

situate in Duke's-place Aldgate in the city and diocese of London but now taken down.

"Whereas by an Order of your Majesty in Council bearing date the fifth day of May one thousand eight hundred and seventy-three and published in the London Gazette of the sixth day of the same month it is amongst other things ordered that the said church of Saint James Duke's-place shall be taken down and its materials and site be sold by public tender or private contract.

"And whereas the said church has been lately taken down as aforesaid and the materials thereof have been sold but the site of such church has not yet been sold and preparations for such lastly mentioned sale have been commenced under the direction of us the said Ecclesiastical Commissioners.

"And whereas there abuts upon the western end of the site of the said church of Saint James Duke's-place so lately taken down as aforesaid a certain piece of ground hereinafter called the west ground lying between the said western end of the site of such church and the open space called Mitre-square and bounded on all sides except on the eastern side by the same Mitre-square which said piece of ground contains by admeasurement ninety square yards or thereabouts and is enclosed within an ancient iron railing and gates.

"And whereas in the course of the preparations aforesaid for the said proposed sale of the site of the said church of Saint James Duke's-place it has been discovered that interments have taken place in the west ground aforesaid and that upon the consecration of the said church of Saint James Duke's-place (which consecration took place in or about the year one thousand six hundred and twenty-two) the said west ground was consecrated and dedicated for the burial and interment of the dead as a part of the cemetery of the said church of Saint James Duke's-place which at that time was called the church or chapel of Saint James within Aldgate of London.

"And whereas the sale of the site of the said church of Saint James Duke's-place which is by the said Order of your Majesty in Council directed to be made will (as by the same Order appears) be made under and for the purposes of the said Act of the twenty-third and twenty-fourth years of your Majesty chapter one hundred and forty-two; but by the seventeenth section of the same Act it is enacted that nothing in that Act contained shall legalize the sale or letting of any church-ard or burial ground.

"And whereas the money value of the site of the said church of Saint James Duke's-place will upon any such sale as aforesaid be greatly diminished unless access can be given to the same over the said west ground.

"And whereas under the circumstances hereinbefore set forth it appears to us to be competent to us to recommend and propose to your Majesty in Council under the Act hereinbefore mentioned as follows:

"Now therefore with the consent of the Bishop and patrons and the vestries of the parishes to be affected by this scheme that is to say with the consent of the Right Honourable and Right Reverend John Bishop of the said diocese of London (in testimony whereof he has hereunto set his hand and his episcopal seal) and with the consent of the Masters and Fellows of the College of Saint Mary Magdalene of the University of Cambridge and with the consent of the Mayor Commonalty and Citizens of the said city of London (in testimony whereof the said Master and Fellows and the said Mayor Commonalty and Citizens have respectively hereunto affixed their common

or corporate seals) and with the consent of the vestry of each of the two parishes of Saint Catherine Cree and Saint James Duke's-place (testified by the chairman of each of the said vestries having hereunto set his hand pursuant to a resolution passed at each of the same vestries respectively at meetings duly convened for the purpose of giving such consent), and also with the consent of the Reverend William Meynell Whittemore Clerk in Holy Orders Doctor in Divinity the present rector of the united rectory of Saint Catherine Cree with Saint James Duke's-place in whom as such rector as aforesaid the said west ground is by virtue of the twenty-ninth section of the said Act of the twenty-third and twenty-fourth years of your Majesty chapter one hundred and forty-two now vested (in testimony of which consent the said William Meynell Whittemore has hereunto set his hand and seal) we humbly recommend and propose that as 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 other assurance in the law the said west ground being as aforesaid that piece of consecrated ground which abuts upon the western end of the site of the said church of Saint James Duke's-place so taken down as aforesaid and which piece of ground is bounded on the east by the site of the same church and on all other sides by the said open space called Mitre-square as aforesaid and which contains by admeasurement ninety square yards or thereabouts shall be appropriated for ever as an open space with or without carriage roads or foot paths or both or either thereon for the purpose of given access to or from and the use and enjoyment of the site of the said church of Saint James Duke's-place which is directed to be sold as aforesaid and that such appropriation as lastly aforesaid shall be made to the satisfaction of us the said Ecclesiastical Commissioners for England and so that no disturbance of or interference with the graves of any persons interred beneath the same ground shall take place.

"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 in accordance with the provisions of the said Act or of any other Act of Parliament."

And whereas the said supplemental scheme has been laid before both Houses of Parliament for the space of two calendar months.

And whereas the said supplemental 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 supplemental 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 Act; 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 London.

*C. L. Peel.*

AT the Court at Windsor, the 17th day of May, 1876.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS the Ecclesiastical Commissioners for England have, in pursuance of the Act of the fifty-ninth year of His Majesty King