

was provided that, in order to leave to the Archbishop of York for the time being the average annual income of ten thousand pounds, there should be paid to the said Ecclesiastical Commissioners for England, by the archbishop succeeding to such see upon the then next avoidance thereof, and his successors, the fixed annual sum of two thousand five hundred pounds, by equal half-yearly payments in every year :

“ And whereas the said Thomas, Archbishop of York, succeeded to the said see upon such next avoidance, which occurred before the said first day of January, one thousand eight hundred and forty-eight, and now is archbishop thereof, and he hath signified his willingness, in accordance with the provisions of the said herein-recited Act, to accept, as from the first day of January now last past, the said annual income or yearly sum of ten thousand pounds, and no more, in lieu of the present and future income arising from his said see, or receivable by him under the provisions of the said recited Order in Council, or of any other ecclesiastical profits or emoluments of any kind or description whatsoever received or enjoyed by him, and to enter into an agreement with the said Commissioners for regulating the income to be received by him as from the said first day of January now last past, in manner hereinafter mentioned :

“ Now it is hereby agreed by and between the said Ecclesiastical Commissioners for England and the said Thomas, Archbishop of York, as follows ; that is to say :

“ 1. That the said Archbishop shall, on the twenty-ninth day of September next, and thereafter, half-yearly, on the twenty-fifth day of March and the twenty-ninth day of September, in every succeeding year, deliver to the said Commissioners, in such form as they shall from time to time direct, a correct account in writing, certified under his hand, of all moneys actually received by him, whether consisting of arrears or otherwise accrued due since the thirty-first day of December, one thousand eight hundred and fifty-two, in respect of the revenues of his see, or of such other ecclesiastical profits or emoluments as aforesaid, during the half-year ending on the thirtieth day of June or the thirty-first day of December, as the case may be, then last past, and also of all moneys remaining unpaid in respect of the said see, or of any such other profits or emoluments as aforesaid on account of such arrears as aforesaid, or otherwise, at the date of such account ; and in such account to be forthwith delivered, and in every such future half-yearly account, shall be included as money actually received by the said archbishop, such a sum as shall from time to time be agreed upon between him and the said Commissioners, or, in case of their disagreement, then as shall be determined by two indifferent persons, one to be chosen by the archbishop and the other by the said Commissioners, or, in case of the disagreement of such two persons, then by an umpire to be chosen by them, as a fair and reasonable occupation rent to be charged against the said archbishop for such parts of the estates of the said see, other than and except the palace belonging to the said see at Bishopthorpe, with the grounds and premises thereunto belonging, as shall have been in the possession or occupation of the said Archbishop, or of any person or persons under his authority or permission (other than and except under any lease or agreement for a lease to be granted or entered into after the execution of these presents, with the consent of the said Ecclesiastical Commissioners, as hereinafter mentioned,) during the

preceding half-year, or any part thereof, and according to the term of his, her, or their having been in such possession or occupation ; and if it shall appear by any such account that after allowing all such reasonable and customary payments and deductions as shall be allowed by the said Ecclesiastical Commissioners, or their surveyor or receiver, the net amount actually received has exceeded five thousand pounds, being one-half of the said amount of the annual income so fixed for the said see as aforesaid, the surplus shall at the same time be paid by the said archbishop ; and he doth hereby agree to pay such surplus to the credit of the Ecclesiastical Commissioners for England, at the Bank of England, and that upon the account so delivered being examined and approved by the treasurers of the said Ecclesiastical Commissioners for the time being, their receipt for the amount of such surplus shall be given to the said archbishop, and shall be a good and valid discharge for all payments or contributions in respect of the said annual sum of two thousand five hundred pounds for which the said archbishop is liable under the said Order in Council ; but if it shall appear, upon due investigation of any such account, that after allowing such payments and deductions as aforesaid, the net amount so received is less than one-half of the said annual income so fixed as aforesaid for the said see, there shall be paid by the said Commissioners, and they do hereby agree to pay to the said Archbishop, on the first day of November or the first day of May, as the case may be, then next following, such a sum of money as shall make up the deficiency :

“ 2. Provided always, and it is further agreed by the said Archbishop, that subject to the right of apportionment (if any), hereinafter mentioned, after the delivery of such account, all arrears of rents due, or other payments in respect of the see, or of any such profits or emoluments as aforesaid, which may have remained unpaid at the end of the half year to which such account shall relate, shall form part of the future revenues of the said see, and shall when received, be included in the account for the then current half year, so to be delivered to the said Commissioners as aforesaid ; and the said archbishop shall take and use all lawful means and remedies for obtaining and compelling payment of all such moneys as last mentioned, within a reasonable time, or it shall be lawful for the said Commissioners, if they shall think fit, to use the name and act as the attorneys of the said archbishop, in demanding, obtaining, or compelling payment of such moneys, and giving good and sufficient discharges for the same, and all moneys so recovered after payment of the costs of obtaining or compelling payment thereof, and of all incidental expenses, shall be carried over to the common fund of the said Commissioners.

“ 3. Provided nevertheless, that with respect to all such sums of money as may have accrued in respect of the same revenues, profits, or emoluments, on the said first day of January now last past, and may have been or shall be hereafter received by the said archbishop, he, the said archbishop, shall be entitled to such apportioned part thereof (if any) as his legal personal representative would have been by law entitled to in case he had died on that day, and the said see had thereby become void.

“ 4. Provided also, and it is hereby further mutually agreed between the said archbishop and the said Commissioners, that all moneys which shall be due to the said archbishop on account of his said see, or any such other ecclesiastical profits or emoluments as aforesaid, at the time of his avoidance of the said see, whether by death or