

living') of the parish of Saint James Dover in the county of Kent and in the diocese of Canterbury.

"Whereas by an Order of the Chancery Division dated the twenty-ninth day of July one thousand eight hundred and ninety-five and made by Mr. Justice Chitty 'In the matter of the estate of William Henry Robien Bettesworth deceased between Henry Paulson Bowling Trevanion plaintiff and Her Majesty's Attorney General defendant' a scheme was ordered to be adopted and carried into effect and it appearing by a certain consent therein mentioned that we the said Ecclesiastical Commissioners were willing to receive and hold the funds by the Payment Schedule thereto directed to be transferred to us upon trust in accordance with the said scheme, it was ordered that the funds in Court be dealt with as directed by the Payment Schedule thereto by which Schedule it was directed that upon the making of an Order in Council approving and ratifying a scheme of us the said Ecclesiastical Commissioners for the purposes mentioned in the scheme approved by the said Order of the Chancery Division being certified certain funds in Court and interest should be transferred to us the said Ecclesiastical Commissioners in trust pursuant to the said scheme by the said Order ordered to be adopted and carried into effect without prejudice to any question how the income of the said funds ought to be applied in case there should hereafter be a severance or division of the parish of Saint James Dover when any person claiming to be interested in such income is to be at liberty to apply but notice of any such application is to be given to Your Majesty's Attorney General.

"And whereas the said scheme by the said Order ordered to be adopted was in the words and to the effect following, that is to say 'Scheme for the application of the charitable legacy of six thousand pounds bequeathed by the will of the above named testator William Henry Robien Bettesworth as a permanent endowment for or by way of increase of the stipend of the minister for the time being of the parish church of Saint James Dover in the county of Kent (1) So soon as the patronage of the living of Saint James Dover as at present constituted shall by a scheme of the Ecclesiastical Commissioners for England approved and ratified by an Order of Her Majesty in Council have been vested in three trustees or the survivors or survivor of them (one to be the Archbishop of Canterbury or his nominee one to be the Plaintiff or his nominee and the third to be the Reverend Colin Grant Dalton Vicar of Wincanton Somersetshire or his nominee) for such period not exceeding thirty years from the date of the Order approving this scheme as shall be necessary to carry out the following trust that is to say upon trust that when a vacancy shall happen in such living during such period not exceeding thirty years the said trustees or the majority of them shall present or appoint to succeed to the said living the said Colin Grant Dalton (he being as appears by the Chief Clerk's Certificate of the fifth December one thousand eight hundred and ninety-three the son of Alice Charlotte Grant Dalton a grandniece of the testator and then and now Vicar of Wincanton in the county of Somerset and the only person who on the twenty-fifth July one thousand eight hundred and ninety was entitled to the benefit of the condition as to patronage made by the testator): Provided that he the said Colin Grant Dalton shall be willing to accept such presentation or appointment and be eligible for institution and induction or collation to

the said benefice of Saint James Dover and upon trust that at the end of such period the patronage shall be re-vested in the Archbishop of Canterbury alone free from all the aforesaid trusts.

"(2) And so soon as the funds by the Order approving this scheme directed to be transferred to the Ecclesiastical Commissioners shall have been so transferred the income of the said funds from the date of such transfer as aforesaid shall until further order be paid to the rector or incumbent for the time being of the parish church of Saint James Dover by way of increase of his stipend."

"And whereas the said advowson or perpetual right of patronage of and presentation to the said living of Saint James Dover is absolutely vested in the Most Reverend and Right Honourable Father in God Edward White Lord Archbishop of Canterbury in right of his See.

"And whereas the said Edward White Lord Archbishop of Canterbury is desirous that the advowson or perpetual right of patronage of and presentation to the said living of Saint James Dover should be transferred to and vested in such three trustees as aforesaid or the survivors or survivor of them for the period and purposes hereinafter specified.

"And whereas the said Edward White Lord Archbishop of Canterbury Henry Paulson Bowling Trevanion and Colin Grant Dalton are willing to accept the said proposed transfer upon trust as aforesaid and in token of such their willingness have executed this scheme as hereinafter mentioned.

"And whereas in token that the same transfer has that consent of the Bishop of the diocese which by the Acts hereinbefore recited or by some or one of them is made necessary he the said Edward White Lord Archbishop of Canterbury has executed this scheme as hereinafter mentioned.

"And whereas under the circumstances aforesaid it appears to us the said Ecclesiastical Commissioners for England that the transfer of the patronage of the said living of Saint James Dover which is hereinbefore mentioned and hereinafter recommended and proposed will tend to make better provision for the cure of souls in 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 Edward White Archbishop of Canterbury as well as such patron as aforesaid as also as Bishop of the diocese of Canterbury (in testimony whereof he has signed this scheme and sealed the same with his archiepiscopal seal) and with the consent of the said Edward White Archbishop of Canterbury Henry Paulson Bowling Trevanion and Colin Grant Dalton as intended transferees (in testimony whereof they have respectively signed and sealed this scheme).

"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 advowson or perpetual right of patronage of and presentation to the said living of Saint James Dover now vested in the said Archbishop of Canterbury as aforesaid shall for and during the period of thirty years from the twenty-ninth day of July one thousand eight hundred and ninety-five (determinable either upon the death of the said Colin Grant Dalton or the expiration of