

AT the Court at *Osborne-House, Isle of Wight*, the 27th day of *August* 1846,

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS the Ecclesiastical Commissioners for England have, in pursuance of an Act, passed in the session of Parliament held in the third and fourth years of Her Majesty's reign, intituled "An Act to carry into effect, with certain modifications, the fourth report of the Commissioners of Ecclesiastical Duties and Revenues," duly prepared and laid before Her Majesty in Council a scheme, bearing date the twenty-first day of August, in the year one thousand eight hundred and forty-six, in the words following that is to say :

"We, the Ecclesiastical Commissioners for England, in pursuance of an Act, passed in the session of Parliament held in the third and fourth years of your Majesty's reign, intituled "An Act to carry into effect, with certain modifications, the fourth report of the Commissioners of Ecclesiastical Duties and Revenues," have prepared, and now humbly lay before your Majesty in Council, the following scheme, for making better provision for the cure of souls in the parish of Merrington, in the county and diocese of Durham.

"Whereas, upon the passing of the said recited Act, the deanery of the cathedral church of Durham being then vacant, all the estate and interest which the succeeding dean thereof would have had, if the said Act had not been passed (amongst other property usually held or enjoyed with the said deanery), in the tithes hereinafter particularly described, became, by virtue of the said Act, absolutely vested in us and our successors for the purposes of the said Act :

"And whereas it was by the said Act enacted that, except as therein otherwise specified, all the monies and revenues to be paid to us, and all the rents and profits of the lands, tithes and other hereditaments vested and to be vested in us by and under the authority of that Act, together with all accumulation of interest produced by and arising therefrom, should be from time to time carried over by us to a common fund; and by payments or investments made out of such fund, or if in any case it should be deemed more expedient

by means of an actual conveyance and assignment of such lands, tithes or other hereditaments, or of a portion thereof, additional provision should be made, by the authority hereinafter provided, for the cure of souls in parishes where such assistance was most required, in such manner as by the like authority should 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 other hereditaments allotted or assigned in lieu of tithes so vested or to be vested in us, or out of the rents and profits thereof, due consideration should be had of the wants and circumstances of the places in which such tithes then arose, or had theretofore arisen :

"And whereas, after due consideration of the wants and circumstances of the said parish of Merrington, we have deemed it expedient to make additional provision for the cure of souls therein, in manner hereinafter mentioned :

"We, therefore, humbly recommend and propose, that all our estate and interest in the tithes of the township of Merrington, in the said parish of Merrington, or the rent charge or rent charges allotted or to be allotted in lieu thereof, shall forthwith and without any assurance in the law other than this scheme and any duly gazetted Order of your Majesty in Council, ratifying the same, become and be transferred to and absolutely vested in the Reverend John Tyson, the present Vicar of Merrington in the county and diocese of Durham, and his successors Vicars of Merrington, for ever.

"And we further recommend and propose, that nothing herein contained shall prevent us from recommending and proposing any other measures relating to the matters aforesaid, in accordance with the provisions of the said Act, or of any other Act of Parliament."

And whereas the said scheme has been approved by Her Majesty in Council; now, therefore, Her Majesty, by and with the advice of Her said Council, is pleased hereby to ratify the said scheme, and to order and direct that the same, and every part thereof, shall be effectual in law immediately from and after the time when this Order shall have been duly published in the London