

such authority deemed expedient for the services of the said church of Southwell, and for the maintenance and reparation of the fabric of the said church, and for any minor canon or officer thereof; and that so soon as conveniently might be, and by the like authority and out of the same lands, tenements, tithes or other hereditaments or endowments, or the proceeds thereof, or out of any other lands, tithes or other hereditaments or endowments then or in the mean time vested in the said Commissioners, or any emoluments already accrued or hereafter accruing to them in respect of the canonries or prebends of the said church, provision should be made for the spiritual care of the said parish of Southwell, and for the competent endowment of ministers in the several parishes within the deanry of Southwell, wherein any of such lands, tenements, tithes and hereditaments were respectively situated or arose:

“ And whereas there are now vacant in the said chapter of Southwell ten canonries, to the whole profits and emoluments whereof we are now entitled, under the provisions of the said Act in that behalf:

“ And whereas by an Order of your Majesty in Council, bearing date the twenty-seventh day of August, one thousand eight hundred and forty-six, and duly gazetted in accordance with the said recited Acts, it is provided, that so long as there should continue to be any canons or canon remaining in the said collegiate church, the chapter or such remaining canons or canon might from time to time appoint a substitute or substitutes, to be approved by the Bishop of Lincoln for the time being, to perform the duties of a canon in residence for any period or periods during which canonical residence should remain unprovided for after all statutable and customary residence should have been kept by all the canons of the said church then remaining, or by the sole remaining canon as the case might be:

“ And whereas it was by the first and second recited Acts enacted, that any arrangement might from time to time be made, with the consent of the Visitor for the time being, and under the corporate seal of any chapter of any cathedral or collegiate church, for the sale, transfer or exchange of any lands, tithes or other hereditaments belonging to such chapter, or for the purchase of other lands, tithes or other hereditaments in lieu thereof, or for substituting in any case any lands, tithes or other hereditaments for any money payment, or for substituting any money payment for any lands, tithes or other hereditaments:

“ And whereas, under and by virtue of the foregoing enactments and the other general provisions of the said several recited Acts, and for sooner and more effectually carrying into effect the purpose hereinbefore mentioned of making provision for the spiritual care of the said parish of Southwell, we have entered into an agreement in writing with the chapter of the said collegiate church of Southwell, under the corporate seal,

bearing date the ninth day of March, in this present year one thousand eight hundred and forty-eight, a copy of which agreement is hereto annexed:

“ We, therefore, with the consent in writing of the said chapter of the said collegiate church of Southwell, testified by the corporate seal of the said chapter being affixed to this scheme, and also with the consent of the Right Reverend John Bishop of Lincoln, as Visitor of the said chapter, testified by his having signed this scheme, humbly recommend and propose, that the said agreement and all acts, deeds, matters and things already done or executed for carrying the same into effect, shall be valid and effectual in law and binding upon the several parties thereto, and upon all other persons whomsoever to all intents and purposes, and that all such further acts, deeds, matters and things as shall be necessary or proper to be done or executed shall accordingly be done and executed, and shall be valid, effectual and binding as aforesaid, for the purpose of carrying the said agreement into effect according to the true intent and meaning thereof.

“ And we further particularly recommend and propose, with such consent as aforesaid, that all and singular the lands and tenements, and also the fabric and chapter estates and funds, including the balance in the hands of or due to the said chapter at the date of the said agreement, and all other the property and hereditaments whatsoever and wheresoever belonging to or forming part of the property or endowment of the said collegiate church of Southwell, or the chapter thereof, collectively, or held in trust for the said collegiate church or the said chapter (other than any rights of patronage), and all the estate, right, title and interest of the said collegiate church or the said chapter therein or thereto, together with all the rents, issues, fines, premiums and other profits, from the third day of November, one thousand eight hundred and forty-seven, and all rights, powers and remedies at law and in equity heretofore belonging to or which might have been had and exercised or enjoyed by the chapter of the said collegiate church for or in respect of such lands, tenements, property and hereditaments, rents, issues, fines, premiums and profits, and balance as aforesaid, or any of them, or any part thereof shall, without any conveyance or assurance in the law other than this scheme, and any duly gazetted Order of your Majesty in Council ratifying the same, and upon and immediately after the gazetting of such Order, become and be to all intents and purposes transferred to and absolutely vested in us for the purposes of the hereinbefore recited Acts, subject only to such leases or grants heretofore made thereof, or of any part thereof, as may be now legally subsisting and not void or voidable at law or in equity; and that the general funds vested in us for the purposes of the said Acts shall, as from and after the said third day of November, one thousand eight hundred and forty-seven, be chargeable with the several annual payments by the said agreement