

purpose of fully carrying into effect any of the provisions thereof, any arrangement might from time to time be made, with the consent in writing under the hand of any prebendary of any cathedral church, for the sale, transfer, or exchange of any lands, tithes, or other hereditaments belonging to such prebend, 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 any money payment for any lands, tithes, or other hereditaments:

“And whereas it has been agreed between us and the Reverend Richard Peter Whish, the present prebendary of Ashill, that, with a view to sooner carrying into effect the purpose of the said recited Acts hereinbefore particularly mentioned, the following arrangement should be recommended by us to your Majesty in Council:

“We, therefore, with the consent of the said Richard Peter Whish, testified by his having signed this scheme, humbly recommend and propose, that, 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 after the day of such gazetting all lands, tithes, and other hereditaments whatsoever (except any right of ecclesiastical patronage) now belonging to the said Richard Peter Whish as such prebendary as aforesaid, or to or in which he has or ought to have any estate, right, title, or interest, shall, together with all such estate, right, title, and interest therein (except as aforesaid), be and be held to be, for the consideration hereinafter mentioned, transferred and conveyed by and from the said Richard Peter Whish to us, and shall then and thereupon become and be absolutely vested in us, for the purposes of the said Acts, subject only to any legally subsisting lease or leases thereof, or of any part or parts thereof; and that, in consideration of and for such transfer and conveyance, there shall be paid by us to the said Richard Peter Whish the sum of one thousand and seven hundred pounds sterling; provided that no renewal of any lease, nor any new lease, of the said lands, tithes or other hereditaments, or of any part thereof, shall since the thirteenth day of September, in the year one thousand eight hundred and eleven, have been or shall be granted or made by the said Richard Peter Whish, or by any of his predecessors in the said prebend.

“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, or any of them, in conformity with the provisions of the said recited Acts, or either of them, 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 Gazette pursuant to the said Acts; and Her Majesty, by and with the like advice, is pleased hereby to direct that this Order be forthwith registered by the Registrar of the diocese of Bath and Wells.

*Wm. L. Bathurst.*

AT the Court at *Buckingham Palace*, the 6th day of *June*, 1855.

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,” 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 tenth day of May, in the year one thousand eight hundred and fifty-five, 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 substituting a money payment to the Prebendary of Givendale, in the cathedral church of York, for certain property belonging to him as such prebendary.

“Whereas by and under the provisions of the said Acts, it was provided that the whole of the separate estates and endowments belonging to the prebend of Givendale should (excepting any right of ecclesiastical patronage), upon the first avoidance of the said prebend, become absolutely vested in us, for the purposes of the said Acts, and the chief of such purposes is that of making better provision for the cure of souls in parishes where such assistance is most required.

“And whereas it was by the same Acts enacted, that by the authority therein provided, and for the purpose of fully carrying into effect any of the provisions thereof, any arrangement might from time to time be made, with the consent in writing, under the hand of any prebendary of any cathedral church, for the sale, transfer, or exchange of any lands, tithes, or other hereditaments belonging to such prebendary, 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 any money payment for any lands, tithes, or other hereditaments.

“And whereas under the provisions of an Order of your Majesty in Council, bearing date the twenty-first day of January, one thousand eight hundred and forty-five, and duly published in the London Gazette on the twenty-seventh day of the then following month of February, the interest of the Venerable Charles Musgrave, the present and then prebendary, in certain of the estates belonging to him in right of his prebend was transferred to us, subject to any legally subsisting lease or leases thereof.

“And whereas it has been agreed between us and the said Charles Musgrave the present pre-