

AT the Court at *Balmoral*, the 14th day of *September*, 1878.

PRESENT,

The **QUEEN'S** Most Excellent Majesty in Council.

WHEREAS the Ecclesiastical Commissioners for England have, in pursuance of the Act of the third and fourth years of Her Majesty, chapter one hundred and thirteen, of the Act of the sixth and seventh years of Her Majesty, chapter thirty-seven, and of the Act of the nineteenth and twentieth years of Her Majesty, chapter one hundred and four, duly prepared and laid before Her Majesty in Council a scheme, bearing date the fifteenth day of August, in the year one thousand eight hundred and seventy-eight, in the words following, that is to say :—

“ We the Ecclesiastical Commissioners for England in pursuance of the Act of the third and fourth years of your Majesty chapter one hundred and thirteen, of the Act of the sixth and seventh years of your Majesty chapter thirty-seven, and of the Act of the nineteenth and twentieth years of your Majesty chapter one hundred and four have prepared and now humbly lay before your Majesty in Council the following scheme for constituting a separate district for spiritual purposes out of the parish of Horsley in the county of Derby and in the diocese of Lichfield.

“ Whereas it has been made to appear to us that it would promote the interests of religion that the particular part of the said parish of Horsley which is hereinafter mentioned and described should be constituted a separate district in manner hereinafter set forth.

“ And whereas there is not at present within the limits of the said proposed separate district any consecrated church or chapel in use for the purposes of Divine worship.

“ And whereas Robert Sacheverel Sitwell of Morley in the said county of Derby Esquires has contributed and paid to the credit of our account at the Bank of England a sum of three thousand pounds sterling in aid of the endowment of the district hereinafter recommended to be constituted, and so soon as the said district shall have become a new parish under the provisions of the secondly hereinbefore mentioned Act, then of the said new parish and of the maintenance of the minister or incumbent thereof for the time being, and we have in respect of such sum agreed with the said Robert Sacheverel Sitwell and have undertaken to provide and pay by equal half-yearly payments on the first day of May and the first day of November in each and every year to such minister or incumbent as aforesaid when duly licensed in accordance with the provisions of the lastly mentioned Act, the sum of one hundred pounds per annum so long as the said capital sum shall continue in our hands.

“ And whereas the said sum of three thousand pounds sterling has been so contributed and paid as aforesaid upon the understanding and condition that we should also make and pay out of the common fund created by the firstly herein-named Act to the minister or incumbent for the time being of the said district or new parish when duly licensed as before mentioned a grant of fifty pounds per annum and upon the further understanding that (such arrangement appearing to us to be expedient) the whole right of patronage of the said district or new parish and of the nomination of the minister or incumbent thereof should be assigned in the manner hereinafter recommended and proposed.

“ And whereas we have undertaken and agreed

to make the said grant of fifty pounds per annum as aforesaid by an instrument to be executed by us under our common seal in accordance with the provisions of the Act of the twenty-ninth and thirtieth years of your Majesty chapter one hundred and eleven.

“ Now therefore with the consent of the Right Reverend William Dalrymple Bishop of the said diocese of Lichfield (in testimony whereof he has signed and sealed this scheme) we the said Ecclesiastical Commissioners humbly recommend and propose that all that part of the said parish of Horsley which is described in the schedule hereunder written all which part together with the boundaries thereof is delineated and set forth on the map or plan hereunto annexed shall 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 become and be constituted a separate district for spiritual purposes and that the same shall be named ‘The District of Horsley Woodhouse.’

“ And we further recommend and propose that the whole right of patronage of the said district so recommended to be constituted and when such district shall have become a new parish as aforesaid then of the said new parish and of the nomination of the minister or incumbent thereof shall without any assurance in the law other than this scheme and any duly gazetted Order of your Majesty in Council ratifying the same and upon and from the day of the date of the publication of such Order in the London Gazette as aforesaid be assigned to and be absolutely vested in and shall and may from time to time be exercised by the said Robert Sacheverel Sitwell his heirs and assigns for ever.

“ And we further recommend and propose that nothing herein contained shall prevent us from recommending and proposing any other measures relating to the matters aforesaid or any of them in accordance with the provisions of the said Acts or of any of them or of any other Act of Parliament.”

“ The **SCHEDULE** to which the foregoing Scheme has reference.

“ The District of Horsley Woodhouse, being :—

“ All that part of the parish of Horsley in the county of Derby and in the diocese of Lichfield which is comprised with and is co-extensive with the limits of that portion of the township of Horsley Woodhouse wherein the present incumbent of the said parish of Horsley now possesses the exclusive cure of souls or in other words of that portion of the said township of Horsley Woodhouse which is not included in the parish of Smalley in the county and diocese aforesaid.”

And whereas drafts of the said scheme have, in accordance with the provisions of the secondly hereinbefore mentioned Act, been transmitted to the patron and to the incumbent of the said parish of Horsley out of which it is intended that the district recommended in such scheme to be constituted shall be taken, and such patron and incumbent have respectively signified their assent to such scheme :

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 from and after the time when this Order shall have been duly published in the London Gazette pursuant to the said Acts ; and