

"3. *Parsonage House.* Without prejudice to the exercise before or after the date when the union takes effect of any of the powers conferred by the Parsonages Measures, 1938 and 1947, upon the union taking effect and pending the provision of a new house approved by us as suitable to be the house of residence for the incumbent of the united benefice, the parsonage house at present belonging to the benefice of Lyng shall, if at that date it so belongs to the said benefice, be the house of residence of the incumbent of the united benefice.

"4. *Diversion of Endowment Income*

"(1) Subject as hereinafter provided, any surplus, calculated by us for the twelve months ending on the 31st March in each year, of the endowment income (calculated in accordance with the Schedule hereto) of the united benefice over and above an annual sum of £750 shall, with effect from the date upon which the union shall take effect, be paid to and be held by us, for the benefit of the diocesan stipends fund of the said diocese; provided that if after the date upon which the union shall take effect any additional capital endowment shall accrue to or be acquired by the united benefice (not being capital endowment derived from the sale of any property of the united benefice) the income from such subsequently acquired capital endowment shall not be taken into account for the purpose of calculating such surplus as aforesaid.

"(2) The said endowment income and the said surplus and the said annual sum of £750 shall be deemed to accrue from day to day and shall when we deem that circumstances so require be apportioned accordingly.

"(3) Any moneys due to us from the incumbent of the united benefice, or, during any vacancy in the united benefice, from the sequestrators thereof, as the case may be (hereinafter called 'the incumbent or sequestrators') upon the calculation of the said surplus shall be paid by the incumbent or sequestrators to us not later than the 30th June in each year and shall be recoverable as a debt due to us.

"(4) For the purpose of ascertaining the amounts of the said endowment income and of the said surplus, we shall have power to require production by the incumbent or sequestrators of accounts and other documents in relation thereto, and the said accounts for the twelve months to 31st March in each year (or where applicable for a part of the year ending on that date) shall be rendered annually to us within six weeks of that date in such form as we shall prescribe; and in the event of failure by the incumbent or sequestrators to produce such accounts or documents we shall have all legal remedies for enforcing production thereof.

"SCHEDULE

"For the purpose of this Scheme and subject to the proviso contained in clause 4 thereof the endowment income of the united benefice shall, without prejudice to the power of decision vested in us by virtue of Section 18 of the Pastoral Reorganisation Measure, 1949, if any question shall arise, be computed in accordance with our Central Register of Benefice Income, that is to say, by including:

"(1) all gross secured income payable by us and any other person or body,

"and (2) all gross income received from ground rents, chief rents or other fixed charges, other glebe rents and any letting of the parsonage house or a formally divided portion thereof,

and by deducting therefrom:

"(1) the rates payable on the parsonage house if occupied by the incumbent,

"(2) the rent and rates payable on any house occupied by the incumbent other than the parsonage house,

"(3) the annual assessment charged upon the incumbent under the Ecclesiastical Dilapidations Measures, 1923 to 1951, in respect of the benefice,

"(4) the rates payable on the glebe,

"(5) the cost of collecting glebe rents,

"(6) any tithe annuity, rentcharge or fee farm rent charged upon the glebe,

"(7) any other outgoings in respect of the glebe,

"(8) any charge upon the benefice income in favour of another benefice or any lay person,

"(9) any payment to a curate or lay worker out of the benefice income,

"(10) the annual payments in respect of capital and interest in respect of any mortgage of the benefice income,

"(11) any part of the benefice income diverted to the diocesan stipends fund pursuant to an Order under Section 12 of the Pastoral Reorganisation Measure, 1949."

And whereas the provisions of the Union of Benefices Measures, 1923 to 1952, the Union of Benefices Rules, 1926 and 1930, and the Pastoral Reorganisation Measure, 1949, relating to the preparation and submission of this Scheme have been duly complied with:

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 affirm the said Scheme and to order that it shall be and become effectual in law immediately upon the publication of this Order in the *London Gazette*.

E. N. Landale.

At the Court at Balmoral, the 14th day of September 1959.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council
Whereas the Church Commissioners have duly prepared and laid before Her Majesty in Council a Scheme bearing date the 12th day of August 1959, in the words and figures following, that is to say:

"We the Church Commissioners, in pursuance of the Church Patronage Act, 1870, and of the Acts therein mentioned, have prepared 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 (hereinafter called 'the said benefice') of Stoke Pero in the County of Somerset and in the diocese of Bath and Wells.

SCHEME

"Whereas we are satisfied that John Godolphin Quicke of Newton House, Newton St. Cyres, in the County of Devon is the patron or person entitled to present or nominate to the said benefice:

"And whereas the said John Godolphin Quicke desires to transfer the advowson of the said benefice to the Bishop of Bath and Wells for the time being and is consenting to this Scheme (in testimony whereof he has executed the same):

"And whereas we are satisfied that the transfer will tend to make better provision for the cure of souls:

"Now, therefore, with the consent of the Right Reverend William Bishop of Bath and Wells (in testimony whereof he has executed this Scheme), we, the said Church Commissioners, humbly recommend and propose that upon and from the day of the date of the publication in the *London Gazette* of any 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 shall be transferred to the said William, Bishop of Bath and Wells and his successors in the same Bishopric and shall thereupon and thenceforth become and be absolutely vested in and shall and may from time to time be exercised by the Bishop of Bath and Wells for the time being."

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 upon the publication of this Order 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 said diocese of Bath and Wells.

E. N. Landale.

At the Court at Balmoral, the 14th day of September 1959.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council
Whereas the Church Commissioners have duly prepared and laid before Her Majesty in Council a Scheme bearing date the 12th day of August 1959, in the words and figure following, that is to say: