

twenty-fourth years of your Majesty, chapter one hundred and twenty-four; have prepared, and now humbly lay before your Majesty in Council, the following scheme for effecting an exchange of the patronage of the benefice (being a vicarage) of Helporthorpe-cum-Luttons-Ambo, in the county and diocese of York, for the patronage of the benefice (being a vicarage) of Saint Edith, Bishop Wilton, in the same county and diocese.

"Whereas the advowson or perpetual right of patronage, nomination, and presentation of and to the benefice of Helporthorpe-cum-Luttons-Ambo aforesaid, is now vested in the Dean and Chapter of the cathedral and metropolitan church of Saint Peter, at York.

"And whereas, under and by virtue of an indenture of settlement, bearing date the thirtieth day of June, one thousand eight hundred and forty-seven, made between Sir Tatton Sykes, of Sledmere, in the county of York, Baronet, since deceased (hereinafter called Sir Tatton Sykes the father), of the first part, Sir Tatton Sykes, Baronet, therein described as the eldest son and heir-apparent of the said Sir Tatton Sykes (and hereinafter called Sir Tatton Sykes the son), of the second part, the Reverend Sir Henry Foulis, of Great Brickhill, in the county of Buckingham, Baronet, Clerk, George Whichcote, of Meriden, in the county of Warwick, Esquire, a Lieutenant-General in your Majesty's Army, and Christopher Turnor, of Stoke Rochford, in the county of Lincoln, Esquire, of the third part, and Mark Foulis, of West Heslerton, in the county of York, Esquire, and Thomas Norcliffe, of Langton, in the county of York, Esquire, of the fourth part, the advowson and perpetual right of patronage, nomination, and presentation of and to the benefice of Saint Edith, Bishop Wilton aforesaid, now stands limited to the said Sir Henry Foulis, George Whichcote, and Christopher Turnor, and their heirs, to the use of the said Sir Tatton Sykes (the son) and his assigns, during his life, without impeachment of waste, with remainder to the use of the first and other sons of the said Sir Tatton Sykes (the son), in tail male, with divers remainders over; and in the indenture now in recital are contained powers for raising certain other sums for jointures and portions, as therein mentioned, but which powers have not been exercised, and also powers for the said Sir Henry Foulis, George Whichcote, and Christopher Turnor, at the request, and by the direction, in writing, of the said Sir Tatton Sykes (the father) and Sir Tatton Sykes (the son), during their joint lives, and after the death of either of them, at the request and by the direction, in writing, of the survivor of them, to dispose of and convey, either by way of absolute sale or in exchange for other hereditaments, all or any part of the manors, rectories, advowsons, and hereditaments thereby granted and released, and the inheritance thereof in fee simple to any person or persons whomsoever, and for that purpose to revoke the uses thereby declared or to be declared as in the same indenture is expressed.

"And whereas, on the death of the said Sir Tatton Sykes (the father), the said Sir Tatton Sykes (the son) succeeded to the title and also to the estates comprised in the said recited indenture of settlement, as tenant for life.

"And whereas the said Dean and Chapter and the said Sir Henry Foulis, George Whichcote, and Christopher Turnor, at the request and by the direction of the said Sir Tatton Sykes (the son), have signified to us their desire that the patronage of the said two benefices, and of the churches thereof, may be re-arranged, by way of exchange, in manner hereinafter recommended and proposed.

"And whereas we have made due enquiry and calculation as to the circumstances and relative values of the said benefices and patronage, and we do hereby certify to your Majesty that the circumstances and present values of the said benefices respectively are as set forth in the schedule hereunto annexed, and it has been made to appear to us that it is in conformity with the intentions of, and expedient for, the objects contemplated by the said hereinbefore firstly and secondly mentioned Acts, to exchange the advowson and perpetual right of patronage and nomination of and to the vicarage and parish church of Helporthorpe-cum-Luttons-Ambo aforesaid for the advowson and perpetual right of patronage and nomination of and to the said vicarage and parish church of Saint Edith, Bishop Wilton aforesaid, so that the said advowson of Helporthorpe-cum-Luttons-Ambo may, after such exchange as aforesaid, be vested in the said Sir Henry Foulis, George Whichcote, and Christopher Turnor, to the uses and upon the trusts of the said recited indenture of settlement, and so that the said advowson of Saint Edith, Bishop Wilton aforesaid, may be vested in the said Dean and Chapter and their successors.

"And whereas, by an indenture already prepared, and intended to be executed immediately after the publication in the London Gazette of this scheme and any Order of your Majesty in Council ratifying the same, and to bear date the day of the date of such publication as aforesaid, and expressed to be made between the said Sir Henry Foulis, George Whichcote, and Christopher Turnor of the first part, the said Sir Tatton Sykes (the son) of the second part, and the said Dean and Chapter of the third part, the said advowson and perpetual right of patronage, nomination, and presentation of and to the vicarage and parish church of Saint Edith, Bishop Wilton aforesaid, is intended and expressed to be conveyed unto and to the only use of the said Dean and Chapter, their successors and assigns, for ever, in exchange for and in consideration of the transfer of the advowson of Helporthorpe-cum-Luttons-Ambo aforesaid, which is contemplated by this present scheme.

"Now, therefore, with the consent of the Honourable and Very Reverend Augustus Duncombe, the Dean, and the Chapter of the said cathedral and metropolitan church of Saint Peter, at York (testified by their having hereunto affixed their common or capitular seal), we, the said Ecclesiastical Commissioners for England, humbly recommend and propose, that upon and from the day of the date of the publication in the London Gazette of an Order of your Majesty in Council ratifying this scheme, and without any conveyance or assurance in the law other than the said duly gazetted Order, the whole advowson or perpetual right of patronage, nomination, and presentation of and to the said benefice of Helporthorpe-cum-Luttons-Ambo aforesaid, and the churches and chapels thereof, shall be assigned and transferred from the said Dean and Chapter of the said cathedral and metropolitan church of Saint Peter, at York, to, and shall become and be thenceforth absolutely vested in, the said Sir Henry Foulis, George Whichcote, and Christopher Turnor, and their heirs, to such uses, upon such trusts, and to and for such ends, intents, and purposes, and with, under, and subject to such powers, provisions, declarations, and agreements as are declared and contained by and in the said recited indenture of settlement of the thirtieth day of June, one thousand eight hundred and forty-seven, concerning (amongst