

incomes to which they are respectively entitled under the provisions of the hereinbefore recited Acts and Order in Council, and we are of opinion that the arrangement hereinafter set forth will be the most convenient mode of effecting for the future the purposes contemplated in the hereinbefore mentioned Order of your Majesty in Council.

"Now, therefore, with the consent, in writing, of the Dean and Chapter of the cathedral church of Durham, and with the consent of the Right Reverend Charles, Lord Bishop of Durham, as Visitor of the said Dean and Chapter (testified by their having hereunto affixed their respective corporate seals), we humbly recommend and propose, that all the property of the said Dean and Chapter, excepting the cathedral church and the precincts thereof (commonly called the College Precincts), and all houses, buildings, lands, tenements and hereditaments heretofore known or accepted as parcel of the said precincts, and all rights, privileges, ways, easements, and advantages thereto belonging, or with the same or any part thereof held or enjoyed, or reputed as part thereof, or appertaining thereto, and excepting any ecclesiastical, educational, or other like patronage, and any property held by the said Dean and Chapter in trust for special or charitable purposes, and also excepting the lands and other property described in the schedule hereunto annexed, marked A, but not including in this exception any mines, quarries, beds of coal, stone, clay, sand, metalliferous substances, or minerals of any description, in and under the lands to be so excepted in the said schedule marked A, otherwise than as is therein specified, shall, together with the benefit of the perpetual land-tax charged thereupon, which has been redeemed, be, upon and from the day on which any Order of your Majesty in Council ratifying this scheme shall be duly published in the London Gazette, transferred to us in the manner contemplated by the said first-mentioned Act, and that we shall be entitled to the rents, profits, and proceeds of the said property, as from the twenty-ninth day of September, in the year one thousand eight hundred and seventy; and that, in consideration of and for such transfer to us as aforesaid, all our estate and interest in the lands and hereditaments particularly set forth in the schedule hereunto annexed marked B (but saving and reserving thereout to us and our successors all and singular the mines, quarries, and beds of coal, stone, clay, sand, metalliferous substances, and minerals of all descriptions, under the said lands, and the rights of working such minerals, as hereinafter set forth), and also all our estate and interest in the lands, tenements, and hereditaments particularly set forth in the second part of the schedule hereunto annexed, marked A, shall, upon and from the day on which any Order of your Majesty in Council ratifying this scheme shall be duly published in the London Gazette, be transferred to the said Dean and Chapter in the manner contemplated by the said first-mentioned Act, and that the said Dean and Chapter shall be entitled to the rents, profits, and proceeds thereof, as from the said twenty-ninth day of September, one thousand eight hundred and seventy; and that, in further consideration of and for such transfer, we shall surrender all right and be excluded from all participation (in respect of the said suspended canonries or otherwise) to and in the proceeds of the estates and property to be retained by the said Dean and Chapter, or to be hereby or hereafter transferred to them as part of their permanent endowment, or in the money payments hereinafter mentioned; and that, in

further consideration of and for such transfer to us as aforesaid, there shall be paid by us to the said Dean and Chapter, by equal half-yearly payments, on the twenty-fifth day of March and the twenty-ninth day of September in every year, the annual sum of eleven thousand pounds, and that such payment shall continue until the said Dean and Chapter shall have been, under the authority provided by the said first-mentioned Act, put in possession in fee simple of real estates sufficient to secure to them a clear annual income, irrespective of the income arising from the estates intended to be hereby reserved or transferred to them, and after allowing for rates, taxes, agency, and other outgoings of eleven thousand pounds.

"And we further recommend and propose, that we and our successors, and our and their lessees, tenants, and assigns, shall at all times hereafter have full and exclusive authority to enter upon all or any part of the lands and hereditaments specified in the schedules to this scheme, and shall be entitled to take, use, and occupy, from time to time, and for such time and in such manner as we or they shall think fit, so much of the same lands and hereditaments as we or they shall deem necessary, proper, or convenient for the purpose of working all and singular the mines and quarries to which we shall be entitled in or under the said lands and hereditaments, or of sinking and working new mines and quarries in or under the said lands and hereditaments, or of working, winning, getting up, and carrying away the beds of coal, stone, clay, sand, metalliferous substances, and minerals of all descriptions, to which we shall be entitled in or under the said lands and hereditaments, or for the purpose of working, winning, getting up, or of carrying away the beds of coal, stone, clay, sand, metalliferous substances, and minerals of all descriptions, in or under any other lands and hereditaments whatsoever, whether belonging or to belong to ourselves or to any other body corporate or person whomsoever, according to the course and practice at present or hereafter to be used or adopted in the county of Durham, or according to the most improved mode which may from time to time be used or invented, making full compensation for any injury thereby occasioned, and that we and our successors, and our and their lessees, tenants, and assigns, and persons acting under our or their authority, shall be entitled to make, grant, and use for the purpose of working, winning, getting up, or of carrying away the beds of coal, stone, clay, sand, metalliferous substances and minerals of all descriptions in or under the lands and hereditaments comprised in the said schedules, and in or under any other lands and hereditaments whatsoever, whether belonging, or to belong to ourselves, or to any other body corporate or person whomsoever, any way or ways upon, across, under, or through the lands and hereditaments comprised in the same schedules; provided always that it shall not be lawful for us, or our successors, or our or their lessees, tenants, or assigns to sink or make any fresh pits upon any land now, or heretofore, belonging to the said Dean and Chapter or to the Warden, Masters, and Scholars of the University of Durham, situate within a distance of two miles, measured in a straight line, from any part of the precincts of the said cathedral church, except with the consent of the said Dean and Chapter, to be given in writing under their corporate seal; provided always, and we hereby further recommend and propose, that the said Dean and Chapter shall have full power and liberty of taking and using so much of the clay, sand, gravel, limestone, and freestone in or under the lands