

And whereas the said scheme has been approved by His Majesty in Council: now, therefore, His Majesty, by and with the advice of His 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 His 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 Norwich.

A. W. FitzRoy.

At the Court at *Buckingham Palace*, the 24th day of *October*, 1904.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS the Ecclesiastical Commissioners for England have in pursuance of the Act of the sixteenth and seventeenth years of Her late Majesty Queen Victoria, chapter fifty, and of the Act of the twenty-third and twenty-fourth years of Her said late Majesty, chapter one hundred and twenty-four, duly prepared and laid before His Majesty in Council a scheme bearing date the twenty-eighth day of July, in the year one thousand nine hundred and four, in the words and figures following, that is to say:—

“We, the Ecclesiastical Commissioners for England, in pursuance of the Act of the sixteenth and seventeenth years of Her late Majesty Queen Victoria, chapter fifty, and of the Act of the twenty-third and twenty-fourth years of Her said late Majesty chapter one hundred and twenty-four, have prepared and now humbly lay before Your Majesty in Council the following scheme for effecting an exchange of the patronage of the benefice (being a vicarage) of Barnstaple, situate in the county of Devon, and in the diocese of Exeter, for the patronage of the benefice (being a rectory) of Saint Peter, Tavy, situate in the county of Devon, and in the diocese of Exeter.

“Whereas by an indenture of settlement bearing date the tenth day of October in the year one thousand eight hundred and eighty-eight and expressed to be made between the Right Honourable Edward Montagu Stuart Granville, late Earl of Wharnccliffe of the first part the Honourable Francis Dudley Montagu Stuart-Wortley of the second part the Right Honourable Francis John Earl of Wharnccliffe therein described as Francis John Stuart-Wortley of the third part and the Most Honourable Henry Francis Marquis of Drogheda and the Right Honourable Henry Thynne Earl of Harewood, both since deceased, of the fourth part, the advowson or perpetual right of patronage of and presentation to the said benefice of Barnstaple now stands limited to uses under which and in the events which have happened the said advowson or perpetual right of patronage and presentation is vested in the said Francis John Earl of Wharnccliffe as tenant for life in possession with divers remainders over and such settlement contains a power of sale and exchange which is now exercisable by the Right Honourable Charles Beilby Stuart-Wortley, one of Your Majesty's Counsel and a Member of the

Commons House of Parliament, and Sir Charles Glynne Earle Welby, as the present trustees of the said indenture of settlement, with the consent in writing of the said Francis John Earl of Wharnccliffe.

“And whereas the Right Reverend Archibald Bishop of Exeter is seized to him and his successors in fee in right of his See of the advowson or perpetual right of patronage of and presentation to the said benefice of Saint Peter Tavy.

“And whereas it has been proposed to us that the patronage of the first mentioned benefice and the patronage of the secondly mentioned benefice may be exchanged in manner hereinafter recommended and proposed.

“And whereas we have made due enquiry and calculations as to the circumstances and relative values of the said benefices and of the patronage thereof respectively and we do hereby certify to Your Majesty in Council that such circumstances and value respectively are as set forth in the schedule hereto and it has been made to appear to us that the said exchange would be in conformity with the intentions of and expedient for the objects contemplated by the said hereinbefore mentioned Acts.

And whereas by an indenture already prepared and intended to be executed immediately after the publication in the London Gazette of this scheme and any Order of Your Majesty in Council ratifying the same and to bear date the day of the date of such publication and expressed to be made between the said Charles Beilby Stuart-Wortley and Sir Charles Glynne Earle Welby of the first part of the said Francis John Earl of Wharnccliffe of the second part and the said Archibald Bishop of Exeter of the third part the advowson or perpetual right of patronage of and presentation to the said benefice of Barnstaple is intended and expressed to be appointed and conveyed unto and to the use of the said Archibald Bishop of Exeter and his successors for ever in exchange for the said advowson or perpetual right of patronage of and presentation to the said benefice of Saint Peter Tavy to the end and intent that the said right of patronage thereby expressed to be appointed and conveyed may from time to time and at all times be exercised by the said Archibald Bishop of Exeter and his successors for ever.

“Now therefore we the said Ecclesiastical Commissioners for England with the consent of the said Archibald Bishop of Exeter (testified by his having set his hand and affixed his episcopal seal to this scheme) 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 said advowson or perpetual right of patronage of and presentation to the said benefice of Saint Peter Tavy and the church thereof shall be assigned and transferred from the said Archibald, Bishop of Exeter and his successors to and shall become and thenceforth be absolutely vested in the said Charles Beilby Stuart-Wortley and Sir Charles Glynne Earle Welby and their heirs to such of the uses upon such of the trusts and with and subject to such of the powers provisos agreements and declarations in and by the said indenture of settlement of the tenth day of October in the year one thousand eight hundred and eighty-eight or by reason of any exercise of the powers therein contained of jointuring or charging portions limited expressed and declared of and concerning the advowson or perpetual right of