

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," and of another Act passed in the session of Parliament held in the fourth and fifth years of Her Majesty's reign, intituled "An Act to explain and amend two several Acts relating to the Ecclesiastical Commissioners for England," duly prepared and laid before Her Majesty in Council a scheme, bearing date the fifth day of April in the year one thousand eight hundred and forty-nine, in the words and figures 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,' and of another Act passed in the session of Parliament held in the fourth and fifth years of your Majesty's reign, intituled 'An Act to explain and amend two several Acts relating to the Ecclesiastical Commissioners for England,' 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 Saint Philip and the chapelry district of Saint Peter, in Birmingham, in the county of Warwick and diocese of Worcester.

"Whereas it was by the recited Acts provided, that the canonry annexed to the rectory of the church of Saint Philip, in Birmingham, should immediately upon the first vacancy thereof be detached from the said rectory, and be suspended, and that all lands, tithes and other hereditaments, excepting any right of patronage, and all other emoluments and endowments whatsoever belonging to any prebend not residentiary in any cathedral or collegiate church in England, or enjoyed by the holder of any such canonry as such holder, should immediately upon the vacancy thereof respectively, without any conveyance or assurance in the law other than the provisions of the same Acts, accrue to and be vested absolutely in us for the purposes thereof, and that out of the endowments belonging to the prebends in the cathedral church of Lichfield, after setting apart a certain portion of the rents and profits of the prebend of Sawley, such provision as should be deemed fit should be made for the rector of the said church of Saint Philip, in Birmingham, for the time being:

"And whereas it was by the said first and secondly-recited Acts enacted, with an especial view to the better care of populous parishes, that arrangements might from time to time be made by the authority therein provided, for improving the value or making a better provision for the spiritual duties of ill-endowed parishes or districts by means of such alterations in the exercise of patronage as might be agreed upon by patrons, with the consent of the bishop in every such case, notwithstanding that such patronage should be vested in or belong to any ecclesiastical corporation aggregate or sole:

"And whereas to the said canonry in the said cathedral church of Lichfield so forming part of the endowment of the rectory of Saint Philip as aforesaid was annexed the non-residentiary prebend of Sawley, in the same cathedral church, and by reason of the vacancy of the said canonry, on the twenty-sixth day of July, in the year one thousand eight hundred and forty-four, the same became detached from such rectory, and all the lands, tithes and other hereditaments belonging

thereto and to the said prebend of Sawley became and now are absolutely vested in us for the purposes of the said Acts:

"And whereas by an Order of your Majesty in Council, dated the seventeenth day of June, in the year one thousand eight hundred and forty-seven, ratifying a recommendation of your Majesty's Commissioners for Building New Churches, (which Order was duly gazetted on the second day of July in the same year) a chapelry district, was taken out of the parish of Saint Philip, in Birmingham, containing a population of six thousand persons at the least, and was assigned to the church of Saint Peter, which at the time of the passing of the said Act was only a chapel of ease to the rectory of Saint Philip, and the said church of Saint Peter thereupon became a benefice with cure of souls, and the right of patronage or nomination of the minister or perpetual curate to the said church of Saint Peter now belongs to the rector of Saint Philip for the time being, and it is expedient and has been agreed by the said rector that the right of patronage or nomination to the said church shall be transferred to the bishop of the diocese for the time being:

"We, therefore, with the consent of the Right Reverend Henry Bishop of Worcester, and of the Honourable and Reverend Grantham Munton Yorke, Rector of the said parish of Saint Philip and patron of the said church of Saint Peter, testified by their having respectively signed and sealed this scheme, humbly recommend and propose, that immediately upon and from the next vacancy of the said rectory of Saint Philip, the patronage of the said church of Saint Peter, and the right of nominating a perpetual curate thereto, shall be transferred from the said rector of Saint Philip and his successors, and shall be absolutely vested in and may be exercised by the bishop of Worcester and his successors for ever.

"And whereas by reason of the severance of the said canonry and prebend from the said rectory of Saint Philip the income of the rector thereof has become greatly diminished, and the rents, profits and emoluments of the lands, tenements and hereditaments of the property vested in us thereby are of considerable value, and fully sufficient, after complying with the proviso aforesaid respecting the fabric of the said cathedral church of Lichfield, to make the arrangements hereinafter mentioned, we further recommend and propose that there shall be paid by us to the rector for the time being of the said rectory of Saint Philip, in Birmingham, the annual sum of four hundred pounds, by equal half-yearly payments, on the first day of May, and the first day of November, in every year, and that the first of such half-yearly payments shall be made on the first day of May next, and that there shall also be paid by us to the said Grantham Munton Yorke, the present rector of the said rectory and church, within ten days after the date of the publication in the London Gazette of any Order of your Majesty in Council ratifying this scheme, the sum of one thousand seven hundred and six pounds ten shillings and fivepence, being the arrears of the above-mentioned annual sum of four hundred pounds, which have accrued due to him as such rector, from the day of the vacancy of the said canonry as aforesaid:

"And whereas in pursuance of an Act passed in the session of Parliament held in the fifth and sixth years of your Majesty's reign, intituled 'An Act for enabling Ecclesiastical Corporations, aggregate and sole, to grant leases for long terms of years,' certain building leases of portions of the glebe belonging to the said rectory of