

“from any parish or mother church, and either be constituted a separate benefice by itself or be united to any other parish to which it may be more conveniently annexed, or to any other adjoining tithing; hamlet, chapelry, place, or district, parochial or extra-parochial, so as to form a separate parish or benefice, or that any extra-parochial place may with advantage be annexed to any parish to which it is contiguous, or be constituted a separate parish for ecclesiastical purposes; and the said Archbishop or Bishop shall draw up a scheme in writing (the scheme of such Bishop to be transmitted to the said Archbishop for his consideration) describing the mode in which it appears to him that the alteration may best be effected, and how the changes consequent on such alteration in respect to ecclesiastical jurisdiction, glebe lands, tithes, rent-charges, and other ecclesiastical dues, rates, and payments, and in respect to patronage and rights to pews, may be made with justice to all parties interested; and if the patron or patrons of the benefice or benefices to be affected by such alteration shall consent in writing under his or their hands to such scheme, or to such modification thereof as the said Archbishop may approve, and the said Archbishop shall, on full consideration and enquiry, be satisfied with any such scheme, or modification thereof, and shall certify the same and such consent as aforesaid, by his report to Her Majesty in Council, it shall be lawful for Her Majesty in Council to make an Order for carrying such scheme, or modification thereof, as the case may be, into effect.”

And whereas by another Act of Parliament, passed in the second and third years of the reign of Her present Majesty, intituled “An Act to make better provision for the assignment of ecclesiastical districts to churches or chapels augmented by the Governors of the Bounty of Queen Anne, and for other purposes,” it is, amongst other things, further enacted “That when, by any Order of Her Majesty in Council as aforesaid, a separate parish for ecclesiastical purposes is constituted, the same shall, on registration thereof, and with the consent in writing of the incumbent or incumbents of the benefice or benefices to be thereby affected, become a perpetual curacy and benefice, and the minister thereof, duly nominated and licensed thereto, and his successors, shall be a body politic and corporate, with perpetual succession, and may receive and take to himself and his successors all such lands, tenements, tithes, rent-charges, and hereditaments as shall be granted unto him or them, and such perpetual curate shall thenceforth have, within the limits of the district parish formed under the Church Building Acts for the church of such perpetual curacy, sole and exclusive cure of souls, and shall not in anywise be subject to the control or interference of the incumbent or incumbents of the benefice or benefices to be affected by such Order, if he or they shall have consented to such Order as aforesaid; but if such incumbent or incumbents shall not have so consented thereto, this last-mentioned provision shall not come into operation until the next avoidance of the benefice by the incumbent objecting thereto, or by the surviving incumbent objecting, if more than one shall object thereto, and in such case the last-mentioned provision shall forthwith after such avoidance come into operation, and shall be binding on all persons whatsoever.”

And whereas the Lord Bishop of Peterborough hath made a representation in writing to his Grace

the Lord Archbishop of Canterbury in the words and figures following, that is to say:—

“To the Most Reverend Archibald Campbell Lord Archbishop of the Province of Canterbury.

“I the Right Reverend William Connor Lord Bishop of Peterborough do hereby represent to your Grace that there is in the county of Leicester and my diocese of Peterborough the rectory of Aylestone the parish whereof on account of its close proximity to the town of Leicester is becoming very thickly populated.

“That the gross annual income of the said rectory is £1,324 Os. Od. or thereabouts.

“That there is one church at Aylestone aforesaid but it is expected that if the scheme hereunto annexed is carried into effect a new church for the inhabitants of the proposed new district will be built upon a site which has been given for that purpose.

“That it appears to me the portion of the said parish of Aylestone coloured yellow upon the plan accompanying this representation which contains a population of 2,000 persons might under the provisions of the Acts of Parliament of the 1st and 2nd years of Her present Majesty cap. 106 and the 2nd and 3rd years of Her said Majesty cap. 49 be advantageously separated from the said parish of Aylestone and constituted a separate benefice by the name or style of ‘St. James’ Aylestone Park.

“That it also appears to me that the income of the said rectory of Aylestone should from the date upon which such separation takes effect be charged with the payment by equal half yearly payments of the net annual sum of three hundred pounds to the incumbent for the time being of the said newly constituted benefice.

“That pursuant to the direction contained in the 26th section of the first mentioned Act of Parliament I the said Lord Bishop have drawn up a scheme in writing appended to this representation describing the mode in which it appears to me that the proposed alteration may best be effected and how the changes consequent upon such alteration in respect to ecclesiastical jurisdiction, patronage, and rights to pews may be made with justice to all parties interested and I do submit the same to your Grace with my consent in writing as patron of the said rectory of Aylestone to the intent that your Grace may if on full consideration and enquiry you shall be satisfied with the said scheme certify the same and such consent to Her Majesty in Council.

“Given under my hand this first day of August, one thousand eight hundred and eighty-one.

“W. C. Peterborough.”

And whereas the scheme and consent referred to in the said representation are as follows:—

“SCHEME referred to in the foregoing Representation.

“It is proposed to separate the north-eastern portion of the said parish of Aylestone extending from the borough of Leicester on the north-east to the Aylestone glebe land on the south-west and from the lordship of Knighton on the south-east to the Leicester and Lutterworth turnpike-road for a part of its length and the River Scar for the remaining part on the north-west from the said parish of Aylestone and to constitute it a separate benefice and a perpetual curacy by the name or style of St. James Aylestone Park of which the church to be hereafter erected shall be the parish church.

“The benefice so proposed to be constituted will be bounded on the north-east by the parish