

No. 11.



S U P P L E M E N T

TO THE

NEW SOUTH WALES GOVERNMENT GAZETTE,

OF TUESDAY, JANUARY 25, 1848

Published by Authority.

WEDNESDAY, JANUARY 26, 1848.

*Colonial Secretary's Office,
Sydney, 26th January, 1848.*

DIOCESE OF NEWCASTLE.

REFERRING to the Notice in the Supplementary *Government Gazette* of the 1st instant, headed "Diocese of Sydney," His Excellency the Governor is pleased to direct the publication of the following Letters Patent, erecting the Bishoprick of Newcastle, and naming and appointing

THE REVEREND WILLIAM TYRRELL, DOCTOR IN DIVINITY,
to be Ordained and Consecrated Bishop of the said See of Newcastle.

By His Excellency's Command,

E. DEAS THOMSON.

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VICTORIA, BY THE GRACE OF GOD, OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, QUEEN, DEFENDER OF THE FAITH,

To all to whom these presents shall come, greeting :—

Whereas His late Majesty, Our Royal Uncle King William the Fourth did, by Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the eighteenth day of January, one thousand eight hundred and thirty-six, in the sixth year of His reign, erect, found, ordain, and constitute all the Territories and Islands comprised within or dependent upon Our Colonies of New South Wales, Van Diemen's Land, and Western Australia, to be a Bishop's See or Diocese, and did declare and ordain that the same should be styled the Bishoprick of Australia, and that the first and other Bishops thereof should be subject to the Archbishop of Canterbury for the time being as their Metropolitan, and did in and by the said Letters Patent, name and appoint William Grant Broughton, Clerk, theretofore Archdeacon of New South Wales, to be Bishop and Ordinary Pastor of the said See of Australia, and the said William Grant Broughton was thereupon ordained and consecrated to be the Bishop and Ordinary Pastor of the said See: And whereas in and by the said Letters Patent Our said Royal Uncle did declare, that if He, His Heirs, or Successors, should think fit to recal or revoke the appointment of the said Bishop of Australia or his Successors, and should declare such his pleasure by Letters Patent under the Great Seal of Our said United Kingdom, then every such Bishop should from and after the notification thereof in such manner as in the said Letters Patent should be directed to the said Bishop of Australia, to all intents and purposes cease to be Bishop of Australia: And whereas by virtue of the powers of revocation mentioned in the said Letters Patent, We did, with the concurrence of the said Bishop of Australia, by Letters Patent, bearing date the eighteenth day of August, in the year of Our Lord one thousand eight hundred and forty-two, wholly separate, divide, and exempt, the City of Hobart Town, and all that Our Island of Van Diemen's Land, and all islands and territories lying to the southward of Wilson's Promontory, in thirty-nine degrees twelve minutes south latitude, and to the northward by the forty-fifth degree of south latitude, and between the one hundred and fortieth and one hundred and fiftieth degrees of longitude east from Greenwich, and also Macquarie's Island, lying to the south-eastward of the said Island of Van Diemen's Land, and all other the dependencies of Our said Colony of Van Diemen's Land, and did declare that the said City and Colony should thenceforth be wholly separated and exempted from the jurisdiction, authority, and Diocese of the said Bishop of Australia and his Successors, and did ordain, make, constitute, and declare the same to be the Diocese of the Bishop of Tasmania, as by reference to the said Letters Patent will more fully appear: And whereas it has been represented to Us by the Most Reverend Father in God, William, by Divine Providence, Lord Archbishop of Canterbury, Primate of all England, and Metropolitan, that considering the present great extent of the said Diocese of Australia, notwithstanding the severance therefrom of the said Diocese of Tasmania as hereinbefore mentioned, and also the inconvenience and detriment arising therefrom, as well to the Bishop of the said See, as to the Members of the United Church of England and Ireland, resident within the same, he is desirous, with the concurrence of the said Bishop of Australia, that the extent of the said Diocese should be still further reduced, and that the same should be divided into four several and distinct Dioceses to be styled,

The Bishoprick of Sydney,
The Bishoprick of Newcastle,
The Bishoprick of Adelaide, and
The Bishoprick of Melbourne;

The Bishops of the said several Sees of Newcastle, Adelaide, and Melbourne, and their Successors, and also the Bishop of Tasmania and his Successors, and the Bishop of New Zealand and his Successors, to be subject and subordinate to the See of Sydney, and to the Bishop thereof and his Successors, in the same manner as any Bishop of any See within the Province of Canterbury is under the authority of the Archiepiscopal See of that Province and of the Archbishop of the same: And whereas We having taken the premises into Our Royal consideration, and having been certified of the concurrence therein of the said Bishop of Australia, are persuaded, that by complying with such the request of the said Archbishop, We shall under the blessing of Almighty God, greatly advance the wellbeing of the said United Church of England and Ireland within the said Colonies and Settlements, We have resolved to grant the same accordingly: Now know Ye, that in pursuance of such Our Royal intention, it is Our will and pleasure, and We do by these presents revoke and determine the said Letters Patent made and passed in the sixth year of the Reign of His said late Majesty King William the Fourth, to all intents and purposes save and except as to all acts, matters, or things which may have been done under the authority of the same, which we will and ordain shall be and remain of the same force and effect as if the said Letters Patent were not revoked and determined: And We do further by these Presents, erect, found, ordain, and constitute all those parts or portions of Our Colony known or called by the names of the Counties of Northumberland, Hunter, Durham, Brisbane, Phillip, Bligh, Gloucester, Macquarie, Stanley, with the Territory to the north and west, bounded by the twenty-first parallel of latitude, and the one hundred and forty-first degree of east longitude, to be a Bishop's See and Diocese, and to be called from henceforth the Bishoprick of Newcastle, saving nevertheless unto Us, Our Heirs, and Successors the powers of altering from time to time, with the consent of the Archbishop of Canterbury for the time being, if the said See be vacant, or otherwise of the said Archbishop, and of the Bishop of the said See for the time being, the limits of the said Diocese, or of the jurisdiction of the Bishop thereof: And to the end that this Our intention may be carried into due effect, We, having great confidence in the learning, morals, probity, and prudence of our Well Beloved William Tyrrell, Doctor in Divinity, do name and appoint him to be ordained and consecrated Bishop of the said See of Newcastle: And we do hereby signify

signify to the Most Reverend Father in God, William, by Divine Providence Lord Archbishop of Canterbury, Primate of all England and Metropolitan, the erection and constitution of the said See and Diocese, and our nomination of the said William Tyrrell, requiring, and by the Faith and Love whereby he is bound unto Us commanding the said Most Reverend Father in God to Ordain and Consecrate the said William Tyrrell to be Bishop of the said See and Diocese in manner accustomed, and diligently to do and perform all other things appertaining to his office in this behalf with effect: And We do ordain and declare, that the said William Tyrrell, so by Us nominated and appointed, after having been Ordained and Consecrated thereunto as aforesaid, may, by virtue of such appointment and consecration, enter into and possess the said Bishop's See as Bishop thereof without let or impediment from Us, Our Heirs and Successors, for the term of his natural life, subject nevertheless to the right of resignation hereinafter more particularly expressed: Moreover We will and grant by these presents, that the said Bishop of Newcastle shall be a Body Corporate, and do ordain, make, and constitute him to be a perpetual Corporation, and to have perpetual Succession, and that he and his Successors be for ever hereafter called or known by the name or title of the Lord Bishop of Newcastle: And that he and his Successors, by the name or title aforesaid, shall be able and capable in the Law, and have full power to purchase, have, take, hold, and enjoy, Manors, Messuages, Lands, Rents, Tenements, Annuities, and Hereditaments of what nature or kind soever in fee and in perpetuity, or for a term of life or years, and also all manner of Goods, Chattels, and things Personal whatsoever, of what nature or value soever; and that he and his Successors, by and under the said name or title, may prosecute, claim, plead and be impleaded, defend and be defended, answer and be answered; in all manner of Courts of Us, Our Heirs and Successors, and elsewhere in and upon all and singular Causes, Actions, Suits, Writs, and Demands, Real and Personal, and Mixed, as well Spiritual as Temporal, and in all other things, Causes, and Matters whatsoever: And that the said Bishop of Newcastle, and his Successors, shall and may for ever hereafter have and use a Corporate Seal, and the said Seal from time to time, at his and their will and pleasure break, change, alter, or make anew, as he or they shall deem expedient: And We do further by these Presents ordain and constitute the Town of Newcastle, within the said Colony of Australia, to be a Bishop's See, and the Seat of the said Bishop; and We do ordain that the said Town of Newcastle shall henceforth be a City, and be called the City of Newcastle: And We do hereby further ordain and declare, that the Church called "Christ Church," in the said City of Newcastle, shall henceforth be the Cathedral Church and See of the said William Tyrrell, and his Successors Bishops of Newcastle: And We do further ordain and declare, that the said Bishop of Newcastle, and his Successors, shall be subject and subordinate to the Bishop of Sydney, as Metropolitan, in the same manner as any Bishop of any See within the Province of Canterbury, in Our Kingdom of England is under the Metropolitan See of Canterbury, and the Archbishop thereof: And We do further will and ordain, that every Bishop of Newcastle shall take an Oath of due obedience to the Bishop of Sydney for the time being as his Metropolitan, which Oath shall and may be ministered by the said Archbishop, or by any person by him duly appointed or authorised for that purpose: And We do further by these presents expressly declare that the said Bishop of Newcastle, and also his Successors having being respectively by Us, Our Heirs and Successors, named and appointed, and by the said Archbishop of Canterbury, canonically ordained and consecrated according to the form of the United Church of England and Ireland, may perform all the Functions peculiar and appropriate to the office of Bishop within the said Diocese of Newcastle; and for a declaration of the spiritual causes and matters in which the aforesaid jurisdiction may be more specially exercised, We do by these presents further declare that the aforesaid Bishop of Newcastle, and his Successors may exercise and enjoy full power and authority by Himself or Themselves, or by the Archdeacon or Archdeacons, or the Vicar General, or other Officer or Officers hereinafter mentioned, to give Institution to Benefices, to grant Licenses to officiate to all Rectors, Curates, Ministers, and Chaplains of all the Churches or Chapels, or other places within the said Diocese, wherein Divine Service shall be celebrated according to the Rites and Liturgy of the Church of England, and to visit all Rectors, Curates, Ministers and Chaplains, and all Priests and Deacons in Holy Orders of the United Church of England and Ireland, resident within the said Diocese, as also to call before Him or Them, or before the Archdeacon or Archdeacons, or the Vicar General, or other Officer or Officers hereinafter mentioned, at such competent days, hours, and places, when and so often as to him or them shall seem meet and convenient, the aforesaid Rectors, Curates, Ministers, Chaplains, Priests and Deacons, or any of them, and to enquire as well concerning their morals as their behaviour in their said Offices and Stations respectively, subject nevertheless, to such rights of review and appeal as are hereinafter given and reserved; and for the better accomplishment of the purposes aforesaid, We do hereby grant and declare that the said Bishop of Newcastle and his Successors may found and constitute one or more Dignities in the said Cathedral Church, and also one or more Archdeaconries within the said Diocese, and may collate one or more fit and proper persons to be Dignitaries of the said Cathedral Church, and one or more fit and proper persons to be Archdeacons of the said Archdeaconries respectively: Provided always, that such Dignitaries and Archdeacons shall exercise such Jurisdiction only as shall be committed to them by the said Bishop or his Successors; and the said Bishop and his Successors may also, from time to time, nominate and appoint fit and proper persons to be respectively the Officers hereinafter mentioned, that is to say, to be Vicar General, Official, Principal, Chancellor, Rural Deans, and Commissaries either General or Special, and may also appoint one or more fit and proper persons to be Registrars and Actuaries: Provided always that the Dignitaries and Archdeacons aforesaid, shall be subject and subordinate to the said Bishop of Newcastle and his Successors, and shall be assisting to him and them in the exercise of his and their Episcopal Jurisdiction and Functions: And We will and declare that during a vacancy of the said See of Newcastle, by the demise of the Bishop thereof, or otherwise, the said Dignitaries

Dignitaries and Archdeacons, and the said Vicar General and other Officers respectively appointed as aforesaid, shall continue to exercise so far as by Law they may or can, the Jurisdiction and Functions delegated to them, and that the said Registrars and Actuaries shall respectively continue to discharge the duties wherunto they have been appointed, until a new Bishop of the said See of Newcastle shall have been nominated and consecrated, and his arrival within the limits of the said Diocese shall have been notified to the said parties respectively: And We further will and do by these presents declare and ordain, that it shall be lawful for any party against whom any judgment, decree, or sentence shall be pronounced by any of the said Archdeacons, or by the Vicar General, or other Officer or Officers of the said Bishop, or his Successors, to demand a re-examination and review of such judgment, decree, or sentence before the Bishop or his Successors in person, who upon such demand made shall take cognizance thereof, and shall have full power and authority to affirm, reverse, or alter the said judgment, sentence, or decree; and if any party shall conceive himself aggrieved by any judgment, decree, or sentence pronounced by the said Bishop of Newcastle, or his Successors, either in case of such review, or in any cause originally instituted before the said Bishop or his Successors, it shall be lawful for the said party to appeal to the said Bishop of Sydney, or his Successors, who shall finally decide and determine the said appeal: Provided always that in any such case of appeal or reviews, notice of the intention of the party to make such appeal or demand such review, shall be given to the Bishop or subordinate Judge, by whom the sentence appealed from or to be reviewed shall have been pronounced within fifteen days from the promulgation thereof: And we do further will and by these presents ordain that in all cases in which an appeal shall be made or review demanded as aforesaid, a copy of the judgment or sentence, in such case promulgated or given, setting forth the causes thereof, together with a copy of the evidence on which the same was founded, shall without delay be certified and transmitted by such subordinate Judge to the said Bishop or his Successor, or by the said Bishop or his Successor to the said Bishop of Sydney, as the case may require: Moreover it is Our will and pleasure, and We do hereby declare and ordain, that nothing in these presents contained shall extend, or be construed to extend to repeal, vary, or alter the Provisions of any Charter whereby Ecclesiastical Jurisdiction has been given to any Court of Judicature within the limits of the said Diocese; and for removing doubts with respect to the validity of the resignation of the said Office and Dignity of Bishop of Newcastle, it is Our further will that if the said Bishop or any of his Successors shall by Instrument under his Hand and Seal, delivered and sent to the Archbishop of Canterbury, for the time being, and by him accepted and registered in the Office of Faculties of the said Archbishop, resign the Office and Dignity of Bishop of Newcastle, such Bishop shall, from the time of such acceptance and registration, cease to be Bishop of Newcastle, to all intents and purposes; but without prejudice to any responsibility to which he may be liable in Law or Equity, in respect of his conduct in his said Office: And lastly, to the end that all things aforesaid may be firmly holden and done, We will and grant to the aforesaid William Tyrrell that he shall have Our Letters Patent, under our Great Seal of Our said United Kingdom duly made and sealed. In witness whereof we have caused these Our Letters to be made Patent.

Witness Ourselves at Westminster, the twenty-fifth day of June, in the eleventh year of Our Reign.

By Writ of Privy Seal.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
5800 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

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