

A CHRISTCHURCH CONTROVERSY

Over Monies Collected from Priory Visitors.

Churchwardens and their Ancient Rights.

Newspaper cutting: Saturday, February 24, 1923.

For some weeks past the parishioners of the old Priory Church at Christchurch have been in the throes of an acute controversy. The two contending parties, are the Churchwardens, Mr. Alan Druitt and Mr. A. J. Street, on the one side with their followers, and the Vicar and a majority of the Parochial Church Council on the other. The subject of the difference of opinion is the handling of the monies raised by the Visitors' Box Fund at the Priory, which involves considerably over a thousand pounds during the course of the year. The controversy reached a climax at the annual meeting of the Parochial Church Council, which took place in the Town Hall on Tuesday evening. When the meeting started at seven o'clock there was not a vacant space left in the hall, and keen interest, amounting almost to excitement, was evinced in the proceedings. The Vicar (the Rev. W. H. Gay) presided, supported by Mr. F. K. Abbott (hon. sec.), and members of the Council.

On the motion of Mr. John Druitt, seconded by Commander H. A. B. Shrubbs, and supported by Mr. Alan Druitt, the meeting expressed its regret at the illness of Mr. A. J. Street, one of the church-wardens, and wished him a speedy recovery.

REPORT OF THE COUNCIL

The report of the Parochial Church Council for the past year was presented by Mr. F. E. Abbott, hon. sec. The Council announced that they had effected the sale of the Church House for a sum of £500, which with the mortgage of £400 made £900 in all. Owing to the exceptional efforts of the Vicar and many devoted and hard-working friends, the overdraft at the Bank which at one time stood at over £800 had been completely wiped out, and the Council felt it was a matter for hearty congratulation to the Vicar and his generous helpers that such a result should have been obtained in such a very short time (applause).

A small committee had been appointed to report on any possible sites for a new church hall, and a sum of over £400 had already been subscribed or promised towards the Building Fund (applause).

THE VISITORS' BOX FUND

A considerable time, continued the report, had been occupied both by the Standing Committee of the Council as well as by the Council itself in the consideration of the Council's powers and duties with regard to the Visitors' Box Fund at the church. The report went on to refer to various sections of the Powers Measures, 1921, which had made considerable alterations in the law relating to the powers and duties of vestries and churchwardens. These included a sub-section which said: "All powers, duties and liabilities of the churchwardens relating to the financial affairs of the church, including the collection and administration of all moneys which may be raised for church purposes" should be transferred to the Parochial Church Council. The Council, said the report, gave very careful consideration to these sections of the Act and could come to no other general conclusion than that those sections dealt with the reception and administration of the moneys paid by visitors to the church, and that they should be included in the future budgets of church finance (applause). The churchwardens had throughout dissented from that view of the Council. On October 31st, by 15 votes to 2 (the churchwardens dissenting) the Council passed a resolution that the money collected in fees from the visitors to the Parish Church was money raised for church purposes within the hearing of the Powers Measure, 1921, and that the power of controlling such money and the duty of accounting for it was vested in the Church Council. The Churchwardens were in 1921 appointed treasurers of the Council. On Dec. 12th last owing to the Churchwardens declining to deal with the account of the Visitors' Box Fund in that capacity, the Standing Committee recommended that other treasurers should be appointed. This was confirmed by the Council on Jan. 9th, and it was resolved that the new treasurers should be appointed at the first meeting of the new Parochial Church Council. The Churchwardens therefore held office until that time.

OLD CHRISTCHURCH CONTROVERSY

The Vicar said the Council had had a very difficult time owing to the sharp divergence of opinion which had shown itself directly the Standing Committee dealt with the budget. Under the sections of the further Powers Measure, 1921, the committee felt compelled to include the Visitors' Box Fund, and he did not think they could have acted in any other way. The Churchwardens, as hon. treasurers of the Council, declined to accept the Council's ruling. This had opened up an old Christchurch controversy, and he was perfectly certain they could make no spiritual progress in the parish until it was finally settled (applause). The Churchwardens held that Henry VII.'s charter exempted them from the operations of the Enabling Act in respect to the Visitors' Box Fund. The question was forcibly brought forward some eleven

years ago, and taken before the Consistory Court at Winchester, the Chancellor of the Diocese ruling that the Priory was a parish church in the ordinary sense of the word, and that the Vicar and Churchwardens only had the ordinary rights, the same as any other parish. Although Mr. Alan Druitt challenged the jurisdiction of the Court at the time he had never appealed against the decision.

Mr. Alan Druitt claimed that it was no decision but an obiter dictum, an expression of opinion, which formed no part of the judgment.

VICAR'S SPORTING OFFER.

The Vicar disagreed because the whole matter hung on the point. Continuing, he said, they were going to elect a new Council, and if it intended loyally and constitutionally to observe the law of the country, and if there was a minority that felt aggrieved and disappointed let him suggest an appeal to the High Court of Justice (applause). "Most of you in this room love Christchurch," said the Vicar. "There are a few of you who have either in speeches or writings expressed that love. I will mention four—Mr. Alan Druitt, Mr. Herbert Druitt, Mr. Street, and the Vicar. I am a late comer, but I love Christchurch. I will make a sporting proposal that if the present Churchwardens are in the minority at the next Council, and if they appeal to the High Court of Justice I will write out a cheque for £100 on condition that Mr. Alan Druitt, Mr. Herbert Druitt and Mr. Street will also do the same—(applause)—the money to go towards some object such as the new church hall." The speaker pointed out that as Chairman of the Parochial Church Council he was bound to act constitutionally. He had shown the way out and hoped it would be accepted.

LAWS OF THE LAND.

Commander Shrubbs (vice-chairman of the Council) urged the Council to give strict adherence to the law of the land as represented the provisions of the Enabling Bill. There were many important matters ahead to be dealt with by the Council, and if they could only be given effect to if they all pulled together (applause). He proposed a resolution calling upon the incoming Council officers to give effect to the provisions of the Enabling Act, the Powers Measure, 1921, and all other measures of the National Assembly of the Church of England.

Mr. Kindersley seconded.

Mr. J. W. Vickery commented on the fact that the revenue for the Visitors' Box Fund had been omitted from the balance sheet, and said that the amount was something like £1,200 a year or £100 a month, and it was the major portion of the revenue from the Priory. They wanted to appoint men and women on the Council that night with the courage of their convictions and the determination to carry out the Act as it was intended (applause).

Mr. Budden said the Churchwardens were elected at the annual vestry meeting; the accounts were handed over to their care, and at the end of their tenure of office they were expected to hand the accounts back as they had been received. The Churchwardens had been between, the devil and the deep, blue sea. At Wimborne the visitors' box was controlled by the Churchwardens.

The Vicar replied that the accounts of the visitors' box at Wimborne were submitted to the Church Council there.

Mr. Russell Oakley pointed out that if they carried the proposal it would bind the Council to a course of action which in some cases individually they might not approve of.

Brig.-Gen. H. S. Sloman said the resolution was an instruction to the Church Council to carry out the law. How could there be any individual views on the subject.

Mr. W. Tucker moved the adoption of the report.

Mr. C. J. Whitemoor seconded.

SOME HECKLING.

Just as the Vicar was about to put the motion Mr. Herbert Druitt declared that it must first be discussed.

Mr. H. Druitt said the Vicar had mentioned his name more than once and made a sporting offer which he had not heard of before that meeting. One thing in the report which he specially objected to was the statement that the report of the Standing Committee had been very carefully considered by the Council. The members on the electoral roll did not take the interest in the proceedings of the Parochial Church Council that they might. He had attended two of their meetings and the subject simply was not discussed.

There were interruptions from some of those present, and the Vicar asked for attention to Mr. Druitt.

Mr. Herbert Druitt: Oh I am used to heckling. We went through it all ten years ago. Turning to the meeting he exclaimed: "You think you are quite strong and quite a large body, but I don't think you have as much spirit as you have body."

There was again considerable interruption.

The Vicar: I ask you to keep to the point (applause).

PEACE WITHOUT HONOUR.

Mr. Herbert Druitt: I am just as desirous of peace in this parish as anyone in this room (Voice: "Good"), but there is such a thing as peace with honour and peace without it, and peace without it is worth very little. I know this matter. I have been looking on for some little time and I know where things have been working. People have been going about talking and canvassing, and I know the

value of it. I know that the electoral roll and the people on it cannot claim to represent Christchurch. They are only part of it, and before your party (turning to the Vicar)—because I believe in calling a spade a spade—moves in this matter with such confidence as they think they are doing, let them consider there is a larger body of people they have not consulted, and that is the general public of Christchurch, who will decide this matter.

WHO ARE THE AGGRESSORS

"As in 1911 the aggressors were the clerical party, the aggressors are the clerical party to-day (' No, no ' and ' Entirely wrong '). All right. There is one point for the consideration of the congregation here and that is—has it ever occurred to any of you that the church and the churchyard are not part of the property of the Church of England at all (laughter), because they are not and never have been from their start to this day. When you assume that they are I think you are making a very great mistake because facts are facts. I wish this had been in the High Court ten years ago."

The Vicar: So do I (laughter).

Mr. Herbert Druitt continued that he came to the meeting not expecting to get fair play, and it was obvious from remarks of some of the Vicar's supporters that he was not. Mr. Druitt's concluding remarks were drowned in further interruptions from the meeting.

"THE PERSON ATTACKED."

Mr. Alan Druitt asked leave to speak last on the question as he was "the person attacked."

The Vicar: I don't like to call it an attack, we must deal with it in a friendly way.

Mr. Herbert Druitt: Don't load the dice sir.

There was strong objection to this remark from many of the audience, and the Vicar exclaimed: "If one speaker does not show good taste I would ask the rest to show as much good taste as possible" (applause).

The report of the Parochial Church Council was carried with one dissident.

Commander Shrubbs moved his resolution a second time.

MR. ALAN DRUITT'S REPLY.

After further discussion Mr. Alan Druitt came to the Chairman's table and replied to his critics. He submitted that the Parochial Church Council had absolutely no authority or ability to say what was the true interpretation of such complicated measures as the ones concerned. Mr. Druitt proceeded to refer

to the rights conferred by ancient charters and claimed that there was absolute and incontrovertible evidence from the church's minute books and otherwise that the Churchwardens and inhabitants right down to the present time owned and exercised the rights of ownership over the church and churchyard. Legal action had occasionally been taken as to that ownership. The Churchwardens and inhabitants instituted the fund known as the Visitors' Box Fund with the object of providing funds for the repair of the church, which they could not have done if they had not been the sole owners of the church and churchyard. There was nothing in the Parochial Church Council Powers Measure which affected that right of ownership of the church or churchyard or any real property whatever. The income received from that property must necessarily go with it and belong to the owners. These facts could be proved up to the hilt. The speaker proceeded to refer in detail to the various sections of the Act that had been mentioned.

TRUSTEES OF THE FUND

It was absolutely incorrect to say the Churchwardens sought to prevent the Act running in the parish of Christchurch. It was untrue and unfounded and ought never to have been said. The wardens considered themselves to be trustees of the fund. He alleged that some members of the Council were endeavouring to construe the Act to fit in with the end certain people had in view and wished to secure. This was an extraordinary thing to do and one that could only meet with condemnation. He contended they had no legal justification for destroying the position in Christchurch which had been maintained for over 400 years. The money collected from visitors was for the repair of the church and should be applied to no other purpose (applause). He had not sought to persuade or ask people to vote on the matter although he knew for a fact that people had been asked to come and vote whether they understood the measure and the position or not. Before voting they should consider it from a spiritual as well as temporal standpoint. Only a court of law would be competent to interpret the terms of the measure. If the Council was advised that the contention put forward in the resolution could be upheld let it commence an action against the Churchwardens and the inhabitants so that the matter might be effectually tried in a court of justice. The right and title of the wardens and inhabitants was more than 400 years old, and had never been contested. If the Council were advised it had no case let it leave the parish in peace so that the spiritual things which were the more important, might receive the attention they required. He had done all he could to assist the parish and make the measure a success, and he could not sit down under an accusation of endeavouring to prevent the measure running. He asked them to consider the matter far more seriously than they had done.

A DUEL.

There was a somewhat heated passage of words between Mr. Alan Druitt and Brig.-Gen. Sloman, the latter suggesting that Mr. Druitt was endeavouring to shift the onus from himself to the Vicar (a remark that was received with applause).

Mr. Alan Druitt: Certainly not.

Brig.-Gen. Sloman: The inhabitants on the electoral roll have elected the Church Council, who have, after due consideration, adopted a certain view of the Act. How do you get behind that?

Mr. Alan Druitt: By saying there is nothing whatever in that Act to justify that view, and I ask anyone who says there is to come and point it out.

A voice from the corner of the platform exclaimed: "They know as much as you do."

Mr Alan Druitt: It is no good sitting in the corner and grousing. Come out and explain it. It's all very well for people who do absolutely nothing to criticise.

The same voice: "Why should we not criticise?"

Mr. Abbott rose on a point of order, and Mr. Alan Druitt sat down protesting against Sir Stuart Fraser rising to speak after him.

NO PARISHES EXCLUDED FROM THE ACT.

Sir Stuart Fraser, who was greeted with applause, said he thought it only fair that the way the Council looked at the matter should be presented to the meeting. The Enabling Act put the law on an entirely new basis, and they took their stand on that. That law applied to parishes old and new (applause) and it was quite clear if it had intended to except from it provisions any parish which possessed charters of Henry VII. or historical records, it would have exempted them by name or defining their category, but there was no exception. At the Church Council meeting on October 31st, at which Mr. Alan Druitt was present, that question was raised and one of the members pointed out that there could be no intention of diverting the money from the Visitors' Box Fund to any other purpose than the repairs of the church and the stipends of the clergy. It was obvious that the money was being spent for church purposes, and the Act distinctly stated that the collection and administration of such money was transferred from the Churchwardens to the Council (applause). The will of the majority must prevail (hear, hear), and it was up to the minority to lodge an appeal in the proper quarter. During the past year the few had managed to impose their opinion on the many, a course that went by a very ugly name in Russia where it was being practised. They were for democracy and for the majority to rule (applause).

WHAT DOES THE ACT MEAN?

Mr. Alan Druitt: With the greatest respect Sir Stuart Fraser has failed to read the King's English. He contended that when the Act referred to the administration of monies to be raised for church purposes and affairs of the church, it did not mean the repair of the church or the buildings.

The Vicar: It does mean that in most parishes in the land.

The closure to the discussion was then applied, and the resolution was carried by an overwhelming show of hands, only five voting against it.

ACCOUNTS REFERRED BACK.

When the statement of accounts were being considered, several questions were asked by Mr. Alan Druitt concerning them, and Brig.-Gen. Sloman proposed: "That as the accounts contained in the church year book do not show a full statement of the Visitors' Box Fund Account they be referred to the Finance Committee of the next Church Council, to include the missing accounts."

Mr. G. E. Vint seconded.

Mr. Alan Druitt said it was an entirely different account, with a separate banking account. While he had the honour to be Churchwarden he would not consent to their spending one person's money on other persons' affairs.

Mr. W. Tucker proposed an amendment that the accounts as printed, be received.

Mr. Abbott seconded.

Brig.-Gen. Sloman's resolution was carried by 50 votes to 38.

THANKS TO CHURCH WORKERS.

The Churchwardens thanked the Sidesmen and all other church workers and officials for their assistance during the year. The Sidesmen were re-elected en bloc, Mr. R. Oakley's name being withdrawn from the list at his own request, and those of Capt. Dunkerley, Major Howe, and Mr. J. W. Vickery being added.

The representatives on the Ruri-Decanal Conference and on the Parochial Church Council were also elected.

As the hour was so late the meeting dispersed before the counting of vote had been completed, and the results were posted up the following day.

RESULT OF THE ELECTIONS.

The result of the elections in connection with the annual meeting of the Christ-church Parochial Church Council were as follows:—Representatives to the Ruri-Decanal Conference: Sir Stuart Fraser, Mr. F. E. Abbott, Mr. J. M.

Tinsley, Mr. W. Tucker, Mr. Alan Druitt, Mrs. K. Hartford, and Mrs. M. Druitt. These ladies and gentlemen become ex-officio members of the Parochial Church Council and the following were also elected: Commander H. A. B. Shrubbs, Mr. F. Ricardo, Mr. J. W. Vickery, Brig.-Gen. H. S. Sloman, Alderman L. Agate, Mr. S. A. B. Bennett, Mrs. E. M. Locke, Miss M. B. Robinson, Mr. A. Troke, Mr. C. J. Whitemore, Mr. A. J. Street, Major W. Howe, Mr. R. White, Sir Brian Egerton, Mr. J. T. Hyde, Mr. T. Budden, Mr. W. Tucker, Mr. A. Galton, Mrs. M. Thomas, Mr. . W. Tucker, and Mr. G. Bellamy.