regulations of the Act of last session had then been in force. My Lords being of opinion that they cannot give up so much of the Crown estate as they would relinquish in agreeing to more favourable terms of renewal in this case.

My Lords agree with the Surveyor-general, that the Crown should be considered as a more desirable landlord than a private individual; but they are of opinion that the deduction of one-twentieth of the net rent ascertained by the surveyors, in the manner prescribed by the Act of the last session of Parliament, will be sufficient; and they agree with the Surveyor-general, that no deduction should be made in leases of ground for building.⁷⁰

This statement was the basis for the operation of the Act changing the management of Crown lands. It acknowledged virtually no tenant-right, and thus obviously acquired greater income for the Crown. Over its first ten years of operation, it resulted in a total annual increase of £59,611 for the Crown.⁷¹

This precedent of ignoring tenant-right was adopted by the Ecclesiastical Commissioners in 1840, but, as has been shown, the opposition of the tenants of the Church was sufficiently organized and intense to force the Church to abandon this solution to their problems, running out the leases.⁷²

The problem of tenant-right was intensified in 1850 by a Report of The Select Committee of the House of

⁷⁰Ibid., pp. 544-545.

⁷¹Ibid., p. 553.

⁷²See Chapter III, p. 108.

Commons, and the enacting of its recommendations.⁷³ Until 1850 episcopal revenues were regulated by the Act 6 & 7 Will. 4, c. 77. That Act aimed at securing the archbishops and bishops certain average annual incomes. The bishops continued to control their property, but, on the basis of septennial reports, they were required to pay, or were able to receive, fixed annual amounts to or from the Ecclesiastical Commissioners. The plan had not worked well, owing primarily to the fluctuations in amount to which, as has been seen, the incomes of these prelates were subject.⁷⁴ Consequently some bishops received far more, some far less than the income intended for them.

⁷³House of Commons, Sessional Papers, First Report of Her Majesty's Commissioners appointed by a Commission bearing date the 8th day of January 1849, "for the purpose of inquiring into the present system of leasing and managing the real property of the Church in England and Wales, belonging to the Archbishops and Bishops, to the Cathedrals and Collegiate Churches and the several members thereof being corporations sole, and to the several minor corporations aggregate within the said cathedrals, and also that vested in the Ecclesiastical Commissioners for England; and for considering how, and by what system of management, such property can be rendered most productive and beneficial to the said Church, and most conducive to the spiritual welfare of the people, due regard being had to the just and reasonable claims of the presentholders of such property under lease or other wish; and also for considering whether any and what improvement can be made in the existing law and practice relating to the incomes of the said Archbishops and Bishops, and of the several members of chapters, dignitaries, and officers of said Cathedrals and Collegiate Churches, so as best to secure to them respectively fixed instead of fluctuating incomes," together with Minutes of Evidence, Appendix, and Index. (London, 1850), pp. 1-10.

⁷⁴See Chapter III, p. 103.

The Select Committee consequently recommended that the management of the whole of the episcopal estates be placed temporarily in the hands of the Estates Committee. That Committee would then be responsible for the payment of the correct statutory income to the dignitary until such time as it could reorganize the endowment of the see, preferably with lands "situate or arising within or convenient to the diocese." This reorganized endowment would provide an income far closer to the statutory amount, for the leases were to be either for 21 years at rack rent, and the endowment was to be subject to review by the Estates Committee at each avoidance. The actual property, however, once it was reorganized, was to be returned to the see to be managed by the bishop himself. The remainder, that is, any difference between the amount of the re-endowment, and the original endowment of the see, was to become the property of the Ecclesiastical Commissioners to be placed in the Common Fund and used for the augmentation of poor, populous parishes.⁷⁵

The Act embodying these recommendations was passed in 1859, but was to apply only to those bishops consecrated after 1848. The others were permitted, but not required, to adopt the new system.⁷⁶

⁷⁵Report from the Episcopal and Capitular Revenues Commissioners, 1850, pp. 1-10.

⁷⁶The Acts 13 & 14 Vict., c. 94.

Corporate estates had remained under the absolute control of the chapters, or minor corporations aggregate. They were, however, liable for the payment to the Ecclesiastical Commissioners of the proportion of the chapter revenues belonging to the suspended canonries. The Select Committee recommended that their income be defined, and their property reorganized in a fashion similar to that of the bishops. The Act, applying to corporate estates,⁷⁷ passed in 1851, failed to define an income for the chapters, and simply permitted the reorganization of the corporate property by the Estates Committee, thus simply increasing their income by giving them a more efficient system of property management. Parliament thereby, recognized the need of the chapters to provide for the rising cost of cathedral fabric repair, which was, of course a drain on their income not present on that of the bishops.

Naturally those bishops whose real income was less than their statutory income were the first to voluntarily adopt the new system, but in time, the passage of these two Acts meant that all the property of the dignitaries of the Church of England would pass temporarily under the supervision of the Estates Committee. The beneficial system of leasing would be abandoned, and large numbers of enfranchisements and surrenders would occur. Consequently the problem of tenant-right had to be settled.

⁷⁷Ibid.

The same Select Committee of the House of Commons considered this problem of Church property, and how it could "be rendered most productive and beneficial . . . , and most conducive to the spiritual welfare of the people, due regard being had to the just and reasonable claims of the present holders of such property under lease or otherwise."⁷⁸

In their report, the Committee stated their objectives to show "how the present system may be modified so as to be advantageous to both the lessee and the lessor,"⁷⁹ rather than attempting to decide between the position of the Church (that it was proper to run out the leases) and the tenants (that they had a right to perpetual renewal on their present beneficial terms). The fee-simple, the Committee suggested should remain with the Church, but the right to perpetual renewal should be granted to the Church's tenants.⁸⁰

They recommended several alternative schemes involving the Church's farm lands held on leases for years:

1) That henceforth a septennial fine should be paid to the Church, calculated at the same rate of interest as at present, but on half the annual finable value; and that at the end of the new existing term an annual rent should thenceforth be paid to the Church equal to the other half of the finable value.

⁷⁸Report from the Episcopal and Capitular Revenues Commissioners, p. 1. *Italics Mine.*

⁷⁹Ibid., p. 2.

⁸⁰Ibid.

2) That the portion of the annual value to which the Church would be entitled as rent under the foregoing plan at the end of the existing fourteen years lease should be discounted, and converted at a rate of interest of three per cent., (the ordinary rate of landed investment) into a less rent, commence immediately.

3) That in lieu of paying the half fine and this last-mentioned immediate rent, the lessee continue to pay the whole fine septennially, as at present, and a smaller immediate rent; the rent being converted into fine at the ordinary rate of money interest of four per cent.

4) The future payments by the lessee, whether fine or rent, be converted, at the above-mentioned rates of interest respectively, into one immediate rent.⁸¹

The Committee further recommended that valuations, with any necessary adjustments in both the fines and the rents be made every twenty-one years, rather than, as was common, septennially. These valuations were to be based on the reports of three surveyors, one to be chosen by the lessee, one by the lessor, and one by the Estates Committee, acting as umpire. The Committee felt that special consideration should be given to lessees who had made extraordinary improvements.⁸²

Leases for lives should be, the Committee thought, converted into leases for years, "and when reduced by effluxion of time to terms of fourteen years," they should be treated as leases for years. This conversion could be made by renewing at the death of the first life, not by the addition of another life, but by the addition of the

⁸¹Ibid., pp. 2-3

⁸²Ibid., pp. 4-5

number of years equivalent to the addition of a new life.⁸³
The death of the third life would make the lease a lease for years.

The fine to be taken in these cases should be calculated according to the practice of the district, but only upon half the finable value, and a rent should be reserved to the lessor equal to half the finable value, to commence at the dropping of the last life.⁸⁴

In regard to minor holdings, the Committee recommended that woodlands should be valued, and sold to the lessees, while copyholds, and tithe rent charges should be run out. "These have neither been formed by the past exertions, nor are to be improved by the joint future exertions, of lessees and lessors; nor is there any feeling in respect of such property analogous to entertained by a lessee of land."⁸⁵

The recommendations of the Select Committee of the House of Commons for commuting the interest of the Church into a perpetual rent came before a Committee of the House of Lords the following year.⁸⁶ While agreeing that the

⁸³Ibid., p. 5.

⁸⁴Ibid.

⁸⁵House of Commons, Sessional Papers, Second Report of Her Majesty's Commissioners appointed by a Commission bearing date the 8th day of January 1849 for the purpose of inquiring into Episcopal and Capitular Estates and Incomes in England and Wales (London, 1850), p. 1.

⁸⁶House of Lords, Sessional Papers, Report from the Select Committee of the House of Lords appointed to Consider the Bill intituled, "An Act for the Management and Regulation of Episcopal and Capitular Estates and Revenues in England and Wales; and to Report thereon to The House, together with the Minutes of Evidence and an Appendix and Index thereto (London, 1851), p. iii.

traditional system was "unsatisfactory," the Lords' Committee proceeded to reject the system of management proposed by the Committee of the Commons, speaking of it as "open to very serious objections which appear to the Committee to be fatal to its adoption."⁸⁷

From the point of view of the Church, the Commons' system deprived it of any real ownership of its property. They were, in effect, substituting a perpetual rent for the possession of the fee-simple. Furthermore, because it did not satisfy even the most conciliatory members of the Church, it lacked the essential element of a permanent working system, cooperation between the two parties. Finally, it would not obtain for the Church so large an increase in income as could be found by using other methods.⁸⁸

From the point of view of the lessees of the Church, it established an "inconvenient tenure, under which the lessee will be subject to all the risks and burdens of ownership, with only a comparatively beneficial interest in the property." The property would be so encumbered with rent-charges that it could have hardly remained a basis for mortgage and family settlements. Nor could it sell at a price even closely equivalent to that of a normal fee-simple.⁸⁹

⁸⁷Ibid., p. iv.

⁸⁸Ibid.

⁸⁹Ibid.

The Lords' Committee therefore, recommended that "the beneficial ownership of Church property, which is now divided between the Church and its beneficial lessee, should in some cases be wholly vested in the one, and in other cases in the other, according to the circumstances of the property."⁹⁰

Assuming then that some portions of the Church's property were to be enfranchised, and that the lessees would surrender their interest in other portions, the question of tenant-right was again raised. On this question the Lords were quite definite: ". . . neither the Bishops or Capitular Bodies are now, nor have at any time been bound by any obligation in law or equity to renew their leases." The Committee pointed out "unquestioned acts of ownership" which had been exercised from time to time by the Church to prove their case: 1) they had refused to renew; 2) they had occasionally granted concurrent leases; 3) they had renewed at an increased rent; 4) they had altered the rate of fine, both in individual cases and generally; 5) they had excepted property out of a lease; and 6) they had altered conditions and reservations of the lease. As a matter of fact, the Committee continued, some of the corporations, at considerable personal sacrifice, had begun to improve their property by running out at least some of their leases.⁹¹

⁹⁰Ibid., p. v.

⁹¹Ibid.

Nevertheless, the Committee recognized that the lessees had "de facto for more than two centuries, the advantage of renewals on favourable terms, which, . . . have been for considerable periods of time uniform in the same diocese, . . . This had created in the lessees an expectation of renewal sufficiently definite to be treated as between third parties as approaching certainty."⁹² The lessees, the Committee continued because of this expectation of renewal, have purchased their leases at a higher price than could have been expected had this expectation of renewal not existed.⁹³ Furthermore if there had been no expectation of renewal the land could not have become subject to mortgage and family settlement.⁹⁴

The fault, the Committee felt, rested with Parliamentary interference.

. . . for although a better understanding on the part of the lessors of the value of the reversionary interest parted with on renewals, and a growing willingness on their part to make personal pecuniary sacrifices with a view to the improvement of the Church property, would probably lead to enhancement of the terms on which the leases are renewed, and to a further extension of measures for running out Church leases, yet this change of system could only have taken place gradually, and during a long interval of time, and in the meantime, owing to the peculiar circumstance of the lessor, and his relations with the lessee, renewals would have continued to be granted on favourable terms to the lessee.⁹⁵

⁹²Ibid.

⁹³Ibid.

⁹⁴Ibid.

⁹⁵Ibid., pp. v-vi.

The Lords' Committee therefore recommended what it considered just terms of enfranchisement, terms which were to become the basis for the enfranchisement of the vast majority of Church land.

1) That if the Bishop or Capitular Body agree to enfranchise, the price to be paid for the enfranchisement shall be the value of the fee simple, deducting the value of the lease at such valuation as hereinafter is mentioned; and if they decline to enfranchise, they shall pay for the surrender of the lease at such valuation.

2) That the beneficial interest of the lessee shall be valued at the same rate of interest at which the value of the fee-simple has been determined.

3) That, as regards leases for years which are reduced below 21 years, the lessee shall have the option, before enfranchisement or surrender, of one more renewal for seven years at the rate of fine at which he has heretofore renewed.

4) That, as regards leases for lives, which, upon a proper estimate, shall be found equivalent to terms of less than 21 years, the like advantage of a renewal, at the usual rate of fine, for a term of seven years, shall be secured to the lessees.

5) That all such enfranchisements and surrenders shall be subject to the consent of the Church Estates Commissioners.

6) That the monies to arise from any such enfranchisement by any Bishop or Capitular Body shall be applied either in payment for the surrender of leases held under such Bishop or Capitular Body, or shall be invested in the purchase of estates to be conveyed to such Bishop or Capitular Body, due provision being made to prevent such Bishop, or members of such Capitular Body, from receiving, during the progress of such arrangements, either a greater or less income than he or they would have received if such enfranchisement had not been made: provided that ultimately the Bishops and Capitular Bodies should be put in possession of separate estates calculated to yield the average income fixed by Parliament.⁹⁶

⁹⁶Ibid.

The Act of Parliament of 1850 allowed the recommendations of the Committee of the Lords to apply to the bishops' property and in the following year a permissive Act was passed governing the commutation of property capitular bodies.⁹⁷

By 1856 a Committee of the House of Commons could report the total cessation of the beneficial system over nearly the whole of the separate estates of the deaneries and prebends,⁹⁸ of the corporate estates of the chapters of Southwell, Wolverhampton, York, Carlisle, Chester, Peterborough, and Goluster, as well as the sees of Bath and Wells, Ripon, and Carlisle. All life leases had been abandoned upon the estates of Canterbury, York, St. Asaph, Chester, Ely, Lincoln, Norwich, Peterborough and Salisbury.⁹⁹ 1,300 lessees of the Church had enfranchised their property in accordance with the terms of the Lord's Committee.¹⁰⁰ The system in each case was similar. The property was turned over to the Estates Committee, immediate application was made by the Committee for all deeds and

⁹⁷The Acts, 13 & 14 Vict., c. 94, and 14 & 15 Vict., c. 104.

⁹⁸House of Commons, Sessional Papers, Third Report from the Select Committee on the Ecclesiastical Commission, &c. (London, 1851), p. v.

⁹⁹Ibid., p. vi.

¹⁰⁰Ibid., p. vii.

documents relating to the property. A survey was then ordered, and a report to the Committee issued by the surveyor. These reports involved minute investigations, often intricate, into the nature, extent as well as the value of the estate. It showed the nature of the leases, the terms on which it was held, the state of any buildings on the property and the like.¹⁰¹ Only after this report was issued could enfranchisement begin.¹⁰² A good illustration of the principles under which commutation took place was the property of the Dean and Chapter of York.

The Earl of Chichester testified before a Select Committee of the House of Commons about the position of the commutation in 1852. Quoting from a report of the agent of the Commissioners Mr. E. J. Smith, he said:

The values of the whole of the estates have been ascertained, and the aggregate value is £427,000. Deducting £13,300. as the value of the estates in possession at the time of commutation, there remains £413,700. leased to various parties, and of this about 42 per cent. was leased for years, and 58 per cent. was leased for lives. The total value of the estates leased being £413,700. there have already been enfranchised, either by lapse or by sale and purchase, estates of the value of £252,597.; and the interest of the Commissioners in this portion of the estates leased proves to be £123,855. This sum of £123,855. added to £13,300., the value of the estates possession, gives a total of £137,155. already obtained. I find that the leased estates remaining to be dealt with, valued at

¹⁰¹House of Commons, Sessional Papers, First Report from the Select Committee on the Ecclesiastical Commission, &c. (London, 1851), Appendix No. 1, pp. 269-286.

¹⁰²Third Report of the Select Committee on the Ecclesiastical Commission, p. vi.

£161,103., will certainly not produce less than the present sum of £70,000, and the enfranchisement of a large part of such remaining estates is in progress. The total value of the Commissioners' interest is therefore £137,155 already obtained, and at least £70,000. in respect of the portion not yet dealt with, making a total of £207,155.; and as the annuity to be provided is £4,410., it is clear that the surplus of £50,000., which my report of 17th July, 1852, on which the commutation was based, stated would be obtained, will be fully realized. Contemporaneously, purchases of leasehold interests have been effected in Yorkshire, so that the Chapter may be put into possession of a convenient permanent estate in the course of the current year.¹⁰³

Although, as can be seen in the Appendix to the Committee Report, disagreements did arise, particularly between the Chapter and the Committee over particular lands and tithes to be acquired for the re-endowment of the Chapter, the process, taken as a whole, was smooth, and the disagreements few. The lessees, given the option of either surrender or enfranchisement did not voice any major objections.¹⁰⁴ They did object to the prohibition of a further renewal after the passage of the Act, 17 & 18 Vict. c. 116, for, as they explained in the Minutes of Evidence, those lessees whose lease expired immediately prior to the passage of the Act would enjoy one more beneficial renewal, while those lessees whose leases expired immediately after the passage of the Act, would be unable to renew beneficially. Consequently it was proposed that all lessees be

¹⁰³First Report of the Select Committee on the Ecclesiastical Commission, pp. 268-286.

¹⁰⁴Third Report from the Select Committee on the Ecclesiastical Commission, p. vii.

permitted renewals, on the normal beneficial terms until 1 August, 1880. This insured equal treatment for all.¹⁰⁵

The major objection to enfranchisements on the basis of the Lords Committee's terms, came from the sub-leases of the Church. They usually had made a considerable investment in the property, usually by the construction of houses. Prior to enfranchisement, the system usually was this: the sub-lessees paid the Church the lessee's fine upon renewal, and, for another fine, were guaranteed in turn, renewals of their sub-leases. Enfranchisement meant the unsettling of the entire system.¹⁰⁶

The sub-lessees of the Winchester Park Estate represented the position of most of the sub-lessees when they presented their demands to a Committee of the House of Commons. Those took the form of a resolution, passed by all the sub-lessees of the estate, dated 16 June 1856:

They stated:

1) That this meeting (composed of sub-lessees holding property of the see of Winchester under the lessees, with rights co-equal with the lessees' right of renewal, on the payment of fixed or other fines) are of opinion that on any enfranchisement of Church property of the see of Winchester under the 17th and 18th Vict. c. 104, the sub-lessees should not be called upon to contribute the whole amount of the money to be paid for the enfranchisement of the properties respectively held by them, but a portion thereof should be borne by the lessees, on account of the benefit secured to them from the certainty of their future tenure and

¹⁰⁵Ibid., pp. 193-198.

¹⁰⁶Ibid., p. 193.

otherwise, and that on payment by them of such modified amount towards the enfranchisement, the sub-lessees should be entitled to call for from the lessees a deed of grant in perpetuity of such properties.

2) That on the enfranchisement by the lessees of any property held by the sub-lessees having rights of renewal, it shall be open to the sub-lessees, at their option, to enfranchise wholly such property on payment to the lessees of the value of the rent paid by them, to be calculated upon the same principle as that which shall have governed the enfranchisement between the Bishop and the lessees.

3) That the sub-lessees should on notice of their intention to enfranchise being given to the lessees, be allowed the period of two years after the date of the enfranchisement by the lessees for the enfranchisement of property held by them, either wholly or at a rent in accordance with the foregoing resolutions.¹⁰⁷

In spite of the strong case advanced, the Committee of 1856 could guarantee the sub-lessees little. It agreed that the sections 3 and 4 in the Act 14 & 15 Vict. c. 104 were inadequate, but, after recognizing that some claim was valid, stated, "it is doubtful how far this right [of the sub-lessees to enfranchisement] or any division of property can be secured them."¹⁰⁸ Consequently, the Act 23 & 24 Vict. c. 124, s. 26 simply stated that upon enfranchisement, the under-lessees should continue to pay their fines, or a sum equivalent to the total of their remaining fines for the unexpired term.¹⁰⁹ After this period, presumably, they would renew as simple lessees of the enfranchised lessee.

After 1851 voluntary enfranchisements and surrenders

¹⁰⁷Ibid.

¹⁰⁸Ibid., p. x.

¹⁰⁹The Act 23 & 24 Vict. c. 124, s. 26.

by Church leaseholders under the direction of the Church Estates Commissioners as the dignitaries themselves grew steadily in number.¹¹⁰ By 1856, they had administered property valued at £7,000,000. of an estimated £35,000,000. By 1860 more than half of the entire property of the Church had been dealt with.

¹¹⁰For enfranchisement and surrenders under individual dignitaries, or ecclesiastical corporations aggregate see: House of Commons, Sessional Papers, Return of the number of leaseholds in the seven Dioceses of England and Wales where Applications have been made by lessees for purchase of reversion or sale of term, specifying whether terms have been agreed upon and referred to the Commissioners, &c. (London, 1854, 1856, 1859, 1860). For confirmation of the actions of the dignitaries, as well as the enfranchisement and surrender of property of the Ecclesiastical Commissioners, see: House of Commons, Sessional Papers, First Annual Report of the Church Estates Committee, with Appendices (London, 1852). Second Annual Report of the Church Estates Committee with Appendices (London, 1853) Third Annual Report of the Church Estates Committee, with Appendices (London, 1854) Fourth Annual Report of the Church Estates Committee, with Appendices (London, 1855), Fifth Annual Report of the Church Estates Committee, with Appendices (London, 1856), Sixth Annual Report of the Church Estates Committee, with Appendices (London, 1857) Seventh Annual Report of the Church Estates Committee with Appendices (London, 1858) Eighth Annual Report of the Church Estates Committee with Appendices (London, 1859) Ninth Annual Report of the Church Estates Committee, with Appendices (London, 1860) Tenth Annual Report of the Church Estates Committee with Appendices (London, 1861) Eleventh Annual Report of the Church Estates Committee, with Appendices (London, 1862) Twelfth Annual Report of the Church Estates Committee, with Appendices (London, 1863) Thirteenth Annual Report of the Church Estates Committee, with Appendices (London, 1864) Fourteenth Annual Report of the Church Estates Committee, with Appendices (London, 1865) Fifteenth Annual Report of the Church Estates Committee, with Appendices (London, 1866) Sixteenth Annual Report of the Church Estates Committee, with Appendices (London, 1867) Seventeenth Annual Report of the Church Estates Committee, with Appendices (London, 1868) Eighteenth Annual Report of the Church Estates Committee, with Appendices (London, 1869) and Nineteenth Annual Report of the Church Estates Committee with Appendices (London, 1870).

1860 marks the beginning of a period of transition. The Church Estates Commissioners' business had reached a peak, (the enfranchisement and surrender of the property and the commutation of church estates). The transitional nature of the period can be seen by the position of the bishops' estates. Two of the bishops were in no way subject to the control of the Commissioners, having been consecrated before the Act of 1836;¹¹¹ six others received annual sums, operating under the Act of 1836;¹¹² thirteen bishops paid or received the difference between the fixed income and the amount received from the episcopal revenues;¹¹³ and six of them had temporarily transferred their estates to the Commissioners, and were consequently receiving half-yearly their statutory income.¹¹⁴ Six chapters had transferred the whole of their estates to the Commissioners for commutation, and were also receiving half-yearly their original income while the commutation was in progress.¹¹⁵

By 1864 the estates of the sees of Durham, York, and

¹¹¹Exeter and Winchester.

¹¹²Chichester, St. David's, Hereford, Lichfield, Oxford and Rochester.

¹¹³Canterbury, London, Chester, Lincoln, Llandaff, Manchester, Norwich, Salisbury, York, St. Asaph, Ely, Peterborough, and Worcester.

¹¹⁴Durham, Bath and Wells, Carlisle, Gloucester, Bristol and Ripon.

¹¹⁵York, Carlisle, Chester, Gloucester, Peterborough, and St. Asaph.

Peterborough and those of the chapters of York and Peterborough had been commuted. Those of Bath and Wells, Carlisle, Gloucester and Briston and Ripon, and the estates of the chapters of Bristol, Peterborough, Salisbury, Winchester and Worcester were in the process of commutation.¹¹⁶ In the same year, R. H. Walpole who had replaced Lord Goulbourne as an Estates Commissioner could testify, "at the time when I ceased to be a Commissioner [1855] one of the great points which was then in agitation was the adjustment of the questions with regard to leases; all that has been accomplished."¹¹⁷ By 1888 all the chapterestates had been commuted and the estates of the bishops either commuted or in the hands of the Commissioners.¹¹⁸ Thus a question which had plagued the Establishment since 1835 was brought to a successful solution.

This vast reorganization of the property of the Establishment was accomplished only because of the pressure of the poor and populous parishes, the augmentation of which presented an even greater problem. In 1850, to

¹¹⁶House of Commons, Sessional Papers, Report of the Estates Committee to the Ecclesiastical Commissioners for England (London, 1864).

¹¹⁷Ibid.

¹¹⁸House of Commons, Sessional Papers, Return showing which of the Episcopal and Capitular Estates are now in the hands of the Ecclesiastical Commissioners, and which of them are managed by the Bishops and Cathedral bodies; setting forth in each case the date or dates when any Transfers or Re-transfers of management of either the whole or part of such Estates have taken place (London, 1888).

facilitate this augmentation, the Common Fund and the Episcopal Fund were fused.¹¹⁹ This was, however, preparing for the future rather than solving an immediate problem, for no augmentations had been made since 1845, when the income from the funds borrowed from the Queen Anne's Bounty Board had been exhausted.¹²⁰ Provision was made in 1840 for the augmentation of poor, populous parishes from the income of suspended canonries, but, as suspension was dependent upon the next avoidance, the growth of the funds in the Common Fund from this source was slow. Furthermore, some of the chapters were not cooperative. They only submitted to a normal method of accounting when forced by an Act of Parliament. The Chapter of Durham objected vigorously when the Ecclesiastical Commissioners prevented their use of the funds of the Chapter for purposes of Charity. The Commissioners pointed out that a proportion of those funds were the property of the Ecclesiastical Commissioners, and consequently they had to be consulted about any general donations.¹²¹ The Dean and Chapter submitted, but not with good grace.

Even when it came to augmenting the income of parishes in the patronage of capitular bodies, the Commissioners failed to achieve real cooperation. The Chapters

¹¹⁹The Act 13 & 14 Vict., c. 94, s. 15.

¹²⁰See above, Chapter III, p. 135.

¹²¹First Report from the Select Committee on the Ecclesiastical Commission, Appendix No. 1, p. 252.

had been accustomed to attempting to meet the need through their own surplus funds. Naturally, they were concerned with conditions only within their own dioceses. They disliked it when the Ecclesiastical Commissioners not only prohibited their augmenting favoured parishes within their dioceses, but also used funds from suspended stalls to augment parishes in other dioceses.

For example the Dean and Chapter of Durham desired to augment the income of the incumbent of the parish of Holy Island in the Diocese of Durham. He had an annual income of £225, and the Dean and Chapter desired to increase this by £22 annually. This increase was to come from the income of land within the parish leased by the Dean and Chapter. The Ecclesiastical Commissioners, reviewing the case, pointed out to the Dean and Chapter that according to the rules for augmentation, the lessee's reversion had to be purchased, and the land brought into hand before any endowment could be considered. The lessee refused to sell his reversion, and the Dean and Chapter submitted a counter proposal to the Commissioners, that they pay the annual £22 to the incumbent of Holy Island from the Chapter revenues until the lease was run out. This the Commissioners refused to allow.¹²² In reply, the Dean and Chapter sent a vigorous note to the Ecclesiastical Commissioners:

¹²²Ibid., p. 331.

. . . had any impediment to this method of augmentation existed twenty years ago, the livings [35 of which were augmented by the Dean and Chapter] must have remained for the most part in poverty; and much censure would have been deservedly cast, not so much on the Dean and Chapter, who would have endeavoured to perform their duty, as on the obstacle which had impeded them; and even now they beg respectfully to assure the Ecclesiastical Commissioners that such censure will not be avoided if they shall be prevented from making further additions to the still insufficient stipends of some of their parochial brethren.¹²³

The Ecclesiastical Commissioners in reply, again pointed out that the parish of Holy Island had only a population of 900, and that there were many more populous parishes desperately in need of augmentation. They also reminded the Dean and Chapter that they were attempting to augment the endowment of Holy Island with the corporate revenues of the Chapter, a percentage of which was the property of the Ecclesiastical Commissioners. They labeled the scheme, "impracticable and inconvenient."¹²⁴ The Dean and Chapter bowed to the decision, but questioned,

. . . whether it be wise to frustrate their [the Dean and Chapter's] intentions, and to denounce as impracticable or inconvenient arrangements which they have carried into practice with perfect convenience for almost a century.¹²⁵

Another aspect of the problem of augmentation revolved about the matter of local claims. Parishoners felt that money payments to the Ecclesiastical Commissioners

¹²³Ibid.

¹²⁴Ibid.

¹²⁵Ibid., p. 335.

arising in their parish should be returned. The Commissioners, however, refused to allow the validity of local claims to a greater extent than they, by statute, were bound to do. In 1851 they issued a definitive statement of policy pertaining to local claims, amplifying section 9 of their 1840 memorial on the subject. They announced:

First, that no local claims be recognized unless falling strictly within the terms of the proviso in the 67th section of the Act 3 & 4 Vict., c. 113, subject only to an exception in favour of any case which, for the purpose of providing a site for a parsonage or glebe for the actual occupation of the incumbent, the Commissioners may deem to be deserving of extraordinary consideration, or in which they may consider it desirable under special circumstances to make a reversionary grant.

Second, that no local claim be entertained until there shall be a balance to be carried to the credit of the Common Fund upon the adjustment of each particular estate according to the principles hereinafter laid down.

Third, where the property is subject to a beneficial lease, the grant shall not in any case exceed the net amount of the reserved rent, and shall not be made until the amount of the costs of the usual survey, and other preliminary proceedings, with interest at the rate of three per cent., shall have been covered by the proceeds of such net reserved rent.

Fourth, that where the Commissioners shall have acquired by purchase one beneficial interest of any such lease, no grant shall be made in respect of such interest until the amount of the purchase money and costs, with interest as aforesaid, shall have been realized from the annual proceeds.

Fifth, that where a reversion shall have been sold, no local claim shall be recognized until the period at which the purchase-money would, if accumulated at compound interest at the rate aforesaid, amount to the sum at which the fee-simple value in possession shall have been computed at the time of sale.

Sixth, that the principles laid down in the fourth and fifth resolutions be applied in those cases in which the interests of dignitaries have been commuted.¹²⁶

¹²⁶Second Report from the Select Committee on the Ecclesiastical Commission, p. 155.

In 1856 the fifth rule was altered to this extent: that where a reversion was sold to the Ecclesiastical Commissioners, they recognized no local claim until the tithe actually came into possession. Otherwise the statement on local claim stood unchanged throughout the remainder of the period under consideration.¹²⁷

In spite of these obvious attempts to husband the resources of the Common Fund for the augmentation of the poor, populous parishes, the policies of the Ecclesiastical Commissioners were severely criticized by comparatively prominent officials. In 1852 Lord John Russell wrote a sharp note to the Archbishop of Canterbury, criticizing the use of the Common Fund. After first pointing out the findings of the Select Committee on Populous Parishes, he reminded the Archbishop of the sacrifices which the Establishment, especially the Deans and Chapters had made to offset this lack of spiritual care throughout England. Yet, Russell continued:

. . . the evils which had been pointed out as greatly outweighing all other inconveniences, as being most urgent of all, and most requiring the application of an effectual remedy, and to remedy which the resources of the Established Church were quite inadequate, have been postponed or neglected for the purpose of frittering away the resources which were placed in the hands of the Commission. Canonries in the Collegiate Church of Westminster, which were surrendered by the Crown, which might have afforded the means of endowing new Churches in Westminster and London, have been suppressed for the purpose of giving some £20 to £30 to small livings with a population of 200 or 300 persons.

¹²⁷ Ibid.

. . . nor let it be supposed, that although the sums are very small, the aggregate amount is insignificant. It exceeds if I mistake not, £10,000 a year. For this sum 50 clergymen, in districts exceeding 3,000 or 4,000 in population, might be endowed with incomes of £200 a year each.

This plan [for augmentation] appears to have been agreed upon soon after Lord Melbourne and his colleagues left office in 1841, and when our successors were of course inexperienced in this work. As soon as I heard of the scheme, I sought an interview with the Bishop of London [Blomfield] and remonstrated against it. I must say, he did not seem to differ with me.

Sir Robert Peel afterwards did his utmost to repair the mischief by the Act of Parliament he introduced. But he could not effect his object by borrowing £600,000, a debt which still hampers the Commissioners.

The result is, then that instead of turning their attention, whole and undivided to the evils which they themselves had pointed out, which they declared to outweigh all other evils, and to demand immediate relief, the Commissioners have been scattering their funds in dribblets, and while they relieved poor clergymen by charitable alms, have wasted the resources which might have been available for a great and paramount purpose. Let me add, that the evil thus pointed out by the Commissioners of Inquiry [1832-36] attracted the notice of the House of Commons. . . .

The Commissioners of Inquiry said in 1836, 'The question as to the general principles of distribution requires the most serious consideration, and much additional inquiry, and we make, for the present, no distinct recommendation to Your Majesty.'

Whether that 'most serious consideration' was ever given, whether that 'much additional inquiry' was ever made, I know not; I cannot recollect while I was a member of the Commission anything of the sort, but I think I have shown sufficient reason for believing that the wants which the Commissioners pointed out as most pressing have not been sufficiently attended to, and that sums amounting to £10,000 a year have been distributed to places of small population.

I trust this is sufficient to induce your Grace to recommend a reconsideration of this important subject, and I shall be ready at any time to confer with your Grace, and with the Ecclesiastical Commissioners, or with a few of their members.¹²⁸

¹²⁸ Third Report from the Select Committee on the Ecclesiastical Commission, Appendix, p. 206.

The Commissioners replied in a memorandum passed at an official meeting of the Ecclesiastical Commission. They asked why, if their methods were so grossly inefficient, Lord John Russell had waited eight or nine years to voice his objection. Obviously, they pointed out, numerous changes in the constitution of the Board had taken place in the interval. Most of these changes had been due to death. Because of this, it was quite impossible to discover the motives which had moved their predecessors, but, by using the minutes of the Board, they felt that they were able to construct "some sort of an explanation."¹²⁹

Russell, they noted, had objected to the augmentation of benefices containing less than 2,000 persons, thus charging neglect of the larger, needy parishes. He had illustrated what he considered this misdirection of funds by the Commissioners, using as his example the sequestered canonries of Westminster. The Commissioners replied:

. . . With reference to this illustration, it may be sufficient to observe that the principle of applying the funds derived from a particular cathedral or collegiate church to endowment of churches within the town or diocese in which it was situated was distinctly negatived by the Legislature. Unless therefore, it can be shown that the parishes within Westminster and London were in a situation to admit of augmentation from the Commissioners, and that augmentation was refused, no further observation on the point can be necessary.¹³⁰

If the Commissioners had exceeded their authority, the reply

¹²⁹Ibid., pp. 207-210.

¹³⁰Ibid., pp. 207-208.

continued, in the augmentation of smaller parishes, the amount expended could only be an annual £1,569 out of a total annual expenditure for augmentation of £45,805. The augmentation of the incomes of the smaller parishes, the reply concluded, was required by law in the Act 3 & 4 Vict. c. 104, that is the section of that Act applying to local claims.¹³¹

The problem of the 1850's was quite clear. There was an insufficient amount of money in the Common Fund. As the Common Fund grew, applications from populous parishes throughout England mounted. Thus, from sequestered canonries and excess property of the episcopacy, the Common Fund increased from £5,000 in 1856 to £18,000 in 1857 to £57,000 (c.) in 1858,¹³² but the applications mounted with equal rapidity. 1856 saw over 3,000 applications for augmentation.¹³³ Naturally all of these requests could not be

¹³¹See above, Chapter III, p. 118.

¹³²House of Commons, Sessional Papers, Twelfth General Report, p. 115. See also, Third General Report from the Ecclesiastical Commissioners (London, 1851); Fourth General Report from the Ecclesiastical Commissioners (London, 1852); Fifth General Report from the Ecclesiastical Commissioners for England (London, 1853); Sixth General Report from the Ecclesiastical Commissioners for England (London, 1854); Seventh General Report from the Ecclesiastical Commissioners for England (London, 1855); Eighth General Report from the Ecclesiastical Commissioners for England (London, 1856); Ninth General Report from the Ecclesiastical Commissioners for England (London, 1857); and Tenth General Report from the Ecclesiastical Commissioners for England (London, 1858).

¹³³Eighth General Report.

met, and furthermore the Commissioners required time to assure themselves of the validity of the request.

An example of the difficulties arising from the inadequacy of the Common Fund in comparison to the demands made on it can be seen in the correspondence between the Ecclesiastical Commissioners and the Duke of Northumberland. The Duke offered to give £5,000 annually for four years for the augmentation of populous parishes in Northumberland and Durham if his donation were matched by the Ecclesiastical Commissioners. The Commissioners had reluctantly to refuse on the grounds of insufficient funds, for such a donation on their part would have meant that parishes over the rest of England could not have been augmented.¹³⁴ The Duke then proposed that he donate a flat £16,000 for augmentation of the parishes in which he was interested if the Commissioners would accept a loan from him of an equal amount at the usual rate of interest, to be applied to the same purpose. This proposal too had to be refused. The Commissioners pointed out that they had already incurred a debt of £600,000 to the Queen Anne's Bounty Board, and they did not wish to incur any further debts.¹³⁵

This offer did, however suggest to the Ecclesiastical Commissioners a method of augmentation which would increase the amount of funds for augmentation at their dis-

¹³⁴Third Report from the Select Committee on the Ecclesiastical Commission, Appendix, pp. 211-212.

¹³⁵Ibid., pp. 213-214.

posal, i.e., the requirement of a donation of an equal amount to that donated by the Commissioners. In 1856 they approved the following memorial:

First, that the resolutions of 1844 be rescinded.

Second, that except as to local claims on tithe, which will be dealt with as heretofore, each grant shall consist of a capital sum, to be invested in such manner as in each case may appear most expedient. . . .

Fourth, that the maximum grant to any one benefice shall not exceed £600.

Fifth, that priority be given to those benefices or districts where the population exceeds 2,000 souls, and the income of the incumbent is below £100 per annum.

Sixth, that selecting cases coming within the foregoing resolutions, regard be had not only to the population of the parish, the smallness of the endowment, but also to the amount of the benefaction offered.¹³⁶

This new system had the advantage of doubling the amount available for augmentation, the non-ecclesiastical benefaction accounting for more than half of the grant. Between the years 1856 and 1864, £410,000 was appropriated from the Common Fund for this purpose. An extra £50,000 was appropriated from the Common Fund to endow poor, populous parishes where no equivalent grant was available.

The system of augmentation growing out of these resolutions had distinct disadvantages. It permitted the the individual incumbents to control the endowment of their

¹³⁶ House of Commons, Sessional Papers, Select Committee Appointed to Inquire into the present State of the Ecclesiastical Commission, and to Report to the House whether the Ecclesiastical Revenues cannot be more advantageously administered for the Interests of the Church than they are at present (London, 1862), p. 309.

parishes. Control by the Ecclesiastical Commissioners could only be exercised upon avoidance. It further favored those parishes which could provide benefactions, and in many cases the very parishes most in need of augmentation were the parishes unable to provide the necessary benefaction. Wealthy parishoners' interests centered about their own parishes, not the parishes in the poorest section of the metropolitan areas.

Nevertheless, under this system of augmentation, the Common Fund continued to grow.¹³⁷ By 1864 the Commissioners could expect an annual £100,000 for augmentation,¹³⁸ and the problem of augmentation, as well as the objections to the methods of the Commissioners decreased proportionally. A Select Committee to inquire into the state of the Ecclesiastical Commission met in 1863, but the objections of the Committee to the Commission had changed radically in character. The problems of the lessees has been solved. The methods of augmentation accepted. However, the report of the Select Committee was not favorable.

¹³⁷House of Commons, Sessional Papers, Eleventh General Report from the Ecclesiastical Commissioners for England (London, 1859); Twelfth General Report from the Ecclesiastical Commissioners for England (London, 1860); Thirteenth General Report from the Ecclesiastical Commissioners for England (London, 1861); Fourteenth General Report from the Ecclesiastical Commissioners for England (London, 1862); Fifteenth General Report from the Ecclesiastical Commissioners for England (London, 1863); Sixteenth General Report from the Ecclesiastical Commissioners for England (London, 1864); and Seventeenth General Report from the Ecclesiastical Commissioners for England (London, 1865).

¹³⁸Report of Estates Committee, 1864, p. 116.

They stated that "the Ecclesiastical Commission, as at present constituted, is objectionable."¹³⁹ But the criticism was primarily on the grounds of efficiency of operation rather than method of augmentation. They stated:

That, independently of the political objections to such a concentration of property, this system [of management] unavoidably consumes a considerable part of the revenues of the Church in the expenses of valuing and revaluing lands and tithes, in compensations to officers superseded, and in the maintenance of a large establishment of secretaries and clerks. Your Committee beg to refer to the 12th Resolution of the Committss of this House in 1856, viz., "that the present system of management by the agents of the Church Estates Commission should be reconsidered with a view to its greater efficiency and a possible diminution of expense," and to the evidence now taken before your Committee, showing that the system of management still continues to be unnecessarily expensive; and your Committee are of opinion that this excessive expenditure is to be attributed in some degree to the fact that estates so widely dispersed, are placed under the management of one corporation.¹⁴⁰

The recommendations of the Select Committee of 1863 were not followed, and no legislation enacted. The objections to the methods of accounting used by the Commissioners were met by the curt reply that they were standard, and the Ecclesiastical Commissioners assumed that the Select Committee was not made up of accountants.¹⁴¹

In fact, the following year saw steps taken by the Ecclesiastical Commissioners to increase rather than de-

¹³⁹Report of Select Committee appointed to Inquire into the present State of the Ecclesiastical Commission, 1863, p. iii.

¹⁴⁰Ibid.

¹⁴¹Report of Estates Committee, 1864, p. 117.

crease the control of the Commissioners over property. Hitherto the Commissioners, at least for the past eight years, had endowed parishes. The new, and definitive regulations stated:

First, to make one further appropriation in capital sums to the extent of £100,000 to meet benefactions at least equal value, in accordance with their published rules. . . .

Second, to meet all local claims arising in respect of the Durham Bishopric Estates [recently commuted by the Estates Committee] and part of those arising in respect of the York Archbishopric Estates. [Also commuted.]

Third, to augment unconditionally to £300 a year the income of every benefice in public patronage, the population of which was by the Census of 1861 not less than 8,000 persons.

Fourth, to augment the income of every benefice in private patronage having a like population to a like amount of £300 a year, on condition that one-half of the sum required to effect such augmentations be provided from non-ecclesiastical sources.

Fifth, to appropriate the sum of £3,000 per annum and £2,000 a year to the building and endowment of new churches in districts whose population is not less than ~~£8,000.~~¹⁴²

It was estimated that this project would cost £700,000 altogether.¹⁴³ Between the years 1865 and 1880 the Ecclesiastical Commissioners implemented these recommendations.¹⁴⁴ By 1880, they could boast that all incumbents, regardless of patronage, received a minimum of £300 per

¹⁴²House of Commons, Sessional Papers, Seventeenth General Report from the Ecclesiastical Commissioners for England (London, 1865).

¹⁴³Ibid.

¹⁴⁴House of Commons, Sessional Papers, Eighteenth

annum, and they could confidently look forward to increasing the minimum to an annual £400.¹⁴⁵

Between 1830 and 1880, then, the finances of the Church of England had been reorganized. The change was dramatic. In 1830 the estates of the various dignitaries, poorly organized and inefficiently administered, were completely under the control of the dignitaries themselves, either sole or corporate. The leases of these estates, the chief source of their revenues were by and large beneficial, and the income derived from them, inadequate. The attacks of the pamphleteers and a growing pressure of population

General Report from the Ecclesiastical Commissioners for England (London, 1866); Nineteenth General Report from the Ecclesiastical Commissioners for England (London, 1867); Twentieth General Report from the Ecclesiastical Commissioners for England (London, 1868); Twenty-first General Report from the Ecclesiastical Commissioners for England (London, 1869); Twenty-second General Report from the Ecclesiastical Commissioners for England (London, 1870); Twenty-third General Report from the Ecclesiastical Commissioners for England (London, 1871); Twenty-fourth General Report from the Ecclesiastical Commissioners for England (London, 1872); Twenty-fifth General Report from the Ecclesiastical Commissioners for England (London, 1873); Twenty-sixth General Report from the Ecclesiastical Commissioners for England (London, 1874); Twenty-seventh General Report from the Ecclesiastical Commissioners for England (London, 1875); Twenty-eighth General Report from the Ecclesiastical Commissioners for England (London, 1876); Twenty-ninth General Report from the Ecclesiastical Commissioners for England (London, 1877); Thirtieth General Report from the Ecclesiastical Commissioners for England (London, 1878); Thirty-first General Report from the Ecclesiastical Commissioners for England (London, 1879); Thirty-second General Report from the Ecclesiastical Commissioners for England (London, 1880).

¹⁴⁵House of Commons, Sessional Papers, Thirty-Second General Report from the Ecclesiastical Commissioners for England (London, 1880).

forced the creation by Parliament of the Ecclesiastical Commission, a national body created to deal with the problems of the Church over England generally. This was the first, halting step in the reorganization of the finances of the Church. The Commission, at first was only empowered to distribute the surplus income, over their statutory limit, that the bishops received. With the passage of the Cathedral Act in 1840 however, the role of the Commission changed radically, for their functions were increased to include the permanent possession of the land formerly belonging to the sequestered stalls. They thus became a perpetual corporation owning and leasing property. In 1850, 1851 these powers were extended. The Estates Committee was created. It was empowered to accept the entire estates of the dignitaries for the purpose of its reorganization. The Estates Committee received these estates, enfranchised much of the property, and with the proceeds, purchased leases and land, thus bringing the property in hand. The land was again leased, but this time not at the previous beneficial rate, but rather according to contemporary values. Estates were then returned to the dignitary, the income from which was approximately equivalent to his statutory income. If there were a surplus, as there often was, these lands became the property of the Ecclesiastical Commissioners. This process of enfranchisement and re-endowment was completed by 1880.

Between 1830 and 1880 the story of the change in

augmenting poor, populous parishes, and the creation of new parishes is equally dramatic. In 1830 the augmentation of these parishes was primarily in the hands of the comparatively wealthy ecclesiastical corporations, who confined their charitable activities to their own dioceses. Over the whole of England the inefficient anachronistic Bounty Board, Tenths Board and Queen Anne's Bounty Board attempted to supplement the income of poor incumbents. This work was supplemented by the Church Building Commission, which financed the construction of new buildings.

The funds at the disposal of these bodies were limited, totally inadequate to needs of the growing population of England. The Cathedral Act of 1840 provided the Ecclesiastical Commission with the funds from the sequestered stalls for this purpose, but, as the income from this source was not available until the avoidance of the stall, the revenue was slow to materialize. To supplement this, the Bounty Board was reorganized along more efficient lines, and the Board agreed in 1843 to loan £600,000, to the Ecclesiastical Commissioners, the interest from which was permanently assigned to poor, populous parishes. The entire property of the Commissioners constituted the security for the mortgage.

At the assignment of these funds, the Commissioners received, in 1850, the surplus property from the reorganized estates of the Church dignitaries. Realizing the degree of spiritual destitution and the insufficiency of their funds,

the Commissioners in 1856 determined to endow parishes with capital sum, but only if their endowment were met by private benefaction. This policy was continued until 1864 when need alone was made the ^{new} criteria of benefaction. By 1880, by the judicious control of the funds at their disposal the commissioners could boast that the minimum annual income of English incumbents had been raised to £300.

Clearly then, by 1880, both in the administration and the disbursement of Church funds, a revolution had been effected.

APPENDIX A

AVERAGE REVENUES OF THE ARCHBISHOPRIC AND EPISCOPAL SEES IN ENGLAND AND WALES, 1820-1830

AVERAGE REVENUES OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1820-1830

SEE	GROSS	NET
Canterbury	22,215	19,182
York	13,798	12,829
St. Asaph	7,408	6,301
Bangor	6,580	4,451
Bath and Wells	6,770	5,946
Bristol	3,032	2,351

APPENDIX A

AVERAGE REVENUES OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1820-1830

Chester	3,721	3,261
Chichester	4,375	4,279
St. David's	2,490	2,897
Durham	21,991	19,066
Ely	12,627	11,105
Exeter	3,147	2,713
Gloucester	2,406	2,282
Hereford	3,090	2,516
Lichfield and Coventry	4,375	3,923
Lincoln	4,913	4,542
Llandaff	1,006	924
London	19,133	19,929
Norwich	5,696	5,395
Oxford	1,106	2,643

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AVERAGE REVENUES OF THE ARCHIEPISCOPAL AND EPISCOPAL
SEES IN ENGLAND AND WALES, 1820-1830

SEE	GROSS £	NET £
Canterbury	22,216	19,182
York	13,798	12,629
St. Asaph	7,408	6,301
Bangor	6,580	4,461
Bath and Wells	6,770	5,946
Bristol	3,032	2,351
Carlisle	2,585	2,213
Chester	3,951	3,261
Chichester	4,375	4,229
St. David's	2,490	1,897
Durham	21,991	19,066
Ely	12,627	11,105
Exeter	3,147	2,713
Gloucester	2,406	2,282
Hereford	3,090	2,516
Lichfield and Coventry	4,375	3,923
Lincoln	4,913	4,542
Llandaff	1,008	924
London	15,133	13,929
Norwich	5,696	5,395
Oxford	3,106	2,648

SEE	GROSS	NET
Peterborough	£ 3,518	£ 3,103
Rochester	1,523	1,459
Salisbury	4,145	3,939
Winchester	12,107	11,151
Worcester	6,916	6,569
Sodor and Man	2,725	2,555
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TOTAL	£181,631	£160,292
AVERAGE	£6,727	£5,936

AVERAGE REVENUES OF ECCLESIASTICAL CORPORATIONS
AGGREGATE, 1829-1830

AVERAGE REVENUES OF ECCLESIASTICAL CORPORATIONS
 AGGREGATE, 1820-1830

St. Asaph	1,652
Banger	No revenues as a corporate body
Bristol	4,800
Canterbury	21,551
Carlisle	3,443
Chester	3,135
Chichester	7,361

APPENDIX B

AVERAGE REVENUES OF ECCLESIASTICAL CORPORATIONS
 AGGREGATE, 1820-1830

St. David's (Subchanter and Vicars Choral)	391
Durham	15,071
Ely	3,651
Exeter	10,418
Exeter (Custos and College of Vicars Choral)	914
Gloucester	5,407
Hereford	4,426
Hereford (Custos and Vicars Choral)	1,436
Lichfield	1,638
Lichfield (Subchanter and Vicars Choral)	804
Lincoln	7,692
Lincoln (Provost and Senior Vicars Choral)	115
Llandaff	615
Norwich	7,811
Oxford, Christ Church (Includes operation	24,200

AVERAGE REVENUES OF ECCLESIASTICAL CORPORATIONS
AGGREGATE, 1820-1830

St. Asaph	£ 1,462
Bangor	No revenues as a corporate body
Bristol	4,820
Canterbury	21,551
Carlisle	6,443
Chester	2,135
Chichester	5,361
Chichester (College of Vicars Choral)	247
St. David's	1,855
St. David's (Subchanter and Vicars Choral)	591
Durham	35,071
Ely	8,651
Exeter	10,438
Exeter (Custos and College of Vicars Choral)	914
Gloucester	5,407
Hereford	4,426
Hereford (Custos and Vicars Choral)	1,436
Lichfield	1,638
Lichfield (Subchanter and Vicars Choral)	804
Lincoln	7,692
Lincoln (Provost and Senior Vicars Choral)	115
Llandaff	815
Norwich	7,811
Oxford, Christ Church (Includes operation of the college)	25,899

St. Paul's, London	£ 11,140
St. Paul's, London (Warden and Minor Canons)	155
Peterborough	6,357
Rochester	7,178
Salisbury	3,176
Salisbury (The Procurator and Commonalty of Vicars)	437
Wells	8,378
Wells (College of Priest-Vicars)	337
Winchester	15,573
Worcester	12,088
York	1,788
York (Subchanter and Vicars Choral)	665
Brecon No revenues as a corporate body	
Manchester	4,650
Middleham	466
Ripon	804
Southwell	2,211
Westminster (including school)	30,145
Windsor	22,475
Wolverhampton	641
	<hr/>
TOTAL - - - - -	£284,241

APPENDIX C

AVERAGE SCALE OF INCOMES OF INCUMBENTS

1820-1830

SCALE OF INCOMES OF INCUMBENTS, 1820-1830

Diocese	Total No. Benefices Returned to Commissioners Exclusive of Sinecure Rectories	Under £50	£50- 100	£100- 150	£150- 200
St. Asaph	131	1	19	21	12
Bangor	123	2	29	13	17
Bath and Wells	428	12	47	57	81
Bristol	252	5	25	29	36
Canterbury	339	6	25	57	47
Carlisle	124	4	45	25	18
Chester	630	19	167	180	59
Chichester	265	2	28	33	59
St. David's	401	11	125	119	52
Durham	192	3	38	29	19
Ely	146	2	25	20	24
Exeter	610	7	50	90	101
Gloucester	283	11	47	40	29
Hereford	318	12	43	42	48
Lichfield and Coventry	609	22	145	97	64
Lincoln	1249	40	178	168	170

SCALE OF INCOMES OF INCUMBENTS, 1820-1830

Continued

£200- 300	£300- 400	£400- 500	£500- 700	£700- 1000	£1000- 1500	£1500 2000	£2000- 4000	Over £4000
37	21	5	7	5	1	--	--	--
23	16	11	8	4	--	--	--	--
101	57	37	25	11	--	--	--	--
53	41	25	17	10	2	--	--	--
65	53	30	30	19	5	1	1	--
15	7	3	6	1	--	--	--	--
83	30	19	29	21	12	7	4	--
52	41	16	16	14	3	--	--	--
37	18	6	1	--	1	--	--	--
36	15	10	20	9	6	3	2	1*
34	11	10	7	4	6	1	1	1**
138	89	64	46	24	2	--	--	--
51	42	28	24	7	3	--	--	--
69	44	18	26	14	2	--	--	--
104	73	33	40	18	7	3	3	--
255	163	88	109	55	13	3	1	--

*The rectory of Stanhope, (in the county of Northumberland, diocese of Durham), of the net annual value of £4,843.

**The rectory of Doddington, (in the county of Cambridge, Diocese of Ely), of the net annual value of £7,306.

SCALE OF INCOMES OF INCUMBENTS, 1820-1830

Diocese	Total No. Benefices Returned to Commissioners Exclusive of Sinecure Rectories	Under £50	£50- 100	£100- 150	£150- 200
Llandaff	192	8	46	36	32
London	634	7	36	41	64
Norwich	1021	35	110	125	115
Oxford	196	6	30	37	30
Peterborough	293	2	20	32	38
Rochester	94	--	2	4	11
Salisbury	396	8	24	45	48
Winchester	417	17	42	46	41
Worcester	223	5	29	32	30
York	889	49	191	191	109
Sodor and Man	23	1	12	4	--
TOTAL	10,478	297	1,629	1,602	1,354

SCALE OF INCOMES OF INCUMBENTS, 1820-1830

Continued

£200- 300	£300- 400	£400- 500	£500- 700	£700- 1000	£1000- 1500	£1500- 2000	£2000- 4000	Over £4000
33	14	9	4	--	--	--	--	--
126	101	88	87	45	19	8	2	--
195	143	108	115	51	11	1	1	--
33	28	13	10	8	1	--	--	--
66	58	35	26	14	2	--	--	--
18	18	10	17	11	2	--	--	--
92	69	49	38	19	4	--	--	--
65	70	49	51	24	10	1	1	--
48	25	13	19	13	9	--	--	--
136	77	44	55	31	12	4	--	--
3	2	--	--	1	--	--	--	--
1,979	1,326	830	843	434	134	32	16	2

APPENDIX D

CLASSIFICATION OF THE PATRONAGE OF THE BENEFICES
IN ENGLAND AND WALES, 1830

CLASSIFICATION OF THE PATRONAGE OF THE BENEFICES
IN ENGLAND AND WALES, 1830

	Crown	Archbishops and Bishops	Deans, Chapters and Ecclesiastical Corporations Aggregate
St. Asaph	2	120	--
Bangor	6	78	1
Bath and Wells	21	29	39
Bristol	12	15	11
Canterbury	18	148	36
Carlisle	4	20	27
Chester	26	34	34
Chichester	19	31	21
St. David's	63	102	16
Durham	12	45	36
Ely	2	31	21
Exeter	63	44	69
Gloucester	29	30	35
Hereford	26	36	26
Lichfield and Coventry	53	18	10
Lincoln	156	73	63
Llandaff	14	6	28
London	75	86	58
Norwich	95	85	47

CLASSIFICATION OF THE PATRONAGE OF THE BENEFICES
IN ENGLAND AND WALES, 1830
Continued

Dignitaries and Ecclesiastical Corporations Sole*	Universities Colleges Hospitals Not Ecclesiastical	Private Owners	Municipal Corporations
2	1	19	--
7	3	29	--
103	23	224	4
42	14	159	10
36	14	87	2
19	3	54	--
227	13	299	6
49	15	130	--
61	12	159	--
28	4	66	--
13	46	39	--
117	11	309	5
40	26	113	3
54	11	179	--
122	6	391	5
177	102	688	--
19	7	118	--
105	68	277	--
124	86	596	13

* Including Rectors and Vicars.

CLASSIFICATION OF THE PATRONAGE OF THE BENEFICES
IN ENGLAND AND WALES, 1830

	Crown	Archbishops and Bishops	Deans, Chapters and Ecclesiastical Corporations Aggregate
Oxford	12	13	22
Peterborough	31	18	12
Rochester	10	15	17
Salisbury	35	39	44
Winchester	30	53	15
Worcester	20	14	38
York	103	57	61
Sodor and Man	15	8	--
TOTAL	952	1,248	787

CLASSIFICATION OF THE PATRONAGE OF THE BENEFICES
IN ENGLAND AND WALES, 1830
Continued

Dignitaries and Ecclesiastical Corporations Sole*	Universities Colleges Hospitals Not Ecclesiastical	Private Owners	Municipal Corporations
16	59	78	--
40	32	171	--
8	4	44	--
67	60	154	--
79	53	197	--
39	15	98	--
257	33	397	5
--	--	1	--
1,851	721	5,096	53

* Including Rectors and Vicars.

MODE OF LEASING LAND BY THE VARIOUS ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1840

Diocese	Yearly Average Fine	Number of Leases Subsisting		Yearly Amount of Fines in Respect of Leases	
		On Lives	For Terms	On Lives	For Terms
Canterbury	£ 6,036	24	232	£ 624	£ 5,012
York	9,405			4,572	4,833
St. Asaph	330	6	47	37	293
Bangor					
Bath and Wells	3,151	769	10	3,251	40
Bristol	1,534	16	3	1,391	243
Carlisle	872	81	18	900	364
Chester	2,100	34	2	1,984	216
Chichester	2,011	69	34	1,342	669
St. David's	214	25	36	80	134
Durham	4,746	290	315	4,197	5,544
Ely	9,380	84	65	5,265	4,095
Exeter	660	57	9	370	90
Gloucester	1,606	102	32	1,222	384
Hereford	1,013	43	39	689	324
Lichfield	773	23	22	395	378
Lincoln	2,320	34	20	1,460	860
Llandaff	72	4	11	19	54
London	6,475	86	73	3,500	2,975

APPENDIX E

MODE OF LEASING LAND BY THE VARIOUS ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1840

MODE OF LEASING LAND BY THE VARIOUS ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1840

Continued

Diocese	Yearly Average Fine	Number of Leases Subsisting		Yearly Amount of Fines in Respect of Leases	
		On Lives	For Terms	On Lives	For Terms
Canterbury	£ 6,636	24	232	£ 624	£ 6,012
York	9,405	127	136	4,572	4,833
St. Asaph	330	6	47	37	293
Bangor	547	30	29	199	348
Bath and Wells	3,191	789	10	3,151	40
Bristol	1,534	16	3	1,291	243
Carlisle	872	81	58	508	364
Chester	2,100	34	2	1,984	116
Chichester	2,011	69	34	1,342	669
St. David's	214	25	36	80	134
Durham	8,746	290	315	4,192	4,554
Ely	9,380	84	65	5,285	4,095
Exeter	660	57	9	570	90
Gloucester	1,606	102	32	1,222	384
Hereford	1,013	83	39	689	324
Lichfield	773	23	22	395	378
Lincoln	2,320	34	20	1,460	860
Llandaff	73	4	11	19	54
London	6,475	86	73	3,500	2,975

MODE OF LEASING LAND BY THE VARIOUS ARCHIEPISCOPAL AND
EPISCOPAL SEES IN ENGLAND AND WALES, 1840
Continued

Diocese	Yearly Average Fine	Number of Leases		Yearly Amount of Fines in Respect of Leases	
		Subsisting		On Lives	For Terms
Norwich	£ 3,552	43	53	£ 1,591	£ 1,961
Oxford	1,519	43	3	1,420	99
Peterborough	1,622	22	38	594	1,028
Rochester	613	18	2	522	61
Salisbury	990	17	6	732	285
Winchester	5,451	169	56	4,094	1,357
Worcester	3,179	483	5	3,146	33
TOTAL	£74,812	2,559	1,336	£43,249	£31,563

MODE OF LEASING LAND BY THE VARIOUS ECCLESIASTICAL
CORPORATIONS AGGREGATE, 1840.

Chapter	Yearly Average Fine	Number of Leases Subsisting		Yearly Amount of Fines in Respect of Leases	
		On Lives	For Terms	On Lives	For Terms
Carlisle	£ 3,532	--	272	£ --	£ 3,532
Chester	906	--	45	--	906
Ely	4,868	--	131	--	4,868
Exeter	730	--	13	--	730
APPENDIX F					
MODE OF LEASING LAND BY THE VARIOUS ECCLESIASTICAL CORPORATIONS AGGREGATE, 1840					
Gloucester	3,584	4	33	--	3,584
Lichfield	810	12	58	--	810
St. Paul's	3,908	15	177	--	3,908
Llandaff	772	--	29	--	772
Peterborough	3,134	7	57	224	2,910
Rochester	4,220	2	194	--	4,220
Wells	8,452	222	41	7,481	971
Westminster	14,754	34	624	1,570	13,184
Winchester	7,291	--	190	--	7,291
Windsor	11,421	--	210	--	11,421
Worcester	4,211	36	286	447	3,764
York	5,002	113	51	3,375	1,627
TOTAL	£83,092	592	3,134	£13,594	£69,498

MODE OF LEASING LAND BY THE VARIOUS ECCLESIASTICAL
CORPORATIONS AGGREGATE, 1840

Chapter	Yearly Average Fine	Number of Leases Subsisting		Yearly Amount of Fines in Respect of Leases	
		On Lives	For Terms	On Lives	For Terms
Carlisle	£ 3,532	--	272	£ --	£ 3,532
Chester	906	--	45	--	906
Ely	4,868	--	131	--	4,868
Exeter	6,207	126	430	477	5,730
Gloucester	3,584	4	339	--	3,584
Lichfield	810	12	58	--	810
St. Paul's	3,908	15	177	--	3,908
Llandaff	772	--	29	--	772
Peterborough	3,134	7	57	224	2,910
Rochester	4,220	2	194	--	4,220
Wells	8,452	222	41	7,481	971
Westminster	14,754	34	624	1,570	13,184
Winchester	7,291	--	190	--	7,291
Windsor	11,421	--	210	--	11,421
Worcester	4,211	36	286	447	3,764
York	5,002	113	51	3,375	1,627
TOTAL	£83,092	592	3,134	£13,594	£69,498

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848

Counties	Payable to Clerical Appropriators	Payable to Parochial Incumbents	Payable to Lay Incorporees	Payable to Schools & Colleges
Bedford	£ 1,928	£ 928	£ 500	£ 500
Bucks	360	457	114	2
Bucks	1,055	1,055	2,231	282
Cambridge	1,017	3,391	28	595
Gloucester	3,251	3,622	1,540	111
Gloucester	---	---	---	---
Shropshire	1,538	1,231	1,151	921
Derby	1,589	2,587	7,350	---
Derby	1,300	1,361	785	---
Derby	---	285	184	---
Derby	780	671	4,082	---
Derby	1,150	5,254	1,684	---
Gloucester	397	940	1,067	2

APPENDIX G

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848

Counties	Payable to Clerical Appropriators	Payable to Parochial Incumbents	Payable to Lay Impropriators	Payable to Schools Colleges
Bedford	£ ---	£ 928	£ ---	£ 500
Berks	360	457	118	2
Bucks	1,055	1,055	2,231	122
Cambridge	1,017	3,391	28	593
Chester	3,251	3,622	1,540	---
Cornwall	---	---	---	---
Cumberland	1,508	1,231	151	901
Derby	1,689	2,567	7,350	---
Devon	1,300	361	785	---
Dorset	---	285	184	---
Durham	766	675	2,682	---
Essex	50	5,254	1,684	---
Gloucester	397	540	1,047	2

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848
Continued

Counties	Payable to Clerical Appropriators	Payable to Parochial Incumbents	Payable to Lay Impropriators	Payable to Schools Colleges
	£	£	£	£
Hereford	459	1,155	8	159
Hertford	---	1,145	207	---
Huntingdon	---	1,602	401	---
Kent	---	757	330	987
Lancaster	2,184	4,695	6,742	151
Leicester	28	4,418	1,393	18
Lincoln	1,607	9,209	3,938	244
Middlesex	---	160	---	---
Monmouth	316	1,043	3	126
Norfolk	285	1,877	1,358	208
Northampton	10	3,897	423	322
Northumberland	3,280	1,003	2,637	276
Nottingham	908	2,170	818	---

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848
Continued

Counties	Payable to Clerical Appropriators	Payable to Parochial Incumbents	Payable to Lay Impropriators	Payable to Schools Colleges
	£	£	£	£
Oxford	2,291	3,991	1,883	1,227
Rutland	73	614	340	---
Salop	245	8,096	6,156	208
Somerset	---	669	21	328
Southampton	---	1,632	1,089	1,362
Stafford	1,806	1,681	4,994	57
Suffolk	343	3,161	1,345	1,604
Surry	---	3,204	671	800
Sussex	2,040	4,492	2,966	410
Warwick	---	3,625	3,305	1,372
Westmorland	---	303	307	497
Wilts	2,156	576	843	138
Worcester	424	705	106	---

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848
Continued

Counties	Payable to Clerical Appropriators	Payable to Parochial Incumbents	Payable to Lay Impropriators	Payable to Schools Colleges
	£	£	£	£
York, City and Ainsty	186	11	---	---
York, East Riding	784	1,746	2,256	22
York, North Riding	3,305	2,040	4,889	56
York, West Riding	922	4,109	5,570	733
Anglesey	173	227	194	---
Brecon	516	709	184	---
Cardigan	---	418	829	---
Carmarthen	866	355	889	---
Carnarvon	---	884	122	289
Denbigh	932	983	4	---
Flint	---	2,086	5	---
Glamorgan	200	1,149	874	---
Merioneth	---	672	169	---

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848
Continued

Counties	Payable to Clerical Appropriators	Payable to Parochial Incumbents	Payable to Lay Impropriators	Payable to Schools Colleges
	£	£	£	£
Montgomery	138	1,152	371	37
Pembroke	165	37	73	---
Radnor	252	191	---	---
TOTAL	£38,303	£103,038	£76,535	£13,717

GRAND TOTAL OF ALL TITHE-CHARGES £3,910,917

GENERAL SUMMARY OF TITHE RENT-CHARGES, 1848

	Total Rent-Charges Apportioned	Total Rent-Charges Not Apportioned	Grand Total of Tithe Rent-Charges
	£	£	£
Payable to Clerical Appropriators and Lessees	611,913	38,303	650,216
Payable to Parochial Incumbents	2,238,607	103,038	2,341,646
Payable to Lay Impropriators	654,999	76,535	731,535
Payable to Schools, Colleges, etc.	173,802	13,717	187,519
			<hr/>
		GRAND TOTAL OF ALL RENT-CHARGES	£3,910,917

COMPARISON OF NUMBER OF BENEFICES TO POPULATION IN ENGLAND AND WALES,
IN 1835 AND 1851

PROVINCE OF CANTERBURY

Diocese	No. of Benefices in 1835	Population in 1835	No. of Benefices in 1851	Population in 1851
Canterbury	363	402,885	352	417,099
St. Asaph	131	197,392	179	235,298
Exeter	126	153,364	129	192,964
Bath and Wells	441	403,908	452	426,492
Bristol	254	263,328	442	536,207 ¹
Gloucester	267	236,956	311	326,844
St. David's	407	372,683	412	407,750
Worcester	149	186,716	579	442,412
Exeter	630	792,935	657	927,650
Gloucester	281	273,806		See Bristol
Hereford	226	207,452	358	216,243

APPENDIX H

COMPARISON OF NUMBER OF BENEFICES TO POPULATION IN ENGLAND AND WALES, IN 1835 AND 1851

¹Includes Gloucester

COMPARISON OF NUMBER OF BENEFICES TO POPULATION IN ENGLAND AND WALES,
IN 1835 AND 1851

PROVINCE OF CANTERBURY

Diocese	No. of Benefices in 1835	Population in 1835	No. of Benefices in 1851	Population in 1851
Canterbury	343	402,885	352	417,099
St. Asaph	131	197,392	170	236,298
Bangor	124	153,344	129	192,964
Bath and Wells	441	403,908	462	424,492
Bristol	254	263,328	442	538,109 ¹
Chichester	267	236,950	311	336,844
St. David's	407	372,685	412	407,758
Ely	149	126,316	529	482,412
Exeter	632	792,935	657	922,656
Gloucester	281	275,806	See Bristol	
Hereford	256	207,451	358	216,143

¹Includes Gloucester

COMPARISON OF NUMBER OF BENEFICES TO POPULATION IN ENGLAND AND WALES,
IN 1835 AND 1851

Continued

PROVINCE OF CANTERBURY

Diocese	No. of Benefices in 1835	Population in 1835	No. of Benefices in 1851	Population in 1851
Lichfield and Coventry	606	983,783	536	1,022,080
Lincoln	1,234	855,039	797	677,694
Llandaff	192	183,990	230	337,526
London	635	1,688,899	324	2,143,340
Norwich	910	692,163	910	671,583
Oxford	209	139,581	584	503,042
Peterborough	290	186,193	536	465,671
Rochester	94	196,716	564	577,298
Salisbury	386	320,547	449	379,296
Winchester	416	780,214	523	1,080,412
Worcester	212	357,548	417	752,376

COMPARISON OF NUMBER OF BENEFICES TO POPULATION IN ENGLAND AND WALES,
IN 1835 AND 1851

Continued

PROVINCE OF YORK

Diocese	No. of Benefices in 1835	Population in 1835	No. of Benefices in 1851	Population in 1851
York	819	1,463,503	534	764,538
Carlisle	127	127,701	137	154,933
Chester	554	1,902,354	436	1,183,497
Durham	146	452,637	245	701,381
Manchester			317	1,395,494
Ripon			410	1,033,457

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

	Canterbury ¹	York ²	London	Durham ³	Winchester
	£	£	£	£	£
1830	20,119	23,518	14,599	21,499	10,924
1831	20,891	9,507	8,700	23,073	14,515
1832	24,574	10,865	14,824	24,824	9,199
1833	30,883	10,994	19,577	23,713	12,264
1834	21,984	13,048	12,330	37,439	9,506
1835	20,839	11,592	12,406	19,387	10,777
1837	23,307	13,881	13,774	19,577	12,912
1838					9,224
1839	29,980	10,367	12,793	23,745	9,580
1840	32,719	10,366	12,479	29,806	16,282
1841	31,322	13,208	12,424	37,161	12,290
1842	22,801	22,241	21,248	23,346	11,211
1843	27,705	20,141	13,519	22,416	11,599
1844	25,353	16,294	14,390	24,554	10,140
1845	25,957	17,499	14,922	22,366	19,383
1846	40,633	19,305	17,649	27,031	11,793
1847	39,892	10,722	13,879	39,108	9,319
1848	30,053	7,972	24,272	35,124	11,313
1849	27,324	19,217	16,974	26,755	10,792
1850	21,959	8,569	19,895	38,619	28,386

APPENDIX I

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

¹ Paid to the Ecclesiastical Commissioners, 1849, £1,700; 1850, 45,543.

² Paid to the Ecclesiastical Commissioners, 1850, 43,750.

³ Paid to the Ecclesiastical Commissioners, 1837-1850, £11,200 annually.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND
EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

	Canterbury ¹	York ²	London	Durham ³	Winchester
	£	£	£	£	£
1830	20,110	23,518	14,599	21,499	10,924
1831	26,691	9,667	8,708	23,079	14,515
1832	28,574	10,865	14,824	24,884	9,199
1833	30,883	10,994	19,577	23,723	12,264
1834	21,984	13,048	12,330	37,439	9,506
1835	20,839	11,592	12,906	19,387	10,777
1837	23,307	13,988	15,754	19,577	12,012
1838	27,702	12,519	15,208	28,756	9,224
1839	29,980	10,349	12,793	23,745	9,580
1840	32,719	10,366	12,429	29,806	16,283
1841	31,822	13,208	18,424	37,161	12,290
1842	22,801	22,241	21,248	23,346	11,211
1843	27,705	20,141	13,519	22,416	11,599
1844	25,353	16,294	14,390	24,558	10,140
1845	25,957	17,499	14,922	22,366	19,383
1846	40,633	19,305	17,649	27,031	11,793
1847	39,892	10,722	13,879	39,108	9,319
1848	30,053	7,972	24,272	35,124	11,313
1849	27,324	19,217	18,974	20,755	10,792
1850	21,959	8,569	19,895	38,619	28,388

¹Paid to the Ecclesiastical Commissioners, 1849, £1,700; 1850, £5,043.

²Paid to the Ecclesiastical Commissioners, 1850, £3,750.

³Paid to the Ecclesiastical Commissioners, 1837-1850, £11,200 annually.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND
EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

	St. Asaph £	Bangor £	Bath & Wells £	Bristol ⁴ £	Carlisle £
1830	7,269	7,164	6,482	1,674	1,598
1831	6,593	5,985	5,430	5,389	1,720
1832	7,396	6,438	7,551	2,541	2,382
1833	6,907	5,473	5,582	2,643	1,829
1834	6,135	5,581	5,951	---	8,369
1835	7,203	5,535	6,411	---	1,023
1837	8,387	6,744	6,537	---	3,806
1838	8,008	9,117	7,193	---	3,372
1839	9,226	9,191	7,280	---	2,838
1840	8,510	8,187	6,304	---	2,911
1841	7,252	7,447	6,420	---	7,962
1842	9,288	6,676	7,179	---	2,922
1843	8,084	7,467	4,567	---	2,476
1844	8,402	6,265	5,795	---	6,340
1845	9,748	6,112	7,163	---	3,037
1846	7,020	7,647	4,547	---	2,565
1847	7,201	6,003	5,187	---	2,685
1848	7,250	5,541	8,803	---	4,580
1849	7,687	6,324	6,180	---	3,558
1850	6,355	6,163	6,971	---	4,324

⁴Bristol was united with Gloucester in 1837. See Gloucester and Bristol after this period. The mark --- indicates that the income for that year is not available.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND
EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

	Chester ⁵	Chichester ⁶	St. David's ⁷	Ely ⁸	Exeter ⁹
	£	£	£	£	£
1830	1,682	3,342	3,360	19,583	2,581
1831	1,590	2,972	2,717	12,138	2,223
1832	3,150	4,206	4,332	6,519	3,956
1833	1,831	4,073	5,619	11,312	3,062
1834	3,587	3,739	3,185	12,138	2,445
1835	2,918	3,331	3,379	5,019	2,022
1837	1,695	4,913	4,510	8,290	---
1838	4,390	2,956	2,360	11,036	---
1839	8,016	2,822	4,126	9,893	---
1840	1,901	4,433	3,302	14,738	---
1841	1,894	3,913	4,108	6,495	---
1842	3,343	8,220	4,490	10,403	---
1843	1,893	5,888	3,199	6,486	---
1844	3,361	4,471	7,182	13,785	2,594
1845	5,099	4,735	7,000	7,625	1,396

⁵Received from the Ecclesiastical Commissioners, 1848, £550; 1849, £1,100; 1850, £1,100.

⁶Received from the Ecclesiastical Commissioners, 1844-1850, £650 annually.

⁷Received from the Ecclesiastical Commissioners, 1844-1850, £1,600 annually.

⁸Paid to the Ecclesiastical Commissioners, 1844, £2,500; 1845, £1,140; 1848, £4,000; 1850, £3,000.

⁹The mark --- indicates that the income for that year is not available.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

Continued

	Chester ⁵	Chichester ⁶	St. David's ⁷	Ely ⁸	Exeter ⁹
1830	£ 733	£ 3,168	£ 280	£ 4,350	£
1846	1,925	3,244	8,041	5,947	1,635
1847	9,416	5,161	5,834	10,435	1,510
1848	2,155	3,706	5,274	8,822	3,093
1849	3,402	5,687	5,577	9,223	1,499
1850	2,725	5,319	5,029	4,223	1,919
1837	5,221	2,739	---	---	4,930
1838	9,327	1,919	---	---	7,685
1839	6,569	5,537	---	---	5,383
1840	5,837	4,515	---	---	4,419
1841	8,013	5,918	---	---	7,539
1842	6,509	3,201	---	---	7,047
1843	2,226	4,577	---	---	5,610
1844	3,701	5,738	5,047	---	4,229
1845	3,695	5,561	5,867	---	5,203

⁵Received from the Ecclesiastical Commissioners, 1848, £550; 1849, £1,100; 1850, £1,100.

⁶Received from the Ecclesiastical Commissioners, 1844-1850, £650 annually.

⁷Received from the Ecclesiastical Commissioners, 1844-1850, £1,600 annually.

⁸Paid to the Ecclesiastical Commissioners, 1844, £2,500; 1845, £1,140; 1848, £4,000; 1850, £3,000.

⁹The mark --- indicates that the income for that year is not available.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

	Gloucester & Bristol ¹⁰	Hereford	Lichfield ¹¹	Lincoln
	£	£	£	£
1830	1,938	3,168	4,280	4,350
1831	2,824	3,395	4,784	5,887
1832	3,252	2,643	4,656	3,279
1833	1,267	3,872	5,482	3,508
1834	2,765	3,504	4,138	3,401
1835	1,829	2,737	4,383	4,159
1837	5,221	2,739	---	2,980
1838	9,527	1,919	---	9,685
1839	6,549	5,537	---	5,329
1840	5,837	4,515	---	4,419
1841	8,013	5,918	---	7,539
1842	6,509	3,201	---	7,047
1843	2,226	4,577	---	5,610
1844	3,701	5,738	5,047	4,229
1845	3,695	5,564	5,867	5,203
1846	7,886	5,929	4,977	3,896
1847	3,189	12,808	4,991	3,954
1848	6,260	5,493	4,709	4,947
1849	4,699	2,998	4,709	3,926
1850	4,170	4,468	6,034	4,961

¹⁰Bristol was united with Gloucester in 1837. See Gloucester and Bristol after this period. The mark --- Indicates that the income for that year is not available.

¹¹The mark --- indicates that the income for that year is not available.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

	Llandaff ¹²	Manchester ¹³	Norwich ¹⁴	Oxford ¹⁵	Peter- borough ¹⁶
	£	£	£	£	£
1830	---		6,067	2,451	3,664
1831	---		4,880	4,388	4,186
1832	1,738		5,060	1,041	7,712
1833	1,217		4,122	1,293	2,441
1834	2,480	2,550	3,438	1,042	1,634
1835	1,007	4,200	3,909	1,064	3,630
1837	796	4,200	5,295	2,599	2,897
1838	875		5,251	1,328	3,326
1839	666		5,766	1,604	7,014
1840	687		5,286	1,545	3,606
1841	1,505		3,816	1,644	2,279
1842	1,736		5,920	5,700	1,644
1843	890		8,765	1,778	2,944
1844	1,484		---	---	5,453

¹²Received from the Ecclesiastical Commissioners, 1850, £3,150.

¹³Endowment from the Ecclesiastical Commissioners, 1848, £2,550; 1849, £4,200; 1850, £4,200.

¹⁴The mark --- indicates that the income for that year is not available.

¹⁵The mark --- indicates that the income for that year is not available.

¹⁶Received from the Ecclesiastical Commissioners, 1844-1850, £1,150 annually.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850
Continued

	Llandaff ¹²	Manchester ¹³	Norwich ¹⁴	Oxford ¹⁵	Peterborough ¹⁶
	£	£	£	£	£
1845	622		---	---	5,131
1846	790		---	---	8,471
1847	2,707		---	---	6,749
1848	647	2,550	---	---	3,157
1849	753	4,200	---	---	3,655
1850	4,398	4,200	---	---	4,456

¹²Received from the Ecclesiastical Commissioners, 1850, £3,150.

¹³Endowment from the Ecclesiastical Commissioners, 1848, £2,550; 1849, £4,200; 1850, £4,200.

¹⁴The mark --- indicates that the income for that year is not available.

¹⁵The mark --- indicates that the income for that year is not available.

¹⁶Received from the Ecclesiastical Commissioners, 1844-1850, £1,150 annually.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850

	Ripon ¹⁷	Rochester ¹⁸	Salisbury	Worcester ¹⁹
	£	£	£	£
1830		962	2,812	7,781
1831		962	3,108	7,537
1832		3,540	12,881	11,418
1833		4,884	6,909	8,602
1834		3,812	10,825	6,503
1835		---	3,099	4,993
1837	1,348	1,489	3,352	6,313
1838	3,577	1,594	6,698	6,995
1839	2,665	1,239	3,804	15,937
1840	6,288	1,254	3,664	8,649
1841	1,941	1,117	17,661	7,179
1842	2,217	1,802	7,091	4,799
1843	2,721	1,102	12,879	7,294
1844	3,698	768	8,121	8,820

¹⁷Estates transferred from the sees of Durham and York. Received from the Ecclesiastical Commissioners, 1844-1847, £2,200 annually; 1848-1850, £2,700 annually.

¹⁸Received from the Ecclesiastical Commissioners, 1846, £1,875; 1847-1850, £3,750 annually.

¹⁹Paid to the Ecclesiastical Commissioners, 1845, £3,687; 1846, £1,552; 1847, £1,552; 1848, £776; 1849, £7,682; 1850, £1,100.

GROSS ANNUAL INCOME OF THE ARCHIEPISCOPAL AND
 EPISCOPAL SEES IN ENGLAND AND WALES, 1830-1850
Continued

	Ripon ¹⁷	Rochester ¹⁸	Salisbury	Worcester ¹⁹
	£	£	£	£
1845	5,516	996	6,414	12,723
1846	4,755	3,673	5,450	8,131
1847	6,629	6,730	2,965	6,310
1848	3,939	6,644	9,914	11,623
1849	4,417	4,607	6,386	12,813
1850	4,770	4,607	6,128	5,430

MAP OF ENGLAND SHOWING THE DIOCESES IN 1835

¹⁷ Estates transferred from the sees of Durham and York. Received from the Ecclesiastical Commissioners, 1844-1847, £2,200 annually; 1848-1850, £2,700 annually.

¹⁸ Received from the Ecclesiastical Commissioners, 1846, £1,875; 1847-1850, £3,750 annually.

¹⁹ Paid to the Ecclesiastical Commissioners, 1845, £3,687; 1846, £1,552; 1847, £1,552; 1848, £776; 1849, £7,682; 1850, £1,100.

APPENDIX J

MAP OF ENGLAND SHOWING THE DIOCESES IN 1835

APPENDIX K

MAP OF ENGLAND AND WALES, SHOWING THE DIOCESES
IN 1850

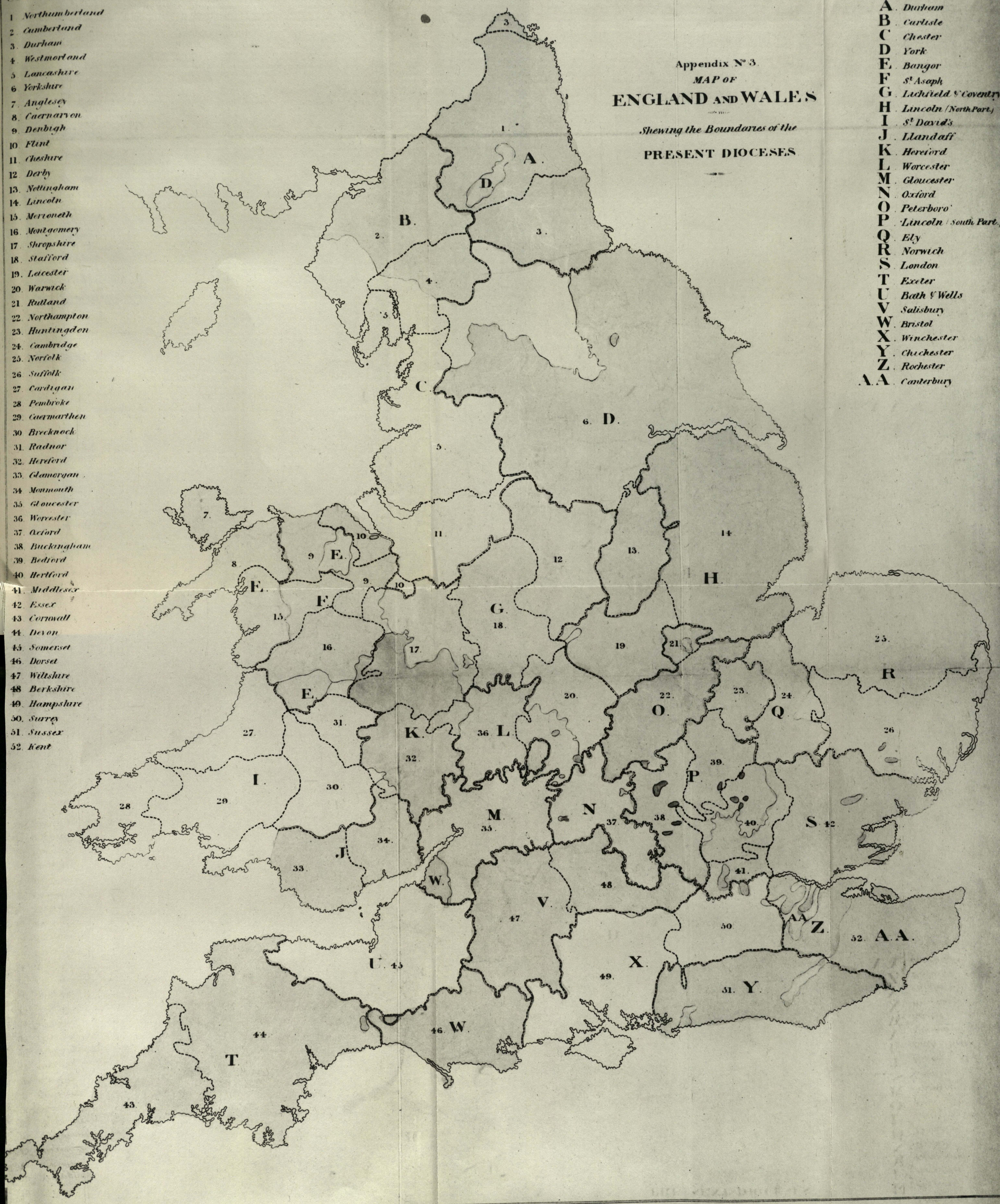
COUNTIES.

1. Northumberland
2. Cumberland
3. Durham
4. Westmorland
5. Lancashire
6. Yorkshire
7. Anglesey
8. Caernarvon
9. Denbigh
10. Flint
11. Cheshire
12. Derby
13. Nottingham
14. Lincoln
15. Merioneth
16. Montgomery
17. Shropshire
18. Stafford
19. Leicester
20. Warwick
21. Rutland
22. Northampton
23. Huntingdon
24. Cambridge
25. Norfolk
26. Suffolk
27. Cardigan
28. Pembroke
29. Caermarthen
30. Brecknock
31. Radnor
32. Hereford
33. Glamorgan
34. Monmouth
35. Gloucester
36. Worcester
37. Oxford
38. Buckingham
39. Bedford
40. Hertford
41. Middlesex
42. Essex
43. Cornwall
44. Devon
45. Somerset
46. Dorset
47. Wiltshire
48. Berkshire
49. Hampshire
50. Surrey
51. Sussex
52. Kent

DIOCESSES.

- A. Durham
- B. Carlisle
- C. Chester
- D. York
- E. Bangor
- F. S^t Asaph
- G. Lichfield & Coventry
- H. Lincoln (North Part.)
- I. S^t David's
- J. Llandaff
- K. Hereford
- L. Worcester
- M. Gloucester
- N. Oxford
- O. Peterboro'
- P. Lincoln (South Part.)
- Q. Ely
- R. Norwich
- S. London
- T. Exeter
- U. Bath & Wells
- V. Salisbury
- W. Bristol
- X. Winchester
- Y. Chichester
- Z. Rochester
- AA. Canterbury

Appendix N^o 3.
 MAP OF
ENGLAND AND WALES
 Shewing the Boundaries of the
PRESENT DIOCESES



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¹Unless otherwise indicated, the Sessional Paper
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Return of gross amounts of Rents, Royalties, Wayleaves, &c. that became due and payable to the Ecclesiastical Commissioners for England during each year 1880-85, in respect to Rents, Royalties, Wayleaves, &c., in the County of Durham, &c. (London, 1886).

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Return of the Annual Proceeds and Application of the Episcopal Fund from its commencement to the present time; giving, in detail, the Amount of Contribution from each See; also, the Amount of Payment in Augmentation of the Income of any See; and specifying the Amount and Purpose of all other Payments made out of the Fund in each year. (London, 1850).

Accounts and Papers relating to the Finances of
the Church at the Parochial Level

Return of Benefices, Rectories, or Vicarages united under the Act 1 & 2 Vict. c. 106, stating the Names of the United Benefices, with the Names of the Incumbent or Incumbents, Population, Value, and the Distance that the Churches of each of the United Benefices are from each other, with the County and Diocese in which situated. (London, 1850).

Return of Benefices, Rectories, or Vicarages united under the Act 1 & 2 Vict. c. 106, stating the Names of the United Benefices, with the Names of the Incumbent or Incumbents, Population, Value, and the Distance that the Churches of each of the United Benefices are from each other, with the County and Diocese in which situated. (London, 1851).

Return of Benefices, Rectories, or Vicarages united under the Act 1 & 2 Vict. c. 106, stating the Names of the United Benefices, with the Names of the Incumbent or Incumbents, Population, Value, and the Distance that the Churches of each of the United Benefices are from each other, with the County and Diocese in which situated. (London, 1852).

Abstract Return of Benefices annexed to the several Sees of Gloucester and Bristol, Oxford and Peterborough, stating the Annual Value and Stipend paid to Curates; also the Lands Purchased by Railway Companies from Estates

in the hands of Dignitaries of the Church; and of Payments made to any Archbishop or Bishop out of the Episcopal Fund. (London, 1850).

Return of Benefices in England and Wales which have been Sequestered for the purpose of Discharging the Debts of any Incumbent since the passing of the Act 1 & 2 Vict. c. 106 (14 August 1838); stating the Names of the Benefices; Date of Sequestration; Amount for which each Benefice was Sequestered; Annual Value and Amount paid to Curates to perform the Ecclesiastical Duties of each Benefice. (London, 1851).

Names of the Benefices in England and Wales under Sequestration for Debt; with the date and number of years under Sequestration; the gross amount of the Debt; the Population and annual Value, &c. (London, 1860).

Number and Classes of Non-Resident Incumbents, and of Resident Incumbents, according to Diocesan Returns for 1827. (London, 1830).

Abstract of the Number and Classes of Non-Resident Incumbents, and the Number of Resident Incumbents; the Number of Curates serving Benefices on which the Incumbents are Non-Resident. (London, 1837).

Abstract of the Number and Classes of Resident and Non-Resident Incumbents, 1838; also of the Number of Curates, and Amount of Stipend. (London, 1840).

Abstract of the Number and Classes of Non-Resident Incumbents, 1842; total Number of Curates in each Diocese, 1842; Number of Residents in the Parsonage House; Number Licensed; Amount of Stipends arranged in Classes; Number of Benefices held by Non-Resident Incumbents, above and under £300. per annum. (London, 1843).

Abstracts of the Diocesan Returns made to Her Majesty, 1844, by the Archbishops, and Bishops; showing the Number of Resident and Non-resident Incumbents; Net Value of the Benefices in which Incumbents are Non-residents; Number and Stipend of Curates to Non-Resident Incumbents; Number and Stipend of Curates Assisting Resident Incumbents. (London, 1846).

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Abstract of the Number and Classes of Non-resident and Resident Incumbents in England and Wales; of the Number of Curates in each Diocese, and whether Resident in the Parsonage House or in the Parish, and the Amount of their Stipends; of the Number of Benefices held by Non-resident Incumbents, and their Value; and, similar Abstracts of the Number and Classes of Non-resident Incumbents, Resident Incumbents, Resident and Licensed Curates in England and Wales, and the Amount of Salaries, in 1848. (London, 1850).

Number of Benefices and Perpetual Curacies under £200 per Annum to which the Commissioners are empowered to grant Augmentations, if Funds enable them to do so; also of Benefices under £100 to which £100 may be advanced for building Glebe Houses. (London, 1836).

Return of Glebe Lands in England and Wales, showing Parishes in which situated; estimated Annual Value, &c. (London, 1887).

Sums paid into the First Fruits Office, Temple, and into the Exchequer, 1820 to 1830. (London, 1830).

Sums paid into the Tenths, into the Exchequer, and into Queen Anne's Bounty, 1820 to 1830. (London, 1830).

Names, Salaries, Fees, &c. of every Patentee or Officer of the First Fruits, Tenths, and Queen Anne's Bounty Offices; Amount of Contingencies, &c. 1832 to 1836. (London, 1837).

Return by Christopher Hodgson, the Treasurer of Queen Anne's Bounty, of the Canonries, Prebends, and Dignities now vacant in the several Cathedral and Collegiate Churches of England and Wales, which, under the Ecclesiastical Duties and Revenues Bill, it is proposed to suppress; specifying when the same became Vacant, with the Amount received on account of such Preferment by the Treasurer of Queen Anne's Bounty. (London, 1840).

Abstract of the Sums borrowed from the Governors of Queen Anne's Bounty, and which have not yet been repaid, for the building, altering, or repairing of Episcopal or other Residences. (London, 1848).

Return of the Meetings held by the Governors of Queen Anne's Bounty and the Attendance of each Governor, from 1836 to 1849; also, Committee Meetings, and the Names of the Governors attending them: similar Return as to Commissioners appointed to carry into effect the Church Building Acts. (London, 1850).

Receipts and expenditure [of the Queen Anne's Bounty Board] for 1867, with also the Sum available and a list of benefices for augmentation in 1868. (London, 1868).

Fees, Allowances, &c., paid to the Treasurer [of the Queen Anne's Bounty Board] under 11 & 12 Vict. c. 98; with the Diocese for which the payments were made. (London, 1859).

Fees, Allowances, &c., paid to the Treasurer [of the Queen Anne's Bounty Board] under 11 & 12 Vict. C. 98; with the Diocese for which the payments were made. (London, 1863).

Number of Small Livings augmented from the Funds at the disposal of the Ecclesiastical Commissioners in England and Wales, specifying the Name, Locality, and Diocese of each Living, the original Value, and the Amount of Augmentation. (London, 1843).

Benefices and Churches augmented by the Ecclesiastical Commissioners for England, made up to 1st May, 1844. (London, 1844).

Number of Small Livings augmented by unconditional Grants from Funds at the disposal of the Ecclesiastical Commissioners in England and Wales; of Grants to meet such Benefactions from other Sources made to Benefices and Churches in public and private Patronage; of Grants to Benefices and Churches possessing Local Claims under Property vested in the Commissioners; and of Grants to Incumbents of Mother Churches, in compensation for Fees transferred to new District Churches. (London, 1850).

Return from Registrars of each Diocese in England and Wales of Augmentations granted to poor vicarages and Curacies under the Acts 26 Car. 2. c. 8 and 1 & 2 Will. 4, c. 45; showing the Amount Reserved; date of Instrument under which Secured; and Name of Ecclesiastical Corporation effecting same. (London, 1864).

Return from Registrars of each Diocese in England and Wales of Augmentations granted to Poor Vicarages and Curacies under the Acts 26 Car. 2, c. 8 and 1 & 2 Will, 4, c. 45; showing the Amount Reserved; date of Instrument under which Secured; and Name of Ecclesiastical Corporation effecting same. (London, 1866).

Summary of Return of Proceedings under Lord Chancellor's Augmentation Act since same came into operation (1st November 1863), to 22nd of February 1870. (London, 1870) Similar returns in continuation. (London, 1871-1880).

Return of Applications for Augmentation received by the Commissioners [Ecclesiastical] and not yet provided for. (London, 1857).

Return of Benefices Augmented out of the [Ecclesiastical] Commissioners' Common Fund, Amount and Sum contributed from Private Sources; also cases of Patronage which the Commissioners have consented to Transfer, in Consideration of the Building of a Church or Parsonage House, or of an Endowment being wholly or in part provided, &c. (London, 1859).

Return of Tithe Rent-charges Vested in the Commissioners for England, showing the Parish out of which the Tithe Rent-charges arise; Amount at which Commuted; Names and Population and Incomes of the Benefices therein; and Grants made to such Benefices. (London, 1860).

Return of Grants made by the Commissioners, showing the name of the Beneficees, County, Diocese, &c., for 1862. (London, 1862.)

Return of the Benefices permanently Augmented and Endowed from 1840 up to 31st October 1880; with amount, giving in respect of Lands, and other Hereditaments Annexed, their estimated Annual Value; also Amount of Benefactions and Endowments, in Stock and Cash, received by them from Non-ecclesiastical Sources, and Estimated Value of Land and Hereditaments given by Benefactors to meet Grants. (London, 1881).

Account of each Purchase Completed by the Governors of Queen Anne's Bounty in 1830, and 1835 to 1863; specifying Living; Quantity of Land, Tithes, &c. (London, 1865).

Memorial from certain Clergy for Augmentation of Small Livings, and report thereon. (London, 1866).

Number and Amount of Grants accorded in each year, 1836 to 1866, Names of Benefices Augmented, and the present Value; special Sums entrusted to the [Queen Anne's Bounty] Board for Augmentation of particular Benefices to which no Corresponding Grant has been accorded, and the names of the Benefices and the Donors; and, Applications made for Augmentation made during 1866, with the names of the Applicants and Benefices, and Grants accorded. (London, 1867).

Return of Livings of £60 a year and Under Augmented during the last thirty years, showing if in Conjunction with Benefactors; and the yearly Value at the time of the Augmentation. (London, 1867).

List of Benefices Approved for Augmentation in 1868.
(London, 1869).

Amount of Church Rates in the year ending Easter 1827 in each County in England and Wales, of Church Rates and other Monies received and Expended by the Churchwardens in the year ending Easter 1832, and of Church Rates and other Monies received and expended in the year 1839.
(London, 1839).

Monies received and expended by Churchwardens and Chapelwardens in England and Wales, from Easter 1838 to Easter 1839; also an Account of Debts due by the Parish or Chapelry for Expenses chargeable on the Church Rates, with a Statement of the Particulars thereof. (London, 1839).

Abstract Return from each City and Parliamentary Borough in England and Wales, specifying the Number of Church Rates required, made, or refused, from Easter 1833 to Easter 1851; specifying the Amount in £l of such Rate; the Amount assessible to the Poor-rate, so far as the same can be ascertained; and the Population of the said City or Borough; the Suits, or any other Legal Proceedings, describing the same, which have followed the refusal of Church Rates. (London, 1852).

Return of receipt and expenditure by Churchwardens and Chapelwardens in England and Wales, from Easter 1853 to Easter 1854; distinguishing sums received by them from Church Rates, &c. and from other Sources, in aid or in lieu of Church Rates, &c. (London, 1856).

Amount of Church Rates, &c. received and expended by Churchwardens in 1832, 1839, and 1854; Sums borrowed on the Security of Church Rates, and remaining due in 1830 and 1854. (London, 1857).

Return from each Parish within the several Archdeaconries in England and Wales, of the amount expended during the last seven years for Church Purposes, stating extraordinary expenditure materially affecting the average; also the amount expended, and how, &c.; assessment to Poor Rate, &c. (London, 1859).

Return of Rateable Value of property assessed to Poor Rate in Parishes in which, according to the above returns, no Church Rates were made. (London, 1859).

Return of Parishes in cities or Parliamentary Boroughs in England and Wales in which (during the last fifteen years) Church Rates have been Refused, and since that Refusal have Ceased to be collected, &c. (London, 1856).

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58 Geo. 3, c. 45.

59 Geo. 3, c. 134.

3 Geo. 4, c. 72.

5 Geo. 4, c. 103.

7 & 8 Geo. 4, c. 72.

9 Geo. 4, c. 42.

1 & 2 Will. 4, c. 38.

2 & 3 Will. 4, c. 61.

1 & 2 Vict. c. 107.

2 & 3 Vict. c. 49.

¹The Thirty-third Report, (1853) was not printed. The Church Building Commission was merged with the Ecclesiastical Commission for England and Wales by the Act 19 & 20 Vict. c. 55.

3 & 4 Vict. c. 60.

6 & 7 Vict. c. 37.

7 & 8 Vict. c. 56.

7 & 8 Vict. c. 94.

8 & 9 Vict. c. 70.

9 & 10 Vict. c. 68.

9 & 10 Vict. c. 88.

11 & 12 Vict. c. 37.

13 & 14 Vict. c. 97.

17 & 18 Vict. c. 32.

19 & 20 Vict. c. 55.

19 & 20 Vict. c. 104.

Acts of Parliament Relating to New Parishes or
Districts

58 Geo. 3. c. 45.

59 Geo. 3. c. 134.

1 & 2 Will 4. c. 38.

1 & 2 Vict. c. 49.

3 & 4 Vict. c. 60.

6 & 7 Vict. c. 37.

7 & 8 Vict. c. 94.

14 & 15 Vict. c. 97.

19 & 20 Vict. c. 104.

Acts of Parliament Relating to the
Ecclesiastical Commission

6 & 7 Will. 4. c. 77.

6 & 7 Will. 4. c. 87.

1 & 2 Vict. c. 23.	19 & 20 Vict. c. 55.
1 & 2 Vict. c. 29.	21 & 22 Vict. c. 57.
1 & 2 Vict. c. 30.	21 & 22 Vict. c. 71.
1 & 2 Vict. c. 31.	22 & 23 Vict. c. 46.
1 & 2 Vict. c. 106.	23 & 24 Vict. c. 124.
1 & 2 Vict. c. 107.	23 & 24 Vict. c. 142.
2 & 3 Vict. c. 55.	24 & 25 Vict. c. 105.
3 & 4 Vict. c. 113.	25 & 26 Vict. c. 52.
4 & 5 Vict. c. 39.	26 & 27 Vict. c. 36.
5 & 6 Vict. c. 26.	26 & 27 Vict. c. 120.
5 & 6 Vict. c. 58.	28 & 29 Vict. c. 57.
5 & 6 Vict. c. 79.	28 & 29 Vict. c. 68.
5 & 6 Vict. c. 108.	29 & 30 Vict. c. 111.
5 & 6 Vict. c. 112.	31 & 32 Vict. c. 114.
6 & 7 Vict. c. 37.	31 & 32 Vict. c. 117.
6 & 7 Vict. c. 60.	31 & 32 Vict. c. 118.
6 & 7 Vict. c. 62.	32 & 33 Vict. c. 56.
6 & 7 Vict. c. 77.	32 & 33 Vict. c. 94.
7 & 8 Vict. c. 68.	33 & 34 Vict. c. 39.
7 & 8 Vict. c. 94.	34 & 35 Vict. c. 43.
9 & 10 Vict. c. 88.	35 & 36 Vict. c. 14.
10 & 11 Vict. c. 108.	35 & 36 Vict. c. 49.
13 & 14 Vict. c. 94.	37 & 38 Vict. c. 63.
14 & 15 Vict. c. 104.	38 & 39 Vict. c. 71.
16 & 17 Vict. c. 50.	38 & 39 Vict. c. 76.
17 & 18 Vict. c. 84.	39 & 40 Vict. c. 54.
17 & 17 Vict. c. 116.	41 & 42 Vict. c. 44.
	41 & 42 Vict. c. 68.

Acts of Parliament, previous to the creation of the Ecclesiastical Commission, but made to bear upon the Proceedings of the Commission.

27 Hen. 8. c. 16.

17 Car. 2. c. 3.

29 Car. 2. c. 8.

4 & 5 Ann. c. 32.

7 Ann. c. 38.

17 Geo. 3. c. 53.

21 Geo. 3. c. 66.

37 Geo. 3. c. 20.

43 Geo. 3. c. 117.

1 & 2 Will 4. c. 45.

2 Will 4. c. 10.

2 & 3 Will 4. c. 19.

5 & 6 Will 4. c. 30.

6 Will 4. c. 19.

6 Will 4. c. 20.

Other Important Acts of Parliament

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4 & 5 Vict. c. 35. (Copyhold Enfranchisement.)

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VITA

Charles W. Coolidge was born on the 16th of March 1927. He attended and was graduated from Mt. Vernon High School. He received the B.A. degree from Oberlin College in 1947. He was an instructor in European history at Kenyon College between the years 1948 and 1951. In 1947 he studied at The Johns Hopkins University. Returning in 1951 he received his M.A. from that institution in 1953. Between 1953 and 1955 he was resident at Trinity College, The University of Dublin. Upon returning to the United States he accepted a position as instructor in history at The University of South Carolina, where he is at present teaching.



