

of Your Majesty chapter one hundred and fourteen have prepared and now humbly lay before Your Majesty in Council the following scheme for effecting a transfer of the ownership of the advowson or perpetual right of patronage of and presentation to the church and cure (which said church and cure are hereinafter called "the said benefice") of Hersham in the county of Surrey and in the diocese of Winchester which cure of Hersham is a new parish and was sometime part of the parish of Walton on Thames in the said county and diocese.

"Whereas by virtue of a certain Order of Your Majesty in Council made the eighteenth day of May in the year one thousand eight hundred and eighty-one and published in the London Gazette on the thirty-first day of the same month the said advowson or perpetual right of patronage of and presentation to the said benefice of Hersham is now vested in Francis Thomas Bircham of Burhill within the said new parish of Hersham Esquire and his heirs and assigns but so nevertheless that the same advowson or perpetual right of patronage and presentation will by virtue of the said Order of Your Majesty in Council be transferred over from the said Francis Thomas Bircham and his heirs and assigns to the Bishop for the time being of the said diocese of Winchester and his successors immediately upon the publication in the London Gazette of a notice under our common seal setting forth the fact that some one of three contingencies specified and expressed in the same Order has happened within a period of ten years from the said thirty-first day of May one thousand eight hundred and eighty-one.

"And whereas no one of the said three contingencies has yet happened.

"And whereas if no one of the said three contingencies shall happen within the said period of ten years the said advowson or perpetual right of patronage and presentation of and to the said benefice of Hersham will by virtue of the said Order remain absolutely vested in the said Francis Thomas Bircham and his heirs and assigns.

"And whereas the said Francis Thomas Bircham is desirous that the said advowson or perpetual right of patronage and presentation of and to the said benefice of Hersham shall be at once and absolutely transferred to and be vested in the Bishop of Winchester and his successors upon the terms hereinafter appearing and in order to facilitate the same transfer and subject to a condition that the same be effected as hereinafter mentioned the said Francis Thomas Bircham has paid over to us for the benefit of the said benefice of Hersham a capital sum of one hundred pounds.

"And whereas the said three contingencies have reference to a certain sum of five hundred pounds paid over to us by the said Francis Thomas Bircham in the year one thousand eight hundred and eighty-one and now held by us.

"And whereas the said three contingencies are as follows:—

"1. That the Church of the Holy and Undivided Trinity of Hersham being the church which with the cure thereto attached is as aforesaid called the said benefice of Hersham shall within the period of ten years from the thirty-first day of May one thousand eight hundred and eighty-one being the day on which the Order of Your Majesty in Council made on the eighteenth day of May one thousand eight hundred and eighty-one was published in the London Gazette as aforesaid have been rebuilt to our satisfaction upon its present site or upon some other site approved by us and that the said sum of five hundred pounds

so paid over to us by the said Francis Thomas Bircham as aforesaid shall on the requisition to us in writing of the said Francis Thomas Bircham or other the person or persons claiming through or under him and who would for the time being be entitled to present to the said benefice of Hersham if the same were vacant have been applied in or towards such rebuilding.

"(2.) That the said church of the Holy and Undivided Trinity at Hersham (that is to say the present fabric of that church) shall within the period aforesaid have been enlarged to our satisfaction and the said sum of five hundred pounds shall on such requisition in writing as aforesaid have been applied in or towards such enlargement.

"(3.) That church accommodation other than and beside that firstly and secondly specified above shall within the period aforesaid have been to our satisfaction provided within and for the said new parish of Hersham or some part thereof and that the said sum of five hundred pounds shall on such requisition in writing as aforesaid have been applied in or towards supplying such church accommodation.

"And whereas the Right Reverend Edward Harold now Bishop of the said diocese of Winchester is willing that the same advowson and perpetual right of patronage of and presentation to the said benefice of Hersham should be at once and absolutely transferred and be vested as last aforesaid and in token both that he is willing to accept for himself and his successors in the bishoprick of Winchester the said transfer and also that the said transfer has that consent of the Bishop of the diocese which by the hereinbefore mentioned Acts or by some or one of them is made necessary he the said Edward Harold Bishop of Winchester has executed this scheme as hereinafter mentioned.

"And whereas it appears to us that an immediate transfer to the See of Winchester of the advowson or perpetual right of patronage of and presentation to the said benefice of Hersham in accordance with the terms proposed to us by the said Francis Thomas Bircham will tend to make better provision for the cure of souls in the new parish of Hersham being the parish or district in or in respect of which the said right of patronage and advowson arises and exists.

"Now therefore with the consent of the said Francis Thomas Bircham (in testimony whereof he has signed and sealed this scheme) and with the consent of the said Edward Harold Bishop of the said diocese of Winchester (in testimony whereof he has signed this scheme and sealed the same with his episcopal 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 such duly gazetted Order the whole advowson or perpetual right of patronage of and presentation to the said benefice of Hersham now vested (subject as is hereinbefore expressed) in the said Francis Thomas Bircham and his heirs and assigns as aforesaid shall be transferred from the said Francis Thomas Bircham and from his heirs and assigns to and shall be vested in the said Edward Harold Bishop of Winchester and his successors for ever: Provided always and we hereby further recommend and propose that with respect to the said sum of five hundred pounds so paid to us in the year one thousand eight hundred and eighty-one by the said Francis Thomas Bircham as