



This Indenture

made the seventh day of June One

thousand eight hundred and ninety Between John Irving of Mortimer of Rastick in the County of York Manufacturer and John Walker of Upper Edge Elland in the said County Procer of the one part and Richard Marsden of Upper Edge aforesaid Labourer Joseph Hepworth of Elland aforesaid Millhand Brook Sheffield of Upper Edge aforesaid Millhand George Parker of Rastick aforesaid Wheelwright the said John Irving Mortimer George Henry Sykes of Fisby in the said County Quarryman William Barber Quarryman Henry Sugden Quarryman David Gedhill Quarryman Stram Chadwick Quarryman Ernest Normanton Quarryman Joseph Beaumont Blacksmith all of Upper Edge aforesaid and the said John Walker of the other part Whereas by an Indenture

dated the tenth day of July One thousand eight hundred and eighty nine and expressed to be made between William Capel Clarke-Thornhill of the first part The Honorable Reginald Algernon Capel of the second part and the said John Irving Mortimer and John Walker of the Third part In consideration of the sum of Sixty pounds paid by the said John Irving Mortimer and John Walker out of moneys belonging to them on a joint account to the said Reginald Algernon Capel as purchase money the said William Capel Clarke-Thornhill conveyed the piece

or parcel of land hereinafter described unto and to the use of the said John Irving Mortimer and John Walker in fee simple And whereas the purchase expressed to be made by the said Indenture of the tenth day of July One thousand eight hundred and eighty nine has been made by the said John Irving Mortimer and John Walker on behalf of the Society of Protestant Dissenters called Baptists now meeting for Divine Worship at Upper Edge aforesaid of which Society the said Richard Marsden, Joseph Hepworth, Brook Sheffield, George Parker, John Irving, Mortimer, George Henry Sykes, William Barber, Henry Sugden, David Gedhill, Stram Chadwick, Ernest Normanton, Joseph Beaumont and John Walker are the Trustees and the purchase money of Sixty pounds therein expressed to be paid by the said John Irving Mortimer and John Walker has been in fact paid by the said Richard Marsden, Joseph Hepworth, Brook Sheffield, George Parker, John Irving Mortimer, George Henry Sykes, William Barber, Henry Sugden, David Gedhill, Stram Chadwick, Ernest Normanton, Joseph Beaumont and John Walker out of moneys belonging to the said Society and the said John Irving Mortimer and John Walker have therefore agreed to make such conveyance as is hereinafter expressed Now this Indenture witnesseth that

in pursuance of the said Agreement and in consideration of the premises the said John Irving Mortimer and John Walker as trustees hereby convey unto the said Richard Marsden, Joseph Hepworth, Brook Sheffield, George Parker, John Irving Mortimer, George Henry Sykes, William Barber, Henry Sugden, David Gedhill, Stram Chadwick, Ernest Normanton, Joseph





19/11/89

7 Beaumont and John Walker That piece or parcel
of land containing One thousand two hundred square
yards or thereabouts situate at Upper Edge Elland in the
township of Rastiel (in the above recited Indenture wrongly
described as being situate in the township of Seoby) in the
parish of Halifax in the West Riding of the County of
York bounded on the East and West by other property
belonging to the said William Capel Clarke-Thomhill on
the North by property belonging to the trustees of Kaye
Aspinal and on the South by the Turnpille Road leading
8 from Elland to Dewsbury To hold the same unto and

to the use of the said Richard Marsden, Joseph Hepworth, Brook Sheffield,
George Parker, John Irving, Mortimer, George Henry Sykes, William Barber, Henry
Sugden, David Gledhill, Hiram Chadwick, Ernest Normanton, Joseph
Beaumont and John Walker in fee simple Upon the trusts and with and
subject to the powers and provisions hereinafter declared and contained
concerning the same that is to say

9 1 Upon trust that the said Richard Marsden, Joseph Hepworth, Brook
Sheffield, George Parker, John Irving, Mortimer, George Henry Sykes, William
Barber, Henry Sugden, David Gledhill, Hiram Chadwick, Ernest Normanton,
Joseph Beaumont and John Walker or the survivors of them or other the
Trustees for the time being of these presents (hereinafter called "the said
Trustees") shall build upon the said piece or parcel of land a chapel
10 and such other buildings and accommodation as may be necessary usual
or convenient for carrying on the work of the Society of Protestant Dissenters
called Baptists professing the doctrines belief or principles hereinafter
mentioned that is to say.

1. Belief in the plenary inspiration of the Holy Scriptures as a
revelation from God
2. Belief in God the Father Almighty Maker of Heaven and Earth
and in Jesus Christ, His only Son our Lord, also in the Holy Spirit
3. Belief in the equal Deity of the Son and Holy Spirit in the Unity
of the ever Blessed Trinity
4. Belief in the sufficiency of the atonement by Christ for all men
5. That no man is able of himself to secure eternal life, but must be
born again of God in Christ through the Holy Spirit
6. That believers are able by aid of the Holy Spirit victoriously to
resist sin
7. Belief in the necessity of regeneration and holiness of life as
essential to true religion and that without holiness no man
shall see the Lord
8. Belief in the resurrection of the body and life everlasting
9. Belief in the final perseverance or perfection of Saints
10. Belief in the Communion of Saints
11. Belief in the Sacrament of our Lord's Supper in memory of

our dear Lord

12. That the only right mode of baptism is by immersion in water

13. That ordinance as explained in the New Testament always points to a moral and spiritual change.

and now meeting for Divine worship at Upper Edge aforesaid (hereinafter called "the said Society") And shall permit the said chapel or meeting house to be used as a place of public worship and instruction by the said

14. Society and also by such other persons as shall hereafter be invited to the said chapel or meeting house as a House of God and for the purpose of such public worship and instruction to permit to officiate in the said chapel or meeting house such person or persons of the denomination of Protestant Dissenters called Baptists professing the doctrines belief or principles

15. aforesaid as the members of the said Society shall from time to time by a special resolution elect as their Minister or Pastor during their will and pleasure only.

2. And upon further trust that in case no Sunday School or class rooms shall be erected or provided by the said Society and if the members of the said Society shall by special resolution so determine then

16. the said Trustees shall permit and suffer a Sunday School to be conducted and carried on from time ^{to time} in the said chapel or meeting house either altogether or so far as it may be deemed necessary or expedient by reason of the insufficiency of any school or class rooms so for the time being erected or provided by the said Society for the purposes aforesaid or any of them, but only at such hours and times as shall not

17. interfere with public worship in the said chapel or meeting house and in all cases whether in the said meeting house or not under such government, orders and regulations as shall be agreed upon by the members of the said Society.

3. And upon further trust that the said trustees shall from time to time raise such sum or sums of money as the members of the said Society shall by special resolution direct by mortgage or mortgages

18. of all or any part of the said trust estate and make any conveyance demise or other assurance whatsoever for that purpose including a power of Sale and all other usual covenants and powers and shall

19. lay out and apply all moneys which shall from time to time be so raised as aforesaid as and when the same shall be received by them the said trustees in or towards the building of the said chapel or meeting house and other buildings herebefore mentioned or any of them or any part thereof or the rebuilding enlarging improving repairing or furnishing the same buildings or any of them or any part thereof respectively.

- 4 **And** upon further trust that the said trustees shall when
thereunto required by a special resolution of the members of the said
Society absolutely sell the said hereditaments and premises or exchange
20 the said hereditaments and premises or any part thereof for any other
lands or hereditaments whether freehold copyhold customary or
leasehold and make any conveyances or assurances whatsoever for
the said purposes. **Provided** always that the said trustees shall
stand seized or possessed of the hereditaments and premises which
shall be so taken in exchange upon the same trusts as are herein
declared concerning the hereditaments hereby assured. **And** also shall
21 stand possessed of the money which from time to time shall be received
on any such sale or exchange upon trust to lay out and dispose of
the same in the purchase of any such lands and hereditaments as
aforesaid to be held upon the same or the like trusts as are herein declared
concerning the hereditaments hereby assured or for the improvement of
22 the trust property or the enlargement repair or rebuilding of the trust
premises or for such other purpose or purposes for the benefit of the said
Society as the members of the said Society shall from time to time by
special resolution direct. **Provided** always that upon any
mortgage sale or exchange purporting to be made in pursuance
of any trust or power hereintofore contained no mortgagee purchaser
or other person dealing bona fide with the said trustees shall be
23 bound or concerned to inquire whether the occasion for executing or
exercising such trust or power has arisen or as to whether any
such church meeting as aforesaid has been held or as to the competency
of or regularity of any such church meeting or of any requisition or
resolution passed or purporting to have been passed thereat or
otherwise as to the propriety or regularity of any such mortgage sale
24 or exchange and notwithstanding any impropriety or irregularity in
such mortgage sale or exchange the same shall as regards a purchaser
mortgagee or such other person as aforesaid be deemed to be within the
aforesaid trusts or powers and be valid accordingly. **But in case**
the said Society shall be totally dissolved or dispersed or the regular
public worship at the said chapel or meeting-house be discontinued
25 by them for the space of twelve calendar months together then
upon further trust to let convey or otherwise dispose of the said
chapel or meeting-house hereditaments and premises with the
appurtenances to such person or persons for such term in such manner
and for such purposes as the said Trustees shall determine for the
benefit of a Society called Particular Baptists.
- 5 **Provided** also and it is hereby agreed and declared
26 that a Steward or Treasurer shall from time to time be chosen as
often as may be necessary by the said Trustees from among themselves

and that all the seatrents and other moneys which shall become due for or in respect of the said Chapel or meeting house and other buildings hereinbefore mentioned shall be paid to such Steward or Treasurer whose receipts shall be sufficient discharges to the respective persons paying the same And that such Steward or Treasurer for the time being shall stand and be possessed of all the same moneys ^{by or through the trustees} ^{to the purposes of the} Upon the trusts following that is to say

1 In paying all taxes assessments expenses and charges which shall or may from time to time be assessed imposed or charged upon the said Chapel or meeting house and other buildings hereinbefore mentioned

2 In paying and keeping down the interest of all moneys which shall have been advanced or be owing on the credit or security of the said Chapel or meeting house and other buildings hereinbefore mentioned

3 In applying so much of the said trust moneys as shall be necessary in paying the Minister's or Pastor's Salary and in repairing the said Chapel or meeting house and other buildings hereinbefore mentioned and defraying all incidental expenses attending the celebration of Divine Worship therein

4 In paying and applying the residue of the same trust moneys from time to time in such manner as the said Trustees shall appoint in reducing the principal moneys which shall for the time being be owing on the credit or security of the said Chapel or meeting house and other buildings hereinbefore mentioned until the said principal moneys shall be fully paid off and discharged

306 **Provided** also and it is hereby agreed and declared that a membership with the said Society shall only be acquired and retained by persons who are adult or of understanding having undergone or undergoing the ordinance of baptism by immersion in water and by subscribing to and holding the doctrines beliefs or principles hereinbefore set forth

7 **Provided** also and it is hereby agreed and declared that when and so often during the continuation of the trusts hereby created as the number of the trustees shall by death resignation bankruptcy or entering into any arrangement with creditors ceasing to be a member of the said Society or removal from office or beyond the seas or incapacity to act, be reduced to five for the purposes aforesaid or oftener if the members of the said Society shall think it expedient so many others shall be named and chosen to be trustees, as shall make up the whole number of trustees to

Thirteen such new trustees to be from time to time nominated appointed and chosen from among the male members of the said Society by a special resolution of the members of the said Society and upon every such choice the continuing trustees for the time being shall by sufficient assurances in the law at the expense of the trust estate or of the funds of the said Society assure the said chapel or meeting house hereditament and premises with the appurtenances in such manner that the same may become legally and effectually vested in such new trustee or trustee jointly with any continuing trustees or in such new trustees only as the case may require upon such or the like trusts and for such or the like or husband purposes as are hereinbefore declared and expressed of and concerning the same premises

Provided always that the term "special resolution" in these presents shall mean a resolution passed at a meeting of the members of the said Society duly convened by a majority of not less than two thirds of the members then present and also that any question relating to the times and the mode of conducting service in the said Chapel or meeting house and also any question matter or thing relating to the government regulations or administration of the said Society or its affairs or the premises which does not affect the said doctrines belief or principles and which is not hereinbefore directed to be determined by special resolution is not herein otherwise provided for may be determined by a simple majority of the members present at any meeting of the members of the said Society duly convened

Provided lastly that every meeting of the members of the said Society shall be convened by notice given in the said chapel or meeting house by the said Minister or Pastor or one of the said Trustees during divine service on the two Sundays immediately preceding such meeting and that similar notice shall be given of any special resolution intended to be submitted to any such meeting **In witness** whereof the said parties to these presents have hereunto set their hands and Seals the day and year first above written

Signed sealed and delivered by the said parties hereto (the words "but without prejudice to the previous trusts" having first been interlined between the sixth and seventh lines of the fifth page herof) in the presence of

John Briggs
Blackley, Elland,
Baptist Minister
W. Horner
John Bradford

Mr. J. M. ...

John Walker

RICHARD
MORGEN

Joseph ...



Signed sealed and delivered by the
said

B B Sheffield

George Park
George Henry Sykes

William Barber

Henry Sugden

David Gledhill

H. Chadwick

Ernest Normanston

Joseph Beaumont

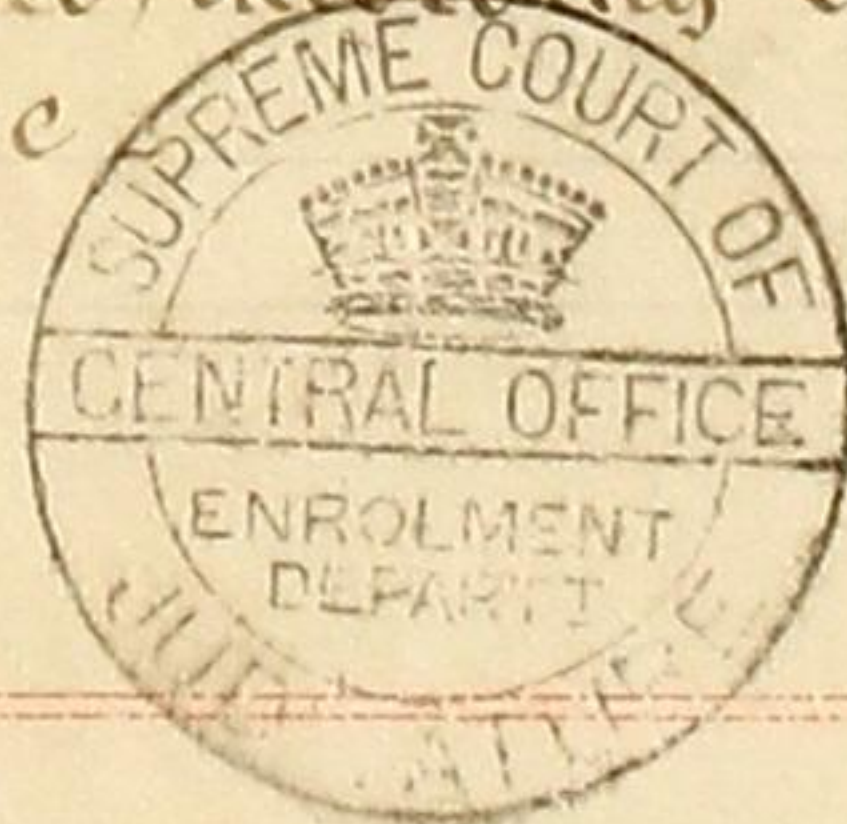
59

A Memorial was registered at the
West Riding Register of Deeds at Wakefield the
tenth of June 1890 at 10.0 in the
forenoon in Volume 18 Page 532 Number 291

William Park Acting Registrar.

Enrolled in the Central Office of the Supreme Court of
Judicature the twelfth day of June in the year of our Lord
1890 (being first duly stamped) according to the tenor of the
Statute made for that purpose

47 25.





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695 - 12th June £ 1.19 -

Dated ^{Waterloo} 7th June 1890

Mr John Irving Mortimer
and Mr John Walker

— to —

Mr Richard Marsden
of others —

CONVEYANCE of freehold land
at Upper Edge Elland in the County of York for the
purpose of erecting thereon a Baptist Chapel and
Declaration of the trusts thereof —

W. Horner
Bradford