

ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

Cap. vii.

An Act for altering and amending The Walworth Common Inclosure Act, 10 Geo. 3. Cap. 72.; for authorizing a Partition of the Walworth Common Estate; for incorporating the Governors and Guardians of the Poor of the Parish of Saint Mary Newington in the County of Surrey, and for enabling such Governors and Guardians to erect a new Workhouse; for altering and amending the Acts 54 Geo. 3. Cap. 113. and the l Geo. 4. Cap. 41. relating to the said Parish; and for other Purposes. [20th May 1851.]

HEREAS by the Local and Personal Act 10 Geo. 3.

Cap. 72., intituled An Act for dividing certain Commons 10 G.3. c.72.

or Wastes in the Parish of Saint Mary Newington,

commonly called Newington Butts, in the County of Surrey, and

disposing of the same for the Benefit of the Poor of the said

Parish, after reciting (amongst other things) that there were

within the said Parish and Manor of Walworth in the County of

[Local.]

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Surrey

Surrey Two Commons, the one called Walworth Common, containing Forty-eight Acres or thereabouts, and the other called Lorimoor Common, containing about Sixteen Acres of dry Land and about Three Acres covered with Water, in and over which the Proprietors of certain Estates within the said Parish and their Tenants had Right of Common under a Stint, and that the Dean and Chapter of the Cathedral and Metropolitical Church of Christ, Canterbury, were Lords of the said Manor, and as such were seised and entitled to the Soil of the said Commons or Wastes, and to Common Rights thereupon, and that Henry Penton Esquire was their then present Lessee thereof, and that the Right Reverend Father in God James Lord Bishop of Worcester was, in right of his Bishoprick, Patron of the Rectory of Saint Mary Newington commonly called Newington Butts aforesaid, and that the Reverend Samuel Horsley Clerk was the then present Rector of the said Parish and Parish Church, and as such was entitled to all the Tithes growing or to grow due upon or on account of the said Two Commons, and that the said Parish was burdened with a numerous and expensive Poor, it was enacted, that the Rector and Churchwardens of the said Parish for the Time being, the Tenant of the said Manor for the Time being, with Twelve-Persons therein named, and their Successors, to be elected as therein mentioned, should be Trustees for putting the said Act into execution, and that after the passing of the said Act all Right of Common or Pasturage, and other Right, save as therein-after mentioned, in or upon the said Two Commons called Walworth Common and Lorimoor Common should cease and be extinguished, and that the said Common called Lorimoor, and Part of Lorimoor Lane, therein described, should be vested in the said Dean and Chapter of Canterbury and their Successors for ever, and that the other of the said Commons called Walworth Common should be vested in the said Trustees for ever, discharged from all Right which the Inhabitants of the said Parish or any Persons could have in or to the same or any Part thereof, in trust nevertheless for the Purposes therein-after mentioned; and by the said Act the said Trustees, or any Five or more of them, were authorized to let or lease the said Common called Walworth Common for Terms not exceeding Ninety-nine Years, and under the best Rents that might be had for the same, payable half-yearly, and with such Covenants and Agreements as the said Trustees or any Five or more of them should think proper; and the said Trustees were thereby required, half-yearly, to make up a distinct Account of their Receipts and Disbursements, and after deducting the Expenses of the Trustees Meetings, and of a Clerk to keep their Accounts, and other necessary Expenses attending the Execution of the said Act, to pay One full Tenth Part of the remaining and net Income arising from the said Land called Walworth Common unto the said Samuel Horsley and his Successors, Rectors

of the said Parish and Parish Church for the Time being, and deliver therewith a true and perfect Account of the Receipts and Disbursements for the respective Half Year, signed by the said Trustees or any Five or more of them; and the said Trustees were thereby required to pay the Overplus of the Money to be raised by Fines, as therein mentioned, for granting the first Leases under the said Act, and also from Time to Time to pay the remaining Nine Tenth Parts of such net Income of the said Common called Walworth Common to the Churchwardens and Overseers of the Poor of the said Parish of Saint Mary Newington commonly called Newington Butts, or to such Persons as they should appoint to receive the same, who were thereby directed and required to apply the same from Time to Time for and towards the Relief of the Poor of the said Parish, and to account for the same to the said Trustees in such Manner as Overseers of the Poor were by Law to account for Money received by them for the Use of the Poor; and it was also enacted, that the said Payment of a Tenth Part of the net Income of the said Land called Walworth Common, thereby directed to be made to the said Samuel Horsley and his Successors, should be and the same were thereby vested in and should be accepted by the said Samuel Horsley and his Successors, Rectors of the said Parish, in lieu of and full Compensation for all Tithes and Ecclesiastical Dues and Payments whatsoever (Easter Offerings, Mortuaries, Burial Fees, and other Surplice Fees excepted,) arising in respect of the said Walworth Common, in case the same had remained open or the said Act had not been passed; and that after the Execution of any Leases by the said Trustees of the said Common, or any Part thereof, all Tithes, both great and small, and all other Ecclesiastical Dues and Payments (except as aforesaid) of such respective Parts, should cease and be extinguished, and that nothing therein contained should prejudice the Right of the Dean and Chapter of Canterbury, as Lords of the said Manor of Walworth, to the Seigniories, Royalties, and Services incident and belonging to the same: And whereas in pursuance of the said Act the said Walworth Common Estate was divided and let, and divers Leases were granted of the greater Part thereof for long Terms of Years, which have not yet expired, and numerous Streets and Houses have been erected upon the Ground demised by such Leases; and upon the Expiration or Determination of such Leases a very large annual Sum or Sums will become payable to the Trustees of the said recited Act in respect of the Lands and Houses demised by such Leases: And whereas by the Local and Personal Act 54 Geo. 3. Cap. 113., intituled An Act for repealing 54G.3.c.113. an Act passed in the Forty-eighth Year of the Reign of His present Majesty, intituled 'An Act for better assessing and collecting the Poor and other Rates in the Parish of Saint Mary Newington in the County of Surrey, and regulating the Poor thereof,' and granting

granting other Powers in lieu thereof, for rebuilding or repairing the Workhouse and removing and preventing Encroachments and Annoyances in the said Parish, and for other Purposes relating thereto, it was enacted (amongst other things) that the Rector, Churchwardens, and Overseers of the Poor of the said Parish, and also the Justices of the Peace for the said County of Surrey resident in the said Parish for the Time being, together with certain Persons in the said Act named and described, and their Successors, to be appointed in the Manner therein mentioned, should be Governors and Guardians of the Poor of the said Parish, for the Purpose of well governing, providing for, employing, and managing the said Poor, and for carrying the several other Purposes of that Act into execution; and that all and every the Wares, Furniture, Materials, Tools, Utensils, Clothes, Provisions, and Things whatsoever provided to and for the Use and Maintenance and Employment or Clothing of the Poor of the said Parish, either in the Workhouse which then was or might thereafter be provided for the Reception, Maintenance, and Employment of the Poor of the said Parish, and for carrying into execution the Purposes of the nowreciting Act, and that all Monies received or due or to be received for the Poor's Work or otherwise, should, from and immediately after the passing of the said Act, be vested in, paid, delivered, and belonged unto, and the same were thereby absolutely vested in, the said Governors and Guardians and their Successors for the Purposes of the said Act; and the said Governors and Guardians were thereby authorized and empowered to bring any Action or Actions, or to prefer and prosecute or order or direct the preferring and prosecuting of any Bill or Bills of Indictment, as the Case might require, against any Person or Persons who should or might steal, take, or carry away, detain, spoil, injure, or destroy the several Wares, Furniture, Materials, Tools, Utensils, Clothes, Provisions, and Things by the said Act vested in the said Governors and Guardians, or any of them, or any Part or Parts thereof, and that from Twenty-one Days after the passing of the said Act the said Governors and Guardians and their Successors should be and they were thereby declared to be invested with all and every the Powers and Authorities which Overseers of the Poor, by the Laws then made and to be made in all or any Cases touching or concerning the Relief or Management or Employment of the Poor or the Application of any of the Rates made for their Use or Maintenance, were or should be invested (save and except such as might in the now-reciting Act be mentioned or otherwise provided for); and the said Governors and Guardians for the Time being were thereby declared competent to do and perform all and every Act or Acts, and should be subject to the like Pains, Penalties, and Forfeitures, Rules and Regulations, and Restrictions which Overseers of the Poor were by Law enabled to do and perform, and were subject and liable to (except ·

(except as therein aforesaid); and by the said Act Provisions were made for the Maintenance and Appointment annually of Four Persons to be Overseers of the Poor of the said Parish, in the Manner and for the Period therein mentioned, and that such Overseers then appointed should from thenceforth, together with the Churchwardens for the Time being, be and be deemed Overseers of the Poor of the said Parish, and that the said Churchwardens and Overseers should take upon themselves the Offices of Governors and Guardians of the Poor of the said Parish; and by the said Act the said Governors and Guardians were enabled to sue and be sued in the Name of their Treasurer or Clerk: And whereas the Workhouse of the said Parish hath been found insufficient to accommodate the Poor of the said Parish, and it is expedient that better Accommodation for the said Poor should be provided, and the said Governors and Guardians are desirous of providing such greater Accommodation for the said Poor, and for that Purpose to erect and build a Workhouse upon a Parcel of Ground forming Part of the Walworth Common Estate in addition to the Workhouse for the Infant Poor of the said Parish now in the Course of Erection on the said Walworth Common Estate; and it is expedient that the said Governors and Guardians should be empowered to raise the Funds necessary for building such intended Workhouse, and for fitting up and furnishing the same, and for paying off the existing Debt due by the said Governors and Guardians, or by the said Parish, in respect of the said Workhouse for the Infant Poor, and for reimbursing the said Governors and Guardians all Sums of Money which they have expended in respect of such last-mentioned Building, and in respect of the Purchase of the Site for the same out of the said Walworth Common Estate: And whereas the Inhabitants of the said Parish of Saint Mary Newington, in Vestry duly assembled, have passed Resolutions approving and sanctioning the building such intended new Workhouse as aforesaid, and for raising the Funds for such Purpose, and for the Purposes connected with the building of the said Workhouse for the Infant Poor out of the said Walworth Common Estate: And whereas it is expedient that the Governors and Guardians of the said Parish should be incorporated, and have perpetual Succession, and a Common Seal: And whereas Doubts have arisen upon the Construction of the Act of Parliament of the Fifty-ninth Year of the Reign of His late Majesty King George the Third, intituled An Act to amend the Laws for the Relief of the 59G. 3. c. 12. Poor, whether the said Walworth Common Estate did not thereby (Pub.) become vested in the Churchwardens and Overseers of the Poor of the said Parish of Saint Mary Newington, or in the said Governors and Guardians and their Successors, upon the Trusts stated in the first-recited Act: And whereas Ambrose Boyson and John William Trustees Tomlinson Leathwait are Churchwardens of the said Parish, and before and Richard Roffey, Edward Jones, Charles Pugh, William Nash, William in 1835.

[Local.]

Henry

Election of Trustees in 1846.

Henry Woollett, Philip William Urlwin, and John Simpson were respectively elected Trustees under the first-recited Act in or prior to the Year One thousand eight hundred and thirty-five, and all of such Persons have respectively acted as such Trustees, except the said John William Tomlinson Leathwait and William Henry Woollett, who though elected have not acted as such Trustees: And whereas John Gover, James Kingdon, and Francis Hardy were, in the Month of July One thousand eight hundred and fortysix, elected Trustees under the first-recited Act, but the Validity of their Election was disputed, and they never acted as such Trustees: And whereas Differences have arisen in the said Parish of Saint Mary Newington in whom as Trustees the said Walworth Common Estate is vested, and the said Governors and Guardians of the Poor of the said Parish contend that, by virtue of the said recited Act of the Fifty-fourth Year of the Reign of King George the Third and the said Act of the Fifty-ninth Year of the Reign of King George the Third, they are entitled to hold, and they claimed to hold, the said Walworth Common Estate upon the Trusts mentioned and contained in the said recited Act of the Tenth Year of King George the Third; and the Overseers appointed under the Provisions of the said Act of the Fifty-fourth Year of the Reign of King George the Third contend, in case the said Governors and Guardians are not entitled as aforesaid, that under and by virtue of the said Act made and passed in the Fifty-ninth Year of the Reign of King George the Third the Churchwardens for the Time being of the said Parish and the Overseers of the Poor of the said Parish for the Time being appointed as aforesaid are entitled to hold the said Walworth Common Estate upon the Trusts of the said Act of the Tenth Year of the Reign of King George the Third; and the Persons appointed or claiming to be appointed Trustees of the said Estate under the last-mentioned Act` in and prior to the Year One thousand eight hundred and thirty-five contend that the same Estate is vested in them jointly with the Rector and Churchwardens of the said Parish and the Tenant, if any, of the Manor of Walworth, upon the Trusts of the said Act: And whereas, in consequence of certain Doubts and Differences as to the Election of new Trustees under the said recited Act of the Tenth Year of the Reign of King George the Third, which took place in the Month of July One thousand eight hundred and fortysix, the Reverend Arthur Cyril Onslow, the Rector of the said Parish, and the said Ambrose Boyson, One of the Churchwardens, (the said Arthur Cyril Onslow and Ambrose Boyson being Two of the exofficio Trustees under the said Act, the said Arthur Cyril Onslow as Rector of the said Parish being also beneficially interested in Onc Tenth. Part of the net Income of the said Walworth Common Estate,) on the Fifteenth Day of December One thousand eight hundred and forty-six, presented their Petition to the Lord High Chancellor

Petition of Trustees to Court of Chancery, dated 15th December 1846.

Chancellor in the Matter of the Walworth Common Estate, and of an Act of Parliament made and passed in the Fifty-second Year of the Reign of King George the Third, Chapter 101, and thereby prayed that it might be ascertained and declared who were the existing Trustees of the said Estate, and what Vacancies there were in the said Trust, and that it might be ascertained by Reference to the Master of the Court of Chancery, or otherwise as the said Court should deem meet, when and how such Vacancies happened respectively, and when they respectively became known, and that it might be ascertained whether they or any of them could be supplied by the Vestry, and that such, if any, of them as could be so supplied might be accordingly so supplied, and that proper Directions might be given for supplying the other Vacancies, and for duly vesting the legal Estate in the Trustees, and that such Directions as might be necessary under the Circumstances aforesaid might be given for the due Administration of the said Trust, and that such further Order might be made in the Premises as the Nature of the Case might require; and on the Twenty-second Day of December One thousand eight hundred and forty-six an Order was made upon the said Petition by his Honour Vice Chancellor Knight Bruce, and such Order was, on the Thirty-first Day of March One thousand eight hundred and forty-seven, discharged by an Order made by the Lord High Chancellor: And whereas on the Third Day of July One thousand eight Information hundred and forty-seven an Information in the Court of Chancery 1847. was filed by Her Majesty's then Attorney General, at the relation of Edward Taylor, James Brooker, Thomas Griffin, John Ireland, and John Marsland, Five of the rated Inhabitants of the said Parish of Saint Mary Newington, which Information was afterwards amended in pursuance of an Order for that Purpose duly made by the said Court of Chancery, and as amended was against John Inville and Joseph Burgess, joint Clerks to the said Governors and Guardians of the Poor of the said Parish, the said Ambrose Boyson, Francis Feltoe, the then Churchwardens of the said Parish, Henry Seward, Daniel Haywood, Thomas Gotch Pocock, and John Robert Burton, the Overseers of the said Parish, the said Arthur Cyril Onslow and Richard Roffey, Edward Jones, Charles Pugh, William Nash, William Henry Woollett, Philip William Urlwin, John Simpson, John Gover, James Kingdon, and Francis Hardy, and against John Edward Johnson, Warwick Weston, Samuel Palmer, William Chamberlain, William Gover, Thomas Grover, and John Thwaites, as Defendants thereto, and prayed that it might be declared by the Decree of the said Court, that the said Walworth Common Estate was vested in the Governors and Guardians for the Time being of the Poor of the said Parish of Saint Mary Newington, upon the Trusts contained in the said Act of the Tenth Year of the Reign of King George the Third, or if the said Court should be of opinion that the said

said Estate was not so vested in the said Governors and Guardians as

aforesaid, then that it might be declared in like Manner that the said Walworth Common Estate was vested in the Churchwardens for the Time being of the said Parish and the Overseers for the Time being of the Poor of the said Parish appointed under the Fifty-seventh Section of the said Act of Parliament of the Fifty-fourth Year of the Reign of King George the Third, upon the like Trusts, or if the Court should be of opinion that the said Estate was not so vested in the said Governor and Guardians as aforesaid, or in the said Churchwardens and Overseers as aforesaid, then that it might be declared in like Manner that the said Walworth Common Estate was vested in the Trustees appointed and to be appointed under and by virtue of the said Act of the Tenth Year of the Reign of King George the Third, upon the Trusts therein mentioned and contained, and in such last-mentioned Case it might be ascertained and declared by the Court who were then the Trustees of the said Estate appointed by virtue of the said last-mentioned Act, and whether there were any and what Vacancies in such Trusteeship, and that such Vacancies, if any, might be supplied, and that the said Estate might be duly vested in such Trustees, and that all proper Accounts should be taken and a Receiver appointed: And whereas on the Thirty-first Day of March One thousand eight hundred and forty-eight a Supplemental Information in the said Court of Chancery was filed by Her Majesty's then Attorney General, at the Relation aforesaid, against the said Daniel Haywood, and against Joseph Breillat, John William Field, Peter William Piggott, and William Tyler, and the said several Defendants in the Information mentioned, except the said Francis Feltoe, who had then ceased to be ex-officio Trustee: Decree dated And whereas by the Decree made in the said Causes on the Twenty-second Day of February One thousand eight hundred and forty-nine it was, among other things, ordered, that the said Information should stand dismissed as against the said John Edward Johnson, Warwick Weston, Samuel Palmer, William Chamberlain, William Gover, Thomas Grover, and John Thwaites, with Costs, to be paid out of the Rents of the said Estate, as therein mentioned; and it was referred to the Master to inquire and state to the Court whether there was any Tenant of the Manor of Walworth, and who such Tenant was, and if the said Master should find that there was no such Tenant, then the Master was to inquire and state to the Court whether it would be fit and proper, and for the Benefit of the Charity, that anything and what should be done to supply the Place of such Tenant as a Trustee under the said Act of the Tenth Year of King George the Third, and the Master was to state whether there was any and what Vacancies in the Number of Trustees under the last-mentioned Act; and it was ordered, that the Master should appoint new Trustees to fill up such Vacancies,

accepting

Supplemental Information filed 31st March 1848.

22d Feb. 1849.

accepting any Election of such Trustees by the Vestry under the Third Section of the said Act of the Tenth Year of King George the Third, if made and declared within a reasonable Time, to be fixed by the Master, after he had ascertained such Vacancies; and it was ordered, that the Master should inquire and state in what Persons or Body of Persons it would be for the Benefit of the Charity in question in the said Information to have the legal Estate of the said Charity properly vested, having regard to the said Act of the Tenth George Third, and also to the said Act of Fifty-fourth of George Third, and dismissing the Information as against the said Defendants John Edward Johnson, Warwick Weston, Samuel Palmer, William Chamberlain, William Gover, Thomas Grover, and John Thwaites, with Costs, as therein mentioned; and the Court reserved the Consideration of all Further Directions, and of the Costs of the other Parties to the said Suits, until after the Master should have made his Report, with Liberty for any of the Parties to apply to the Court as they might be advised: And whereas in pursuance of the said Decree in the said Causes several States of Facts and Affidavits have been carried into the Office of the Master to whom the said Causes stand referred, but no Report has been made under the said Decree: And whereas it is expedient, and the said several Parties interested in the said Estate are desirous, that the said Proceedings in the Court of Chancery should be determined, and that the said Estate should be valued, and divided into Ten Parts of equal Value, and that One of such Tenth Parts should be allotted to and vested in the said Arthur Cyril Onslow, the present Rector of the said Parish, and his Successors Rectors of the said Parish for the Time being, as Part of the said Glebe Land of the said Rectory, and that the other Nine Tenth Parts of the said Walworth Common Estate should be allotted to and vested in and exclusively managed by the Governors and Guardians of the Poor of the said Parish for the Time being for ever, for the Benefit of the Poor of the said Parish, free from all Tithes and Ecclesiastical Dues and Payments whatsoever, (Easter Offerings, Mortuaries, Burial Fees, and other Surplice Fees excepted,) and that the several Costs, Charges, and Expenses herein-after in this Act mentioned should be paid as herein-after provided: And whereas it is desirable, and will be an Advantage to the said Parish, if the several Objects before mentioned, as to the said intended new Workhouse and the said Workhouse for the Infant Poor, were carried into effect: And whereas the present Rector of the said Parish is desirous that his One Tenth Part of the said Estate should be vested in him and his Successors Rectors of the said Parish for the Time being as Glebe Land, and subject to the same Powers of leasing and other Powers for the Benefit of the said Rectors as by the Private Act 10 Geo. 4. Cap. 49. are granted to the Rector of the said Parish in respect of the Glebe Lands comprised in the First Schedule to [Local.]the

Order of

Court of

Chancery

dated 30th

Jan. 1851.

The Walworth Common Inclosure Amendment Act, 1851.

the said Act, and that the said Rector should be authorized, with the Consent of the Patron and Ordinary of the said Rectory, to apply the whole or any Part of his Portion of the said Estate for increasing the Endowment of certain District Churches within the said Parish, and for procuring the Pew Rents of the Parish Church of the said Parish (after providing thereout for the Repairs of such Parish Church) to be exempted from their present Liability, to be applied towards the Expenses of paying the Salaries of the Incumbents, Clerks, and Sextons of such District Churches, and of carrying into execution the Powers of the Local and Personal Act 1 Geo. 4. Cap. 41.: And whereas it is expedient that other Powers should be granted to the said Rector and Governors and Guardians respectively, and that some of the Powers and Provisions of the several before-mentioned Acts should be repealed, altered, amended, and extended, and further Powers granted in relation thereto: And whereas by an Order of the High Court of Chancery, bearing Date the Thirtieth Day of January One thousand eight hundred and fifty-one, upon the Petition of the Relators in the said Informations, the Stipulations and Arrangements made and entered into by a certain Agreement dated the Twenty-sixth Day of December One thousand eight hundred and fifty, for the Settlement and Compromise of the said Informations, was approved by the Court, and it was ordered that the Rector and other Trustees of the Walworth Common Estate and the Governors and Guardians of the Poor of the said Parish of Saint Mary Newington should be at liberty to apply in conjunction to Parliament, as in the said Agreement mentioned, for an Act of Parliament to carry into execution and effect the Terms and Stipulations of the said Agreement; and it was referred to the Master to whom the said Causes or Informations stood referred to settle such Bill upon the Terms of the said Agreement: And whereas Richard Torin Kindersley Esquire, as such Master as aforesaid, by his Report or Certificate, dated the Twenty-sixth Day of February One thousand eight hundred and fifty-one, certified his Approval of this Bill as proper to carry into effect the Terms and Stipulations in the said Agreement mentioned: And whereas the Partition of the said Walworth Common Estate, and the several other beneficial Objects aforesaid, cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That in this Act the several Words and Expressions herein-after mentioned shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of certain Terms.

The Word "Rector" shall mean the present Rector of the said Parish of Saint Mary Newington, and his Successors Rectors of the said Parish for the Time being:

The Expression "Governors and Guardians" shall mean the Governors and Guardians of the said Parish for the Time being and their Successors Governors and Guardians acting in pursuance of the said recited Act 54 Geo. 3. Cap. 113.:

The Word "Estate" shall mean "The Walworth Common Estate" by this Act authorized to be divided:

The Expression "the Rector's Tenth" shall mean the Tenth Part of the Estate to be allotted to and to be held by the Rector in Severalty:

The Expression "the Governors and Guardians Nine Tenths" *shall mean the Nine Tenths of the said Estate to be allotted to the said Governors and Guardians.

II. That in citing this Act in other Acts of Parliament, and in Short Title. legal Instruments or Proceedings, and in Notices, Advertisements, or other like Documents, it shall be sufficient to use the Expression "The Walworth Common Inclosure Amendment Act, 1851."

III. That the Governors and Guardians of the Poor of the Parish of Governors Saint Mary Newington appointed under or by virtue of the said and Guarrecited Act 54 Geo. 3. Cap. 113. shall be and they are hereby St. Mary incorporated and made One Body Corporate, by the Name of "The Newington Governors and Guardians of the Poor of the Parish of Saint Mary rated." Newington in the County of Surrey," and by that Name shall have perpetual Succession and a Common Seal, and shall sue and be sued, and have Power and Authority to take, purchase, and hold Lands, Tenements, and Hereditaments, for the Purpose of the said recited Acts of the 10 Geo. 3. Cap. 72., and of the 54 Geo. 3. Cap. 113., and of this Act.

IV. That no Action, Suit, Bill, Process, Writ, Indictment, Informa- Actions, &c. tion, or any other Proceeding, whether Civil or Criminal, which at or not to abate or be affected before the Time of the passing of this Act shall have been com- by the Inmenced, and shall be then pending, whether under the Provi-corporation sions of the said recited Act 54 Geo. 3. Cap. 113. or otherwise, vernors and shall abate, determine, or be otherwise impeached or affected Guardians. by reason or in consequence of the Incorporation of the said Governors and Guardians, or of any Change of the Character or otherwise of the said Governors and Guardians, nor shall any Notice, Tender, Requisition, Warrant, Summons, Pleading, Civil or Criminal Writ, or other Process, Record, Deed, Policies, Contract, Agreement, Undertaking, Writing, or Instrument, that shall have been or shall be made, issued, written, or executed before the

the Commencement of this Act, be deemed to be vacated, discharged, invalidated, prejudiced, or affected by reason of the said Incorporation, or of anything in this Act contained; and it shall not be necessary in any Action, Suit, Bill, Indictment, Information, Tender, Notice, Requisition, Warrant, Summons, Pleading, Civil or Criminal, or other Process, or in any Record, Deed, Contract, Agreement, Writing, or other Instrument or Matter, to be commenced, made, or issued after the Time of the passing of this Act, to aver that the said Governors and Guardians had been called or known from the Time of the Commencement thereof, or from the Time of the passing of the said recited Act of 54 Geo. 3. Cap. 113. until the Commencement of this Act, by the Name of the Governors and Guardians of the Poor, and that by this Act the Name of the said Governors and Guardians was changed as aforesaid, and that after the passing of this Act the said Governors and Guardians have been called and known by the Name of "The "Governors and Guardians of the Poor of the Parish of Saint Mary " Newington in the County of Surrey," but it shall be sufficient therein to aver the Style and describe the Governors and Guardians by the Name of the Governors and Guardians of the Poor, in the same Manner as if the Title in the said Act 54 Geo. 3. Cap. 113. constituting or forming the said Governors and Guardians, and in all other Deeds and Writings, and in the said recited Act, had been the Name or Style of "The Governors and Guardians of the " Poor of the Parish of Saint Mary Newington in the County of " Surrey."

Property, &c. vested in incorporated Governors and Guardians.

V. That all Lands, Tenements, and Hereditaments, and other Property, Real and Personal, whatsoever and wheresoever, at the Time of passing this Act belonging to and held by or upon trust (whether express or understood or implied) for the said Governors and Guardians of the Poor acting under the Provisions of the said Act of 54 Geo. 3., and either absolutely or by way of Mortgage or otherwise, shall be deemed to be and the same are and is hereby legally vested in the said Governors and Guardians of the Poor as hereby incorporated, and that all Mortgages, Assignments, Conveyances, Deeds, and Assurances which have been already made or entered into by any Person whomsoever, unto or with the said unincorporated Governors and Guardians, or unto, with, or in the Name of any Person in trust, whether expressed or implied, for or for the Benefit of the said unincorporated Governors and Guardians, shall be henceforth deemed to have been actually made and entered into unto or with and owing unto the Governors and Guardians hereby incorporated, and shall be henceforth legally vested in the said incorporated Governors and Guardians without the Necessity for intermediate Conveyance or Assurance, or other Act

or Thing to be executed, made, or done by any Trustee or other Person; and it shall be lawful for the incorporated Governors and Guardians to exercise all Trusts or Powers of Sale, or other Powers or Trusts, vested in them by virtue of any Mortgages, Securities, or other Assurances, and to give all Notices by such Mortgages or otherwise required to be given by such Governors and Guardians, and to do all other Acts which such Governors and Guardians, their Heirs, Executors, Administrators, or Assigns, could have done; and it shall be lawful for the said incorporated Governors and Guardians to sue and take all other Proceedings, and to be sued upon and in respect of all Covenants, Bonds, Debts, Choses in Action, and Agreements, whether by Specialty or Simple Contract, which have been already made and entered into to or with or by, or are vested in or owing to or by, the said Governors and Guardians, or any Person in trust, whether expressed, understood, or implied, for them or on their Behalf: Provided always, that any Copyhold or Customary Lands, Tenements, or Hereditaments now held by any Person or Persons, either by way of Mortgage or otherwise, in trust, whether expressed or implied, for the said Governors and Guardians, may still after the passing of this Act remain vested in such Person or Persons, but in trust for the said Governors and Guardians as incorporated.

VI. That it shall be lawful for the incorporated Governors and Governors Guardians for any parochial Purposes to acquire by Foreclosure, Purchase, or otherwise, and to hold, any Lands, Tenements, and Here-hold Proditaments within the said Parish, and Lands, Tenements, and Here-perty withditaments not exceeding Thirty Acres out of the said Parish, whether Penalties. absolutely and beneficially or by way of Mortgage, or for any other Estate or Interest therein, without incurring the Penalties of the Statute of Mortmain.

and Guardians may out incurring

VII. That the said Estate shall be divided by Valuers, to be ap- Estate to be pointed as herein-after provided, into Ten Parts of equal Value; and divided by Valuers, One One equal Tenth Part thereof, to be selected by the Rector, shall be Tenth to be allotted to the Rector as Part of the Glebe Lands of the said Rec- allotted to tory, and the remaining Nine Tenth Parts of the said Estate (of Nine Tenths which Nine Tenths such of the Lands and Houses mentioned in the to Governors Schedule hereunto annexed as shall form the Site of the intended and Guarnew Workhouse, and the Site of the Workhouse for the Infant Poor, shall be Part,) shall be allotted to and vested in and be managed by the Governors and Guardians for ever for the Benefit of the Poor of the said Parish; and such Lands and Estate shall be for ever, after such Division, free from all Tithes and Ecclesiastical Dues and Payments whatsoever (Easter Offerings, Mortuaries, Burial Fees, and other Surplice Fees excepted). [Local.]

VIII. That E e

The Rector to appoint a Valuer by Writing under his Hand, and the Governors and Guardians to appoint a Valuer by a Meeting.

VIII. That the Valuers to be appointed to divide the said Estate shall be either Architects, Surveyors, or Land Valuers, and shall be Persons not interested in such Division, and shall be appointed in the Manner following; (that is to say,) the Rector shall, within Two Months after the passing of this Act, by some Writing under his Hand, appoint One Valuer, and the Governors and Guardians shall, within the like Period, by the Resolution of a Meeting of the said Governors and Guardians to be held for the Purpose, appoint the Resolution of other Valuer; and the Appointment of each such Valuer shall be delivered to him, and a Duplicate thereof shall be delivered to the other Party to such Reference, and such Appointment shall be deemed the Submission on the Part of the Person or Persons by whom such Appointment shall have been made; and after any such Appointment shall have been made neither Party shall have Power to revoke the same without the Consent of the other; and if for the Space of Two Months after the passing of this Act either Party shall fail to appoint a Valuer, then, upon such Failure, the other Party (if he or they have appointed a Valuer within the said Period of Two Months) may also appoint the Valuer so duly appointed to act on behalf of both Parties; and such Valuers or Valuer may proceed to value and set ut the said Estate, and to divide the same in the Manner directed by this Act, and the Partition or Award of such Valuers or of such single Valuer shall be final between the Parties: Provided always, that no Person shall be disqualified by reason of his being a Ratepayer of the said Parish from being appointed a Valuer or Umpire, or from executing any of the Powers or Authorities in this Act contained.

As to the filling up of Vacancies in the Office of Valuer.

IX. That if before the Division of the said Estate shall have been completed the Valuer appointed by either Party shall die or become incapable to act, the Rector or the Governors and Guardians by whom such Valuer shall have been appointed, as the Case may be, shall, in the Manner herein-before authorized with respect to the Appointment of the original Valuer, nominate and appoint some other Person to act in his Place; and if for the Space of Twenty-one Days after Notice in Writing from the other Party for that Purpose he or they fail so to do, the remaining or other Valuer may proceed ex parte; and every Valuer so to be substituted as aforesaid shall have the same Powers and Authorities as were vested in the former Valuer at the Time of such his Death or becoming incapable to act as aforesaid.

If Valuers cannot agree upon Award within Four Months an Umpire to be

X. That in case such Two Valuers cannot agree upon an Award within Four Months next after they shall have been appointed as aforesaid, then the Master in Chancery to whom the said Causes stand referred shall appoint some proper Person, being a Surveyor, appointed by Architect, or Land Valuer, to act as Umpire in any Matter in difference

difference between the said Valuers, and the Decision of such Umpire Master in shall be final.

Chancery.

XI. That if either of the Valuers so to be appointed refuse or for If either Fourteen Days neglect to act, the other Valuer may proceed ex parte, Valuer refuse and the Decision of such other Valuer shall be as effectual as if he had been the single Valuer appointed by both the Rector and the Governors and Guardians.

other to proceed ex parte.

XII. That if the Valuers or Valuer so to be appointed shall fail to If Valuers make their Award within Four Months next after the Appointment of such single Valuer, or of the last appointed of such Two Valuers, shall have been made, the Matters referred to them shall be determined by the Umpire to be appointed as aforesaid.

fail to make their Award within Four Months the Matters to be referred to the Umpire.

XIII. That the said Valuers or Valuer or Umpire may call for the Power to Production of any Deeds or Documents in the Possession or Power of Valuers or either Party which they or he may think necessary for determining call for the Value of the said Estate or any Part thereof, or any Matter to be Books, &c. determined by them or him, and may examine the Parties or their Witnesses on Oath, and administer the Oaths necessary for that Purpose; and either Party shall be at liberty to tender such Evidence before such Valuers, Valuer, or Umpire as he or they shall respectively deem proper touching such Estate.

Umpire to

XIV. That before any Valuer or Umpire shall enter into the Con- Valuer sideration of any Matters referred to him he shall, in the Presence of a or Umpire to make a Justice of the Peace for the County of Surrey or of a Master in Chan- Declaration. cery, make and subscribe the following Declaration; (that is to say,)

A.B.

- ' I A.B. do solemnly and sincerely declare, That I will faithfully and honestly, and to the best of my Skill and Judgment, ascertain ' the Value of and divide and allot the Estate, and execute the other 'Powers vested in me by "The Walworth Common Inclosure 'Amendment Act, 1851."
 - ' Made and subscribed in the Presence of

And such Declaration shall be annexed to the Partition or Award when made; and if any Valuer or Umpire having made such Declaration shall wilfully act contrary thereto, he shall be guilty of a Misdemeanor.

XV. That when and so soon as the Valuers or Valuer or Umpire Valuers to shall have completed the Valuation of the said Estate, and shall have divided the same into Ten equal Parts, they or he shall prepare a Statement of such Valuation and Division and a Plan of the said Estate, with Lines, Figures, and Marks showing the proposed Divi- proposed

make Statements of Valuation, and prepare Plan showing sion Division.

sion into Ten equal Parts, and shall deliver One Copy of such Statement and Plan to the Rector, and One other Copy of such Statement and Plan to the Governors and Guardians.

The Site of Workhouses to be included in the Nine Tenths.

XVI. That the Site of the intended new Workhouse, and also the Land forming the Site of the Workhouse for the Infant Poor, shall be included in the Governors and Guardians Nine Tenth Parts.

As to Valuation of Site of Workhouse for Infant Poor.

XVII. That in making the Partition or Valuation aforesaid the Site of the Workhouse for the Infant Poor, and the Grounds and Hereditaments appertaining thereto, shall be valued with reference to their Condition and Value at the Time of the same being purchased by the Governors and Guardians; provided also, that no more than Two Tenths of the whole of the Governors and Guardians Nine Tenth Parts shall contain any Part of the Site of the Workhouse for the Infant Poor, or of the Site to be selected for the intended new Workhouse.

Rector to select his Tenth within One Month after receiving Valuation.

XVIII. That the Rector, within One Month after having received such Valuation and Plan, shall fix and determine which of the said Tenth Parts (not being a Tenth Part comprising the Site of the intended new Workhouse, or the Site of the Workhouse for the Infant Poor,) shall be the Rector's Tenth, and shall send to the said Valuers, or One of them, or to the Umpire, if One shall have been appointed, Notice in Writing stating which of such Ten equal Parts he has selected, and the Selection so made shall be binding on the Rector.

If Rector does not select within Time limited the Governors and Guardians may select their Nine Tenths.

XIX. That if the Rector shall not, within the said Period of One Month after receiving such Valuation and Plan, select his Tenth, and give Notice thereof to the Valuers, or One of them, or to the Umpire, (of the Non-service of which Notice to the said Valuers or One of them, or Umpire, any Declaration in Writing under the Hands of both the Valuers, or of the sole Valuer if there shall be only One Valuer, or of the Umpire if an Umpire shall have been appointed, shall be Evidence,) it shall be lawful for the Governors and Guardians, within Thirty Days after the Expiration of the said Period of One Month, to fix and determine which Nine of the said Ten equal Parts shall be taken by them as their Nine Tenth Parts of the said Estate, some of the Tenth Parts so selected being the Tenth Parts including the Site of the intended new Workhouse and the Site of the Workhouse for the Infant Poor, and they shall, within the same Period of Thirty Days, send to the said Valuers, or One of them, or to the Umpire, Notice in Writing stating which Nine of the said Ten equal Parts they have so selected, and the Selection so made shall be binding on the said Governors and Guardians.

XX. That

XX. That if the Governors and Guardians shall in pursuance of IfGovernors, the preceding Provisions select their Nine Tenth Parts of the said Estate, then the Tenth Part remaining after such Selection shall be and be deemed to be the Rector's Tenth, and shall be allotted to him accordingly.

&c. select Nine Tenths, the remaining Tenth to be allotted to the Rector.

XXI. That when and so soon as the Valuers or Valuer or Umpire shall have received Notice from the Rector stating which of the said Ten equal Parts he has selected for his Tenth, or in default of re- then the Diceiving such Notice within the Time by this Act limited for that vision and Purpose then when and so soon as the said Valuers or Valuer or made. Umpire shall have received Notice stating which Nine of the said Ten equal Parts have been selected by the Governors and Guardians, the said Valuers or Valuer or Umpire shall proceed to prepare the Partition and Award of the said Estate, and such Partition and Award shall describe the Portion of the said Estate which under the Provisions of this Act has been selected as or has become the Rector's Portion, and also the Portion which has become or been selected as the Governors and Guardians Portion of the said Estate, and such Partition or Award shall refer to a Map or Plan of the whole Estate, upon which the Rector's Portion shall be distinguished by proper Boundary Lines or by Colour different from the Colour by which the Governors and Guardians Portion shall be distinguished; and if Part of the Lands or Houses allotted to the Rector shall be held with Portions of the Lands or House's allotted to the Governors and Guardians under One and the same Lease from the Trustees of the said firstrecited Act, then such Partition and Award shall state the Portion of the Rent reserved by such Lease which after such Division shall belong to and be received by the Rector in respect of his Portion of the said Premises, and also the Portion of the said Rent which shall belong to and be received by the Governors and Guardians in respect of their Portion of the Premises comprised in such Lease, and shall apportion such Rent between the Rector and the Governors and Guardians accordingly.

When the Parts have been selected Award to be

XXII. That the Partition and Award of the said Valuers or Division to Valuer or Umpire shall be by Deed under the Hands and Seals of be made by Deed to be the said Valuers or Valuer or Umpire, and shall be enrolled in the enrolled. High Court of Chancery within Three Months after the Date thereof, and Two Parts of such Deed, with a Plan to each, shall be prepared and executed, and a Memorandum of the Enrolment shall be endorsed on each Part, and the Execution of both Parts of such Deed by the said Valuers or Valuer or Umpire shall be attested by Two or more credible Witnesses, which Attestation or Attestations shall be endorsed on both Parts of such Deeds; and One Part of such Deed, with the Plan therein referred to, shall be delivered to the Rector, Local. and

One Plan of Copy to be hung up in Vestry Room, and One to be deposited.

and the other Part of such Deed, with the Plan therein referred to, shall be delivered to the Governors and Guardians; and a Copy of the Plan annexed to the said Partition and Award, duly signed and authenticated by the said Valuers or Valuer or Umpire, shall be hung up and for ever thereafter kept in the Vestry Room of the Parish Church of the said Parish, and One other Copy thereof, to be in like Manner signed and authenticated, shall be deposited in the Office of the Clerk of the Peace for the County of Surrey.

Clerk of the Peace to receive Plans and permit Inspection.

XXIII. That the Clerk of the Peace for the said County shall receive the said Plan to be deposited with him, and shall retain the same, and shall permit all Persons interested to inspect such Plan, and to make Copies and Extracts of and from the same, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided by the Public Act 7 Will. 4. & 1 Vict. Cap. 83. in the Case of the Plans and Sections therein mentioned or referred to.

Copies of Plan to be Evidence.

XXIV. That true Copies of the said Plan, or true Extracts therefrom, certified by the Clerk of the Peace of the said County, which Certificate such Clerk of the Peace is hereby required to give to all Parties interested when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Award not Error in Form.

XXV. That no Partition or Award made with respect to any void through Questions referred to the said Valuers or Valuer or Umpire under the Provisions of this Act shall be set-aside for Irregularity or Error in Matter of Form.

Acts required to be done by Rector within a limited Time may, in case of Vacancy, be done by his Successor or the Patron.

XXVI. That in every Case in which, under the Provisions of the Act, the Rector is authorized or required to make any Appointment or Selection, or to give any Notice, or do any other Act or Thing, within a Time by this Act appointed or limited for the Purpose, and the Rector for the Time being by whom such Appointment, Selection, Act, or Thing is required to be made or done or Notice given shall from any Cause whatever cease to be Rector of the said Parish before the Period by this Act limited for making such Appointment or Selection, or doing any such Act or Thing, or giving such Notice, shall have expired, and without having made such Appointment or Selection, or done such Act or Thing, or given such Notice, in pursuance of this Act, then and in every such Case it shall be lawful for the Successor of such Rector, or for the Patron for the Time being of the said Rectory, or either of them, to make any such Appointment or Selection, and to do any such Act or Thing and give any such Notice, as may have been omitted to be made, done, or given by the preceding Rector; and every such succeeding Rector, or the Patron, as the

Case

Case may be, shall in every such Case have the same Time to make such Appointment or Selection, and to do such Act or Thing, and to give such Notice, as if the Time by this Act appointed or limited for any such Purpose had commenced to run on the Day after such Vacancy of the said Rectory took place.

XXVII. That after the said Partition and Award shall have been made and enrolled as directed by this Act all Counterparts of Leases and other Deeds, Documents, and Books now in the Possession of &c. the Trustees acting or who have acted under the Provisions of the said recited Act, 10 Geo. 3. Cap. 72. relating to the said Estate, shall in every Case in which the same shall relate solely to Land comprised in the Allotment made to the said Rector belong to the Rector, and shall in every Case in which they relate solely to Land comprised in the Allotment made to the said Governors and Guardians belong to the Governors and Guardians, and if the same relate to Land allotted to the said Rector and also to Lands allotted to the said Governors and Guardians the same shall belong to the Party to whom the larger Portion in Value of such Land shall have been allotted, and if the same shall not relate specifically to any Portion of the said Estate the same shall belong to the said Governors and Guardians as the Owners of the larger Portion of the said Estate under the Provisions of this Act; and any Counterparts of Leases, Deeds, Documents, and Books which shall so belong to either the Rector or the Governors and Guardians shall be open to the other Party at all reasonable Times, for the Purpose of inspecting the same or making Extracts therefrom or Copies thereof, or of examining any such Extracts or Copies.

for Custody

XXVIII. That when and so soon as the Partition or Award shall have been duly executed and enrolled as required by this Act, the Portion of the said Estate which by such Partition or Award shall tion of the be allotted to the Rector in respect of his One equal Tenth Part of Estate to the said Walworth Common Estate shall, immediately from and after such Enrolment, be and the same is hereby vested in the Rector and his Successors Rectors of the said Parish for the Time being for ever powers of as Part of the Glebe Land belonging to the said Rectory, but this Act. subject nevertheless to the several Powers and Provisions in and by this Act expressed and declared of and concerning the same; and Remaining the remaining Portion of the said Estate which by the said Division Portion to or Award shall be allotted to the Governors and Guardians in respect vernors and of their Nine Tenth Parts of the said Estate shall be and the same Guardians. is hereby vested in the Governors and Guardians and their Successors Governors and Guardians of the Poor of the said Parish for the Time being, upon trust for the Benefit of the Poor of the said Parish, and also upon and for the Trusts, Intents, and Purposes in and by this Act expressed and declared of and concerning the same.

When Award enrolled Rector's Porvest in him and his Successors, sub-

vest in Go-

XXIX. That

If Rents apportioned by the Partition, each Party to have separate Remedy for enforcing Payment of Rent and Performance of Covenants.

XXIX. That if any Part of the Lands or Houses which under or by virtue of the said Partition and Award and this Act shall be vested in the Rector shall, at the Time of the same being so vested, be held jointly with other Lands which by the said Partition and Award and this Act shall be vested in the Governors and Guardians under One Lease from the Trustees of the said first-recited Act, and the Rent reserved by such Lease and payable to the said Trustees shall by such Partition and Award be apportioned between the Rector and Governors and Guardians, every such Apportionment so made by such Partition and Award shall, from the Enrolment of the said Partition and Award, be effectual and binding upon the Rector and Governors and Guardians, and upon the Lessee named in every such Lease; and the Lessee shall, as to all Rent accruing in respect of the Portion of Lands and Houses comprised in such Lease and so vested in the Rector, be liable after such Enrolment to pay the same to the Rector during the Continuance of such Lease, and shall, as to all Rent accruing in respect of the Portion of Lands and Houses comprised in such Lease and so vested in the Governors and Guardians, be liable after such Enrolment to pay the same to the Governors and Guardians during the Continuance of such Lease; and the Rector and Governors and Guardians respectively, in respect of the Lands and Houses so vested in them respectively, and of the Rent so apportioned to them respectively in respect of such Lands and Houses, shall, as against the Lessees of such Lands and Houses, have all the same Rights and Remedies for the Recovery of the Portions of Rents so apportioned to them respectively as previously to the Apportionment of the said Rent the Lessors named in such Lease had for the Recovery of the whole Rent thereby reserved; and all the Covenants, Conditions, and Agreements, and Rights of Re-entry and Ejectment, reserved by such Lease (except as to the Amount of Rent to be paid) shall remain in force, and may with respect to the Lands and Houses vested in the Rector be enforced. by him, and with respect to the Lands and Houses vested in the Governors and Guardians be enforced by them, in the same Manner in all respects as such Covenants, Conditions, and Agreements might have been enforced by the Lessors named in such Lease, or other Parties having the legal Right to enforce the same, in case no such Partition and Apportionment of the said Lands and Houses and Rent had been made: Provided always, that in the Case of any such Power of Re-entry as aforesaid such Power shall be exercised by the Rector and Governors and Guardians respectively in respect of so much of such Lands and Houses only as shall belong to the Rector and Governors and Guardians respectively, and no more.

Reserving the Rights of the present Lessees.

XXX. That, subject to the Provisions of the last Section, every Partition, Allotment, Mortgage, and Sale respectively made under the Provisions of this Act shall take effect subject and without Prejudice

Lands al-

Rector to

under the

lotted to the

The Walworth Common Inclosure Amendment Act, 1851.

judice to any Lease or Leases now subsisting of any Part of the Walworth Common Estate.

XXXI. That so much of the said Estate as shall by such Partition or Award be allotted to the Rector shall, in the meantime and until the Rector, together with the Patron and Ordinary for the Time being vest in him of the said Rectory, shall execute any of the Powers and Authorities of as Glebe Lands, until Appointment and Conveyance of such Lands herein-after reserved to appointed or them, or some or One of such Powers, and subject to the Execution conveyed thereof in case the same shall not be full and complete, or shall not Power apply or relate to or affect the whole of such Lands, and as to so herein much of the said Lands of or concerning which no such Appointment given to him or Conveyance shall extend, and as to so much of the said Lands as Patron. to which any such Appointment or Conveyance shall be incomplete, be subject to all and every the Powers of entering into Contracts for Building or Repairing Leases, and of granting Leases for Terms not exceeding Thirty-one Years in possession, or Repairing Leases for any Term of Years not exceeding Sixty-one Years in possession, or Building Leases for any Term of Years not exceeding Ninety-nine Years in possession, and upon the same or the like Terms, and subject to the same or the like Conditions, Covenants, and Restrictions, as in and by the said before-mentioned Private Act, 10th George the Fourth, Cap. 49., are expressed and declared of and concerning the Glebe Lands mentioned in the First Schedule to such Act annexed: Provided always, nevertheless, that all Contracts and Leases to be entered into or granted of any Part of the said Estate under the Powers of such Act hereby made applicable thereto shall be approved by the Patron and Ordinary for the Time being of the said Rectory, or One of them; and from and after the passing of this Act all Contracts and Leases hereafter to be made by the said Rector or his Successors, Rectors for the Time being, under the Powers of this or the said last-mentioned Act, of all or any Part of the Glebe Lands of the said Rectory, with such Approval as last aforesaid, shall be good and valid to all Intents and Purposes although the same shall not have been approved by the Lord Archbishop of Canterbury and the Vicar General to the Archbishop of Canterbury for the Time being or either of them, anything in the said last-mentioned Act to the contrary notwithstanding.

XXXII. That from and immediately after the Allotment by the Power to said Partition or Award made to the Rector shall have become vested accept Surin him under the Provisions of this Act, and at all or any Time or existing Times and from Time to Time thereafter, it shall be lawful for the Leases. Rector, by and with the Consent in Writing of the Patron of the said Rectory for the Time being, so long as the Lands so allotted to the Rector under the said Partition or Award, or any Part or Parts thereof [Local.] $G g^{\cdot}$

thereof, shall be and remain vested in him as Part of the Glebe Lands of the said Rectory, and he is hereby empowered to take and accept from all and every or any of the Lessees, Under Lessees, or Tenants for Years of all or any Part or Parts of the said Lands so allotted Assignments or Surrenders of the several Leases or Agreements, Terms of Years, or other Interests of such Lessees, Under Lessees, or Tenants for Years of and in the said Lands, or any Part or Parts thereof, upon such Terms and Conditions, and for such Price or Prices or other Consideration, whether by Renewal or further Lease or otherwise, such Leases to commence in possession and not in reversion, as by the said Rector, Patron, and Ordinary, their Successors, Rector, Patron, and Ordinary respectively of the said Rectory, may be thought reasonable and proper, and such Lessee, Under Lessee, or Tenant for Years may approve, and from and after any and every such Assignment or Surrender, or at any Time or Times thereafter, to grant and execute such further or other Leases and Contracts for Leases of and concerning the same Lands, or any Part thereof, as the said Rector and his Successors, Rector for the Time being, is and are by this Act authorized to make and execute; and if any such Surrender of an existing Lease be made on the granting of any new Lease of the same Premises, an adequate Reduction may be made from the Rent to be reserved in the new Lease in proportion to the Value of the Term or Interest which shall be surrendered in the Lands, Hereditaments, and Premises comprised in such new Lease; and from and after any Appointment or Conveyance of all or any Part of the said Lands shall be made to any Trustees for Church Purposes, under the Powers by this Act given or contained, or any or either of them, the Trustees for the Time being of such Lands as shall be so appointed or conveyed, shall, as to the said Lands or so much thereof as shall be appointed or conveyed to them respectively, have and exercise all such and the like Powers of accepting and taking Assignments or Surrenders, and of making Leases of or making Contracts for the same Lands, so to be appointed or conveyed to them respectively, as are in and by this Act given or reserved to the Rector and his Successors, Rectors for the Time being of the said Parish.

In case of
the Surrender of an
existing
Lease to the
Rector, the
new Lease to
be deemed
the Renewal
of the surrendered
Lease within
the Meaning

XXXIII. That whenever a Surrender shall be made of any existing Lease for the Purpose of taking, or with the View to the granting by the said Rector or his Successors, Rectors as aforesaid, any new Lease by virtue of this Act, whether the existing Lease shall or shall not have been granted under the Provisions of this Act, the new Lease shall be deemed to be the Renewal of the surrendered Lease within the Scope and Meaning of the Sixth Section of an Act passed in the Fourth Year of the Reign of King George the Second, intituled An Act for the more effectual preventing Frauds committed

by

by Tenants, and for the more easy Recovery of Rents and Renewal of 4 G. 2. of Leases, so far as to render unnecessary the Surrender of any c. 28. Under-leases previously to the Grant of such new Lease, and to give full Effect to such new Lease in all respects, notwithstanding any Under-lease or Under-leases may not be surrendered.

- XXXIV. And whereas by the Local and Personal Act 1 Geo. 4. 1 G.4. c. x li. Cap. 41., intituled An Act for building Two new Churches in the Parish of Saint Mary Newington commonly called Newington Butts in the County of Surrey, and for other Purposes relating thereto, it was (amongst other things) enacted, that the Rector and Churchwardens of the said Parish for the Time being, together with certain Persons therein named, and their Successors and others, to be nominated and elected in manner therein after mentioned, should be Trustees for putting that Act into execution; and that His-Majesty's Commissioners for building new Churches for the Time being, acting under or by virtue of Two several Acts passed in the Fifty-eighth and Fifty-ninth Years of King George the Third therein mentioned, for building and promoting the building of additional Churches in populous Parishes, should have such and the same Powers, Authorities, and Discretion in all respects with respect to the dividing the said Parish of Saint Mary Newington otherwise called Newington Butts into Three separate Parishes or Ecclesiastical Districts or otherwise as were in the said Acts contained, and then in force and unrepealed, and in such and the same Manner in all respects as if the Churches or Chapels by that Act directed to be built were to be built in pursuance of and under the Directions, Powers, and Authorities contained in the said Acts; and it was further enacted, that His Majesty's Commissioners for building new Churches, acting under or by virtue of the said Acts respectively passed in the Fiftyeighth and Fifty-ninth Years of the Reign of King George the Third, should have in all respects all such Powers, Discretion, and Authority whatsoever for the Purpose of carrying that Act into effect as were given to the said Commissioners by the said Two Acts, or either of them, and which were then in force and unrepealed, and in such and the same Manner as if the said Two Churches or Chapels by that Act authorized to be built were built by the Direction and under the Authority of the said Commissioners, and in pursuance of the said Two Acts passed as aforesaid, except so far as the same Powers and Authorities were altered by that Act, or were inconsistent with the Directions therein contained; and it was further enacted, that all the Powers and Provisions in the said Two Acts or either of them. contained, or such Parts thereof as were then in force and unrepealed, should in all respects apply to the said Parish' in such and the same Manner as if the said Churches or Chapels by that Act authorized to be built were built under the Direction and Authority of His-Majesty's

Majesty's Commissioners for building new Churches, and in pursuance of the said Two Acts; and that the said Acts of the Fiftyeighth and Fifty-ninth Years of the Reign of His said late Majesty, or so much or such Parts thereof as were then in force and unrepealed, and all and every the Powers, Authorities, Provisions, Directions, Matters, and Things therein contained, should be in full force and effect, and should be used and applied for the Purpose of carrying the said Act now in recital into execution, as fully and effectually, to all Intents and Purposes, as if the same and the several Clauses therein contained had been repealed and re-enacted in and by the said Act now in recital, except only and so far as the same were altered or varied by the said Act now in recital, or were inconsistent with the Powers, Provisions, Authorities, and Directions therein contained; and by the said Act the Trustees thereof were authorized to build within the said Parish Two new Churches, to be called respectively "Trinity Church, Newington," and "Saint Peter's Church, Walworth," and to set apart and appropriate certain of the Pews or Seats thereof for Free Seats for the Persons therein mentioned, and to let the other Seats, and to apply the Rents thereof for the Purposes of the said Act, which Purposes include, amongst other things, the Payment of Stipends or Salaries to the Ministers or Incumbents and to the Clerks and Sextons of such new Churches, and additional Stipends to the Clerk and Sexton of the Parish Church of the said Parish; and after reciting that the then present Parish Church had been built many Years, and that the Expense of keeping the same in repair was very considerable, and that it was expedient that the Pews and Seats therein should be let, subject to the Proviso therein-after contained, and that the Rents and Profits thereof should be applied in or towards defraying the Expenses of such Repairs, it was enacted, that it should be lawful for the said Trustees to let all the Pews and Seats, except such as were then set apart for the Rector, Churchwardens, Governors, and Guardians and Overseers of the Poor, and also except such Pews and Seats as were or should be set out and appointed as Free Sittings, or for such Charity Children as therein mentioned, and a Pew to contain Four Persons at the least for the Servants of the Rector for the Time being, which the said Trustees were thereby required to set apart to such Persons for such Time, at such Rents as should be fixed, in such Manner, and subject to such Rules and Regulations as were therein-before contained of and concerning the letting of the Pews and Seats in the then intended new Churches or Chapels, and also to apply all Sums of Money to be received by them or their Treasurer in respect of the Pews and Seats in the said Parish Church for or towards the several Purposes above mentioned; (that is to say,) the repairing of the said Church or otherwise for the general Purposes of the said Act; in which

last-mentioned Act was contained a Proviso that nothing therein contained should extend to authorize the Trustees to let any Pew or Seat in the said Parish Church to the Possession of which Pew or Seat any Person had a legal exclusive Right, or which had been appropriated to any Inhabitant of the said Parish, and entered as so appropriated in the Book of the Churchwardens of the said Parish, until such Person should by Death or otherwise cease to occupy and use the same Pew; and it was enacted, that neither that Act nor anything therein contained should extend to invalidate or avoid any Ecclesiastical Law or Constitution of the Church of England, or to destroy any of the Rights or Powers belonging to the Archbishop of Canterbury, under whose immediate and peculiar Jurisdiction the said Rectory then was, or in anywise abridge or control the ordinary Jurisdiction of the said Lord Archbishop of Canterbury for the Time being in and over the said Parish, or over the Ministers and Churchwardens thereof, or in, over, or relative to any Matter or Thing respecting the said Parish and the Ministers and Churchwardens thereof, except so far as related to the letting and managing the Pews in the said Churches or Chapels to be built in pursuance and by and under the Authority of the said Act now in recital and the said thereinbefore mentioned Acts: And whereas the said Rectory or Parish of Saint Mary Newington, in and by an Order of Her Majesty in Council and bearing Date the Eighth Day of August One thousand eight hundred and forty-five, was for certain Purposes included in and now forms Part of the Diocese of London, and is now under the Jurisdiction of the Lord Bishop of London as the Ordinary thereof: And whereas the said Lord Bishop of London as the Ordinary of the said Parish, by a certain Writing or Requisition under his Hand bearing Date at London the Fourteenth Day of May One thousand eight hundred and forty-six, after reciting that he was of opinion that it was expedient that additional Accommodation should be provided for the Parishioners or Inhabitants thereof to attend Divine Service according to the Rites of the United Church of England and Ireland, by the Celebration, on Sundays and other great Festivals, of a Third or Evening Service, with a Sermon, in the Parish Church of Saint Mary Newington aforesaid, did under or by virtue of the Powers and Authorities of the said Act passed in the Fifty-eighth Year of the Reign of King George the Third, for building and promoting the building of additional Churches and Chapels in populous Parishes, require the Rector of the said Parish Church to nominate to him the said Bishop a proper Person to be licensed to serve as a Curate in the said Church of Saint Mary Newington for the Performance of such Third or Evening Service with a Sermon, and the said Lord Bishop of London did thereby also require the Churchwardens of the said Parish of Saint Mary Newington to let for the said additional or Evening Service so many of the Pews of the said Church (not being Pews held by Faculty [Local.]or.

or Prescription), at the Rate of Five Shillings per Annum each Sitting, as would procure the Sum of Eighty Pounds per Annum, reserving the Remainder of the Sittings in the said Church as free and unappropriated for the Third or Evening Service: And whereas, by reason of the Power to let the Pews and Seats of the said Parish Church being vested in the Trustees appointed under the said recited Act 1 Geo. 4. Cap. 41. the Churchwardens of the said Parish Church have been unable to carry the Directions of the said Lord Bishop of London into effect, the Trustees appointed under the said Act having refused to let the Pews and Seats in the said Parish Church for such Third or Evening Service, the said Trustees alleging that all the Pew Rents receivable in respect of the Pews and Seats in the said Church, subject to the Repairs thereof, can legally be applied only to the Purposes of the said recited Act 1 Geo. 4. Cap. 41., and not for the Payment of the Expenses of the said Third or Evening Service: And whereas a Third new District Church is now about to be erected and built within the said Parish, upon a Piece of Ground which has been given and conveyed for that Purpose by the Dean and Chapter of Canterbury, for the Celebration of Divine Worship according to the Rites of the United Church of England and Ireland: And whereas it would be very beneficial to the Inhabitants of the said Parish using the said Parish Church if the Pew Rents thereof were exonerated from all Liability to contribute to the Stipends payable to the Ministers or Incumbents and Clerks and Sextons of the said Two new Churches built under the Authority of the said last-mentioned Act, and if the Rector of the said Parish, for the Purpose of procuring such Exemptions, were authorized, with the Consent of the Patron of the said Rectory and the Ordinary of the Diocese, to appoint a Portion of the Lands so to be allotted to the Rector as aforesaid, or an annual Sum, to be issuing and payable out of the same, to be applied in Augmentation of the Stipends of the Ministers of the said new Churches or of the said Third new Church, on condition that upon such Appointment and Augmentation taking effect the Pew Rents of the said Parish Church should be released from the Trusts and Purposes of the said recited Act 1 Geo. 4. Cap. 41., and should be receivable by the Churchwardens of the said Church, and be applicable by them for the Purposes thereof: Be it therefore enacted, That if at any Time after the Rector's Portion of the said Estate shall have become vested in him under the Provisions of this Act, the Rector, or his Successors Rectors for the Time being, shall be minded and desirous of making Provision for the better Sustentation of the said Two new Churches called Trinity Church and Saint Peter's Church, and of the said intended Church about to be built in the said Parish as aforesaid, or any or either of the said Three Churches, or for the Ministers or Incumbents of the said Three Churches, and their Successors Ministers of the said Churches for the

Power given to Rector and Patron to appoint his Allotment in favour of the other Churches in the said Parish.

the Time being, or of any or either of such Ministers or his or their Successors, then and in such Case it shall be lawful for the Rector and his Successors, Rectors for the Time being of the said Parish Church, by and with the Consent in Writing of the Patron and Ordinary for the Time being of the said Rectory, by any Deed or Deeds, Instrument or Instruments, to be by them executed in the Presence of and to be attested by Two or more credible Witnesses, to appoint and convey all and every or any Part of the Messuages, Lands, and Hereditaments so allotted to and vested in the Rector, with the Appurtenances, but charged with the Payment of any annual Sum which may have been charged thereon, for a Third or Evening Service in the said Parish Church under the Powers of this Act, and made payable to the Churchwardens of the Parish Church of Saint Mary Newington, either unto the Trustees for the Time being appointed and acting under the Provisions of the said recited Act 1 Geo. 4. Cap. 41., and their Successors, or to such other Persons as for the Time being shall be the Ministers or Incumbents and Churchwardens of the said Three Churches, and their Successors, or to the Ministers or Incumbents of the said Three Churches, and their Successors, Incumbents for the Time being of the said Three Churches, or to any One or more of them, in such Parts, Shares, and Proportions, upon such Trusts, and for such Purposes, as the Rector for the Time being and the Patron and Ordinary for the Time being shall jointly direct and declare; and from and immediately after such Conveyance and Appointment shall be made, all or any Part or Parts of the Messuages, Lands, and Hereditaments so allotted to and vested in the Rector as aforesaid, with the Appurtenances, which shall be so appointed and conveyed as aforesaid, shall be held respectively by the Trustees or Incumbents to whom the same shall have been so appointed and conveyed, and their Successors, Trustees or Incumbents for the Time being, as the Case may be, upon such Trusts, and for such Ends, Intents, and Purposes, as shall be declared thereof by the said Rector, Patron, and Ordinary in and by such Conveyance or Appointment: Provided always, nevertheless, that in case any such Appointment or Conveyance as aforesaid shall, with the Consent and Approval of the Trustees appointed or acting under the said recited Act, 1 Geo. 4. Cap. 41., be made to the Trustees of that Act and their Successors, upon any Trusts for the Benefit of the said Two Churches called Trinity Church and Saint Peter's Church in the said Parish, and the same shall be accepted by them, then and in such Case, from and immediately after the Execution of such Appointment and Conveyance by any Five of the said Trustees, duly authorized at some Meeting of the Trustees to be for such Purpose specially convened under the said Act, and Publication of Notice thereof in the London Gazette, the Power and Authority by the same Act vested in the said Trustees and their Successors over the Pews and Sittings in the Parish Church

of Saint Mary Newington, and their Right and Power to let the Pews and Sittings in the said Church, and to receive the Rents and Profits of the same, and to apply the same, or any of them, or any Part thereof, for the general Purposes of the said Act, shall cease and determine, and the Right and Power of letting the Pews and Sittings in the said Parish Church, and of receiving and applying the Rents and Profits thereof, shall belong to and vest in the Churchwardens of the said Parish Church, and, subject to the Application thereof for and towards the Repairs and Sustentation of the said Parish Church according to the Direction, Intent, and Meaning of the said last-mentioned Act, the same shall and may be applied by the Churchwardens of the said Parish Church in and towards the Expenses incident to the Services in the said Church, and particularly of a Third or Evening Service, and the Salaries or Stipend of a Curate, and of the Clerk, Organist, Lighting, Warming, and other incidental Expenses of the said Parish Church: Provided always, nevertheless, that the said Churchwardens of the said Parish Church, before they apply or appropriate any Part of the Rents and Profits of the said Pews or Sittings to any Purpose other than the Repairs of the said Parish Church, shall out of such Rents and Profits apply or set apart a sufficient Sum annually to meet the current annual Expense of the Repairs of the said Parish Church, and shall invest and accumulate the unappropriated Part thereof as a Fund for the future and constant -Repairs of the said Parish Church, and which Sum and Sums and all Accumulations thereof, or a competent Part thereof, from Time to Time shall, as and when Occasion shall require, be paid and applied in and towards the Repairs of the said Parish Church and to no other Purpose whatever.

Power to appoint or charge Rector's Portion for the Purposes of providing for a Third Evening Service in the Parish Church, and the Expenses, not exceeding 150l. per Annum.

XXXV. That if at any Time after the Rector's Portion of the said Estate shall have become vested in him under the Powers of this Act it shall be thought by the Rector, or his Successors Rectors of the said Parish for the Time being, and the Patron and Ordinary of the said Rectory for the Time being, to be fit and proper and for the Benefit of the said Parish, by aiding, promoting, or assisting the Services in the said Parish Church, or for securing or providing for a Third or Evening Service in the said Parish Church with a Sermon, and paying the Stipend of a Curate or Lecturer for such Purpose, and other Expenses of and incident to the Service of the said Church, that any Part of the said Messuages or Tenements, Lands, and Hereditaments so allotted to and vested in the said Rector should be appointed and conveyed for such Purpose, or that the same Messuages, Lands, and Hereditaments, or some Parts thereof, should for such Purpose be charged and chargeable with the Payment of an annual Sum, not exceeding the annual Sum of One hundred and fifty Pounds, it shall be lawful for the Patron of the said Rectory for the Time being, and

for the said Rector, and his Successors, Rector for the Time being, with the Consent in Writing of the Ordinary for the Time being, by any Deed or Instrument in Writing under their Hands and Seals, to be executed by them in the Presence of and attested by Two credible Witnesses, to appoint and convey unto the Churchwardens of the said Parish Church of Saint Mary Newington and their Successors such Part or Parts of the said Estate so allotted to and vested in the said Rector to the Use of the said Rector and Churchwardens, and their Successors, Rectors and Churchwardens for the Time being, and to declare that the Messuages, Lands, and Hereditaments so appointed and conveyed shall be held in trust for and to the End and Intent that the Rents and Profits thereof shall and may thenceforth and at all Times thereafter be applied by them for the Purposes aforesaid; or otherwise it shall be lawful for the said Rector, Patron, and Ordinary, or their Successors, Rector, Patron, and Ordinary for the Time being, by any such Deed or Instrument in Writing as aforesaid, to charge the whole or any Part of the said Messuages, Lands, and Tenements so to be allotted to the said Rector with the Payment of an annual Sum to the said Churchwardens of the said Parish Church, not exceeding One hundred and fifty Pounds, to be by them applied for the Purposes aforesaid; and thereupon the said Lands so allotted to and vested in the said Rector, and his Successors, Rector for the Time being, or so much thereof as shall be so appointed and conveyed as aforesaid, or as shall be so charged as aforesaid, as the Case may be, shall thenceforth be held upon the Trusts, or be charged and chargeable, as the Case may be, for the Purposes mentioned in such Conveyance or in the Deed creating such Charge respectively.

XXXVI. That it shall be lawful for the Rector of the said Parish of Saint Mary Newington and his Successors, Rectors of the said Parish for the Time being, with the Consent of the Patron and Ordinary of the said Rectory for the Time being, from Time to Time to borrow and raise, on Mortgage or other Charge of all or any Messuages, Tenements, Lands, and Hereditaments, Part of the said Walworth Common Estate, to be allotted to the said Rector and his Successors, Rectors as aforesaid, under the Provisions of this Act, (but subject and without Prejudice to any previous Appointment or Charge which may have been executed or made under the Powers of this Act,) all such Sum and Sums of Money as may be required Purposes. or thought expedient for the Purpose of aiding and assisting the building or completing and fitting up the said intended new Church about to be built in the said Parish upon some Part of the Site or Ground conveyed for such Purpose by the said Dean and Chapter of Canterbury as aforesaid, or for the erecting or building of a Parsonage House for the Residence of the Incumbent for the Time being of [Local.] such

Power for the Rector to borrow Money on the Security of his One Tenth Share, for the Purpose of assisting the Erection of the intended new.Church, and for other

such Church, and of Schools for the Education of Children of the District to be assigned to such Church, or either of such lastmentioned Purposes, on the said Site or Ground, and for the purchasing and taking any Assignment or Assignments, Surrender or Surrenders, of all or any Part of the Leasehold and other Interests in the Lessees or Occupiers of all or any Part of the said Lands, Messuages, or Tenements, and Hereditaments so to be allotted to the said Rector and his Successors, and also for the Payment of all Expenses, Costs, and Charges of and incident to the purchasing and taking such Interest, and the borrowing and raising any such Sum or Sums of Money as aforesaid, and for and in respect of the Assignment and Surrender of all or any of such Leasehold and other Interests: Provided always, that, prior to any Sum of Money being borrowed or raised by the said Rector or his Successors under this Power, it shall be lawful for the Rector, Patron, and Ordinary respectively for the Time being, and they are hereby required, by some Deed or Writing under their Hands and Seals, to direct and declare the Amount or Sum of Money which shall or may from Time to Time be borrowed or raised under this Power, and the Purpose for which the same, when so raised, shall be applied; and all and every the Sum and Sums of Money which shall be so borrowed or raised shall be paid by the Person advancing or lending the same into the Hands of the Rector, Patron, and Ordinary for the Time being of the said Rectory, to be by them paid and applied according to the Purposes and in the Manner provided by the Deed or Declaration so to be executed as aforesaid; and in the meantime and until such Sum or Sums of Money can be so applied the same may be invested in the Purchase of Bank Three per Cent. Annuities, in the joint Names of the Rector, Patron, and Ordinary of the said Rectory; and the Dividends, and all Accumulations made to the said Funds, and the Proceeds thereof, shall and may be paid and applied in such and the same Manner, and for such and the same Purposes, as shall have been directed and declared of and concerning the said Principal Sum so directed to be borrowed or raised; and the Receipts from Time to Time of the Rector, Patron, and Ordinary of the said Rectory shall be good and effectual Discharges to the Persons advancing or lending such Sums of Money, and such Persons shall not afterwards be liable to see to the Application or Investment of such Monies, or be answerable or accountable for the Loss, Misapplication, Nonapplication, or Noninvestment thereof or of any Part thereof.

Rector may, with Consent of the Patron and Ordinary, assign Portion of

XXXVII. That, without Prejudice to any of the Provisions hereinbefore contained in favour of the Two new Churches called *Trinity* Church and *Saint Peter*'s Church, and the said new Church now about to be erected as herein is mentioned, in case hereafter any new Church

the Land

allotted to

him, or the

Rents and

thereof, for

the Endow-

ment of any

Church here-

other new

after to be

Profits

The Walworth Common Inclosure Amendment Act, 1851.

Church or Churches shall be built within the said Parish, for the Celebration of Divine Service according to the Rites of the United Church of *England* and *Ireland*, it shall be lawful for the Rector for the Time being, with the Consent of the Patron and Ordinary, from Time to Time, by any Deed or Instrument in Writing under their Hands and Seals, to assign and appoint to the Minister or Incumbent of every or any such new Church or Churches, and his Successors, any Part or Parts of the Lands to be allotted to the Rector of the said Parish as aforesaid, and of the Buildings thereon, or any Part built within the Parish. or Parts of the Rents or Profits thereof, for the Endowment or Augmentation of the Endowment of any such Church or Churches; and that after the next Avoidance of the said Rectory it shall be lawful for the Patron and Ordinary thereof, from Time to Time as Occasion may require, by any Instrument or Writing under their Hands, to direct the Rector for the Time being to assign and appoint to the Minister or Incumbent of every or any such new Church or Churches any Part or Parts of the Lands to be allotted to the said Rector as aforesaid, and of the Buildings thereon, or of any Part or Parts of the Rents and Profits thereof, as the same shall be described and set forth in such Instrument or Writing, for such Endowment or Augmentation as aforesaid, and that the Rector for the Time being shall, within Three Calendar Months after any such Instrument or Writing, or a true Copy thereof, shall be delivered to or left at his usual Place of Abode, make such Assignment and Appointment, pursuant to such Direction: Provided nevertheless, that the Income to arise from the Premises so directed to be assigned and appointed shall not in any One Case, at the Date of such Instrument or Writing, exceed the yearly Sum of One hundred Pounds, unless with the Consent of the Rector for the Time being, expressed in the Deed by which such Assignment and Appointment shall be made.

XXXVIII. That it shall be lawful for the Rector and his Successors, Providing Rectors for the Time being, or for the Trustees for the Time being for summary of all or any Part of the Lands and Hereditaments which upon such to the Court. Partition or Division shall be allotted to the said Rector, or any or either of them, or any other Person or Persons beneficially interested in the same Lands, or the Application of the Rents and Profits thereof, after the vesting of such Allotment, from Time to Time as he or they shall see Occasion, to apply to the Court of Chancery relative to any Matters or Things by this Act provided touching or concerning such Lands and Hereditaments or any Part thereof, or of the Application of the Rents and Profits thereof, by Petition, to be preferred to the said Court, or otherwise, in a summary Way, as the said Court shall appoint or approve.

XXXIX. That

Power to
Governors
and Guardians to
grant Leases,
to accept
Surrender of
subsisting
Leases, and
to grant new
Leases.

XXXIX. That it shall be lawful for the Governors and Guardians of the Poor of the Parish of Saint Mary Newington, and their Successors, and they are hereby authorized and empowered, from Time to Time to accept the Surrender of any subsisting Lease or Leases, and to demise or lease any Part or Parts of the Messuages, Tenements, Lands, and Hereditaments, Part of the said Walworth Common Estate, to be allotted to them as aforesaid, with the Buildings and Improvements, if any, upon or to the same, for any Term or Number of Years in possession, to any Person or Persons whomsoever who (except in the Case of Leases granted on the Surrender of subsisting Leases) hath or have substantially improved or repaired, or shall be willing substantially to improve or rebuild or repair, any of the Houses or Buildings to be comprised in such Demise or Lease, or hath or have erected and built, or shall be willing to erect and build, any House or Houses or other Buildings in lieu or instead thereof or in addition thereto, or on any Part of the Hereditaments to be comprised in any such Demise or Lease whereon no Building shall be then standing, or who shall have otherwise improved or be willing otherwise to improve the same Hereditaments, or any Part or Parts thereof, and with or without Liberty for the Lessee or Lessees to take down or remove all or any Part or Parts of the Buildings standing or being upon or within the Land or Ground in such Leases respectively to be comprised, or to apply or dispose of the Materials thereof for such Purposes as shall be agreed on, and also with or without Liberty for the Lessee or Lessees to dig and excavate any Part of the Land or Ground in such Leases respectively to be comprised, and to take and carry in and out of such Land or Ground such Earth, Clay, Gravel, or other Soil as it shall be found necessary or convenient to remove for effecting any of the Purposes aforesaid, and also with or without any other Liberty or Privilege which to the Governors and Guardians or their Successors shall seem reasonable; and if any such Surrender of an existing Lease be made on the granting of any new Lease of the same Premises, an adequate Reduction may be made from the Rent to be reserved in the new Lease in proportion to the Value of the Term or Interest which shall be surrendered in the Lands, Hereditaments, and Premises comprised in such new Lease, so as in every such Lease or Demise there be reserved or made payable the best yearly Rent that (due Regard being had to the existing and all future Leases of the same Land, and the State and Condition of the Hereditaments,) can be reasonably had or gotten for the same, such Rent to be made payable quarterly, free from all Deductions whatsoever, (except the Landlord's Income and Property Tax, and other Landlord's Outgoings,) and to commence from the Date of every such Lease or Demise, or at the End or within the Period

of Five Years to be computed from the Date thereof, and so that every such Demise or Lease be made without taking any Fine, Premium, or Foregift, or anything in the Nature thereof, for or in respect of making the same, and so as in every such Lease or Demise made for the Purpose of having Buildings erected or constructed there shall be contained a Covenant with the said Governors and Guardians, or their Successors, on the Part of the Lessee or Lessees to build, construct, and finish the Buildings which may be agreed to be built or constructed on the Premises within a Time to be specified for that Purpose, and to keep such Buildings in repair during the Term, and so as in every such Lease or Demise made for the Purpose of having Buildings repaired or rebuilt there shall be contained a Covenant on the Part of the Lessee or Lessees substantially to repair or rebuild the same within a Time to be specified for that Purpose, and to keep in repair during the Term the Messuages or Buildings agreed to be repaired or rebuilt, and so as that in every such Lease or Demise to be made for any of the Purposes aforesaid there be contained on the Part of the Lessee or Lessees a Covenant for the due Payment of the Rent or Rents to be thereby respectively reserved, and of all Taxes, Charges, Rates, Assessments, Dues, and Impositions whatsoever affecting the same Premises respectively, and also a Covenant to surrender the Possession of and leave in repair the said Messuages, Erections, or Buildings on the Expiration or other sooner Determination of the Term to be granted as aforesaid, and so as in every such Lease or Demise there be contained Power for the Governors and Guardians and their Successors to inspect the Repairs of the Premises, and to re-enter on Nonpayment of Rent, and other proper Covenants and Provisoes for the reasonable Security of the Lessors and Lessees of such Leases.

XL. That whenever a Surrender shall be made of any existing In case of a Lease for the Purpose of taking, or with a view to the granting by the said Governors and Guardians, and their Successors as aforesaid, Lease to the any new Lease by virtue of this Act, whether the existing Lease Governors shall or shall not have been granted under the Provisions of this Act, the new Lease shall be deemed to be the Renewal of the surrendered new Lease Lease within the Scope and Meaning of the Sixth Section of an Act the Renewal passed in the Fourth Year of the Reign of King George the Second, of the surintituled An Act for the more effectual preventing Frauds committed rendered Lease within by Tenants, and for the more easy Recovery of Rents and Renewal the Meaning of Leases, so far as to render unnecessary the Surrender of any of 4 G. 2. Under leases previously to the Grant of such new Lease, and to give full Effect to such new Lease in all respects, notwithstanding any Under-lease or Under-leases may not be surrendered.

Surrender of an existing dians, the to be deemed

The Governors and
Guardians
may appropriate Land
for Workhouse.

XLI. That it shall be lawful for the Governors and Guardians of the Parish of Saint Mary Newington, and their Successors, to enter upon and take any of the Messuages, Lands, and Hereditaments, Part of the said Walworth Common Estate, to be allotted and awarded to them as aforesaid, which the said Governors and Guardians and their Successors shall deem expedient to be taken and used, for the Purpose of making, erecting, and maintaining a new Workhouse and all necessary Outbuildings, Yards, Gardens, Airing Grounds, Workshops, School-rooms, School-houses, Offices, and other Conveniences connected therewith, for the Reception, setting to work, Employment, training, Education, and Maintenance of the Poor of the said Parish of Saint Mory Newington, and to purchase all subsisting Leases therein, and all Quit Rents, Charges, Annuities, Mortgages, or Incumbrances affecting the same, and all other Estates and Interests in any such Hereditaments and Premises of what Nature soever, and to pay for the Purchase thereof such Sum or Sums of Money as shall be agreed upon between the said Governors and Guardians, and their Successors, and the Persons interested therein, or as shall be awarded to be paid for the same; and the Sums to be paid by the said Governors and Guardians, and their Successors, shall be raised and paid out of the Monies and Funds by this Act authorized to be raised: Provided always, that until the Expiration of Three Years from the passing of this Act it shall not be lawful for the said Governors and Guardians to build or commence building any such Workhouse or other Building as last aforesaid, except upon some Part of the Houses, Buildings, and Lands specified in the Schedule to this Act annexed.

Compulsory
Powers only
to extend to
Land in the
Schedule.

XLII. Provided always, That nothing in this Act contained shall authorize the said Governors and Guardians to enter upon, take, or use for the Purposes of this Act any Houses, Buildings, or Land, except such as are specified in the Schedule to this Act annexed, without the previous Consent in Writing of the Lessee and Occupier thereof, or other Person empowered to sell the same by virtue of this Act, and of the Powers and Provisions incorporated therewith.

8 & 9 Vict. c. 18. incorporated with this Act.

XLIII. That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, and shall be applicable to the Objects hereby authorized; and for the Purposes thereof the said Governors and Guardians, and their Successors, shall be taken to be the Promoters of the Undertaking within the Meaning of that Act.

Errors in Schedule not to prevent Powers of

XLIV. That no Omission, Mis-statement, or erroneous Description of any Lands in the Schedule to this Act, or of the Owners, Lessees, or Occupiers thereof, shall be deemed to prevent the said Governors

Governors and Guardians from exercising the Powers by this Act this Act given of entering upon, taking, or using such Lands, provided it being exercised. be certified by Two Justices to have arisen from Mistake, erroneous Information, or other accidental Circumstance.

XLV. That the Power by this Act given to the Governors and Limiting Guardians, and their Successors, to purchase, use, or take the Houses, Buildings, and Land specified in the Schedule to this Act annexed &c. Land, &c. shall not after the Expiration of Three Years next after the passing of this Act be exercised without the Consent in Writing of the Lessee thereof, or other Person or Corporation empowered to sell the same by virtue of this Act, and the Powers and Provisions incorporated therewith.

Period for purchasing,

XLVI. That it shall be lawful for the Governors and Guardians of Power to the Poor of the Parish of Saint Mary Newington, and their Successors, from Time to Time to borrow and raise on Mortgage or other Charge Workhouses, of all or any Messuages, Tenements, Lands, and Hereditaments, Part purchasing of the said Walworth Common Estate to be allotted to and vested Sites, and in them under the Provisions of this Act as aforesaid, all such Sum or Sums of Money as may be required for the purchasing, taking, Debts. using, or appropriating any Part of the said Messuages, Tenements, Lands, and Hereditaments by this Act vested in the said Governors and Guardians, and their Successors, as aforesaid, and for providing and paying the Purchase Money and Compensation Money which may be awarded or become payable in respect thereof, and also for Payment of all Expenses, Costs, and Charges of and incident to the Erection or building any Workhouse or Workhouses by this Act authorized to be erected and built by the said Governors and Guardians, and all Expenses, Costs, and Charges of or incident to the purchasing, taking, using, or appropriating any such Messuages, Lands, Tenements, and Hereditaments as aforesaid, and the borrowing and raising any such Sum or Sums of Money as aforesaid, and also for erecting or building and completing the Workhouse for the Infant Poor of the said Parish now in the course of Erection, with the Outbuildings, Offices, Gardens, Yards, Airing Grounds, and other Conveniences thereto belonging, and also for providing all such Fittings, Fixtures, Furniture, Goods, Chattels, and Utensils as may be required for the Use of all and every the Workhouse and Workhouses by this Act authorized to be built and for the said Workhouse for the said Infant Poor, and also for paying off and discharging all and every the Debt and Debts, and Interest thereon, now due and owing by the said Governors and Guardians of the Poor of the said Parish of Saint Mary Newington, or by the said Parish of Saint Mary Newington, and for reimbursing the said Board or the said Parish all and every Sum and Sums of Money expended and disbursed by them for and in respect of the Erection, building, fitting

raise Money for building paying off. existing

fitting up, and furnishing the said Workhouse for the said Infant Poor, and for and in respect of and incident to the Purchase and Conveyance of the Site of such last-mentioned Workhouse, and for and in Payment and Discharge of all or any Part of any Sum or Sums of Money, Debts, and Loans borrowed and raised under the Provisions of this Act, and also for Payment of the Costs, Charges, and Expenses herein-after mentioned and provided for, or for all or any of such several Purposes as aforesaid, and other the Purposes of this Act.

Power for the Governors and Guardians to borrow Money on the Security of their Share of the Estate, for purchasing existing Leases.

XLVII. That it shall be lawful for the Governors and Guardians of the said Parish of Saint Mary Newington, and their Successors, Governors and Guardians of the said Parish for the Time being, from Time to Time to borrow or raise, on Mortgage or other Charge of all or any Messuages or Tenements, Lands and Hereditaments, Part of the said Walworth Common Estate, to be allotted to the said Governors and Guardians and their Successors, Governors and Guardians as aforesaid, under the Provisions of this Act, (but subject and without Prejudice to any previous Appointment or Charge which may have been executed or made under the Powers of this Act,) all such Sum or Sums of Money as may be required or thought expedient for the purchasing and taking any Assignment or Assignments, Surrender or Surrenders of all or any Part of the Leasehold and other Interests in the Lessees or Occupiers of all or any Part of the said Land, Messuages, Tenements, and Hereditaments so to be allotted to the said Governors and Guardians and their Successors, and also for the Payment of all Expenses, Costs, and Charges of and incident to the purchasing and taking such Interests, and the borrowing and raising any such Sum or Sums of Money as aforesaid, and for and in respect of the Assignment and Surrender of all or any of such Leasehold and other Interests.

Power to raise Money by Sale of Part of the Walworth Common Estate.

XLVIII. That it shall be lawful for the said Governors and Guardians and their Successors, and they are hereby authorized and empowered, to raise all and every the Sum and Sums of Money required for all and every or any of the several Purposes aforesaid, and for other the Purposes of this Act, by the Sale of a competent Part of the said Messuages, Tenements, Lands, and Hereditaments, Part of the said Walworth Common Estate, to be allotted to and vested in them as aforesaid, and the Inheritance thereof in Fee Simple, to any Person or Persons whomsoever, for such Price or Prices, Sum or Sums of Money, as the said Governors and Guardians and their Successors shall think reasonable, and to make any such Sale or Sales either by Public Auction or Private Contract, and either altogether or in Lots, and subject to any special or other Conditions or Stipulations, and to buy in the same Premises or any Part or Parts thereof at any Sale or Sales by Auction, and to rescind, abandon, or vary any Contract

for Sale, and to resell the Premises which shall be so bought in, or as to which the Contract shall be so rescinded, without being answerable for any Loss which may be occasioned thereby; and upon Payment to the Governors and Guardians of the Purchase Money for any Messuages, Lands, Tenements, and Hereditaments comprised in any such Agreement for Sale, it shall be lawful for the said Governors and Guardians, by Deed under their Common Seal, to convey the same Messuages, Lands, Tenements, and Hereditaments, and the Fee Simple and Inheritance thereof, to the Purchaser or Purchasers thereof, discharged from the Trusts and Powers of the said recited Acts of the 10 Geo. 3. Cap. 72. and the 54 Geo. 3. Cap. 113. and of this Act.

XLIX. That, subject to the Trusts and Purposes aforesaid, the Application several Monies to be raised or borrowed in manner aforesaid, and come of the the Rents, Profits, and annual Produce and Income of the said Allotment . Messuages, Tenements, Lands, Hereditaments, and Premises under and by the Provisions of this Act to be allotted to and vested in the Common said Governors and Guardians and their Successors as aforesaid, shall be paid and applied by the said Governors and Guardians and their vernors and Successors, in the first place, in Payment of the Expenses of the said Guardians. Governors and Guardians in all things of carrying this Act and every Part thereof into full Execution and Effect; and, in the next place, in Payment of the Interest, Instalments, and other Sum and Sums of Money which shall from Time to Time become due and payable upon or in respect of all and every the Sum and Sums of Money, Debts and Loans, Mortgages and other Charges, by this Act authorized to be borrowed, raised, incurred, and made for all or any of the Purposes aforesaid; and all the Residue and Surplus of the said Rents, Profits, and annual Produce and Income which shall remain after satisfying the Purposes aforesaid shall from Time to Time be paid and applied by the said Governors and Guardians and their Successors for and towards the Relief of the Poor of the said Parish of Saint Mary Newington, and shall be accounted for by the said Governors and Guardians accordingly.

of the Inof the Walworth Estate vested in the Go-

L. Provided, That nothing in this Act contained shall be construed Governors to lessen the Obligation on the Part of the Governors and Guardians to obtain the Assent by Law required as to the Amount to be tain Assent laid out for building the proposed new Workhouse, or to defeat, control, or prejudice the Powers and Authorities now by Law vested in to the the Poor Law Board in respect of the several Matters herein provided Amount to for, or to enable any Act to be done without their Consent, Orders, on new or Regulations, where any such Consent, Order, or Regulation would Workhouse. but for this Act be necessary.

and Guardians to obof the proper Authorities be expended

Receiver to pass his Accounts, and pay Balance into Court.

LI. That the Receiver named and appointed in and by the said recited Decree shall, upon the Completion of the Partition of the Estate, pass his Accounts in the Court of Chancery under the said Decree, and shall pay the Balance found to be in his Hands into the Court of Chancery, in the Manner and to the Account directed by the said Decree.

Application of Fund in Court, &c.

One Tenth of Fund and Monies to Rector.

Surplus of Fund and Monies to pay Costs of this Act, &c.

LII. That all Monies in the Hands of the said Receiver appointed by the Court of Chancery as aforesaid at the Time of the passing of this Act, or which shall come into his Hands after the passing thereof, and all and every Sum or Sums of Bank Three Pounds per Cent. Consolidated Annuities, and Cash, and all other Stocks, Funds, Securities, and Money, and the Interest, Dividends, and annual Produce thereof respectively, standing in the Books of the Governor and Company of the Bank of England to the Credit of the Accountant General of the Court of Chancery, in trust in the said Causes, shall, upon Application to the said Court, by Motion or Petition in a summary Way, in the said Causes, and in the Matter of this present Act, be applied, paid, and transferred in manner following; that is to say, One Tenth Part thereof shall be paid and transferred to the said Arthur Cyril Onslow, as Rector of the said Parish of Saint Mary Newington, in full for his One Tenth Part of the net Income of the said Walworth Common Estate directed to be paid to such Rector by the said recited Act of Parliament of the Tenth Year of King George the Third; and, subject thereto, all the said Monies, Bank Three Pounds per Cent. Consolidated Annuities, Cash, Securities, and Premises, shall be paid and applied in Payment, firstly, of the Costs, Charges, and Expenses of applying for and passing this Act, and preliminary or incidental thereto, such Costs, Charges, and Expenses to be taxed by One of the Taxing Officers of the Houses of Parliament, and, secondly, in Payment of so much of the Costs, or Costs, Charges, and Expenses, of the said Arthur Cyril Onslow and Ambrose Boyson, of and incident to the said Petition so as aforesaid presented by the said Arthur Cyril Onslow and Ambrose Boyson, and of and incident to the Case and Opinion of Counsel stated and obtained by them, or One of them, jointly with the said John Edward Johnson, the dismissed Defendant in the said Causes, antecedent to the said Petition, as shall not have been already paid or transferred to the said John Edward Johnson, and in Payment of the Costs, Charges, and Expenses of the said Petitioners of and incident to the Order made upon the Hearing of the said Petition, and of and incident to the Order of the Lord Chancellor discharging the said Order, and also in Payment of the Costs, Charges, and Expenses of all the Parties of the Second Part to the said recited Agreement

of the Twenty-sixth Day of December One thousand eight hundred and fifty, and of the said Arthur Cyril Onslow separately, and of the said Defendants Francis Feltoe and Daniel Haywood, as Churchwardens of the said Parish of Saint Mary Newington and Trustees of the said Walworth Common Estate, of and incident to the said original, amended, and supplemental Information, and also all the Costs, Charges, and Expenses of all the said last-mentioned Parties, and of the Lord Bishop of Worcester, of and incident to the several Negotiations, Meetings, and Correspondence of and in relation to the Compromise of the said Suits and Informations, and of and incident to the said Agreement, and the Petitions, Orders, and Proceedings consequent thereon, and of and incident to carrying the same into effect, and also the Costs, Charges, and Expenses of the said Parties to the said Agreement, and every of them, and of and incident to this Act and consequent thereon, and all other Costs, Charges, and Expenses of all the said Parties of and incident to the Matters aforesaid or in relation thereto, and also all the Costs, Charges, and Expenses respectively of the said Relators, the said Governors and Guardians of the Poor acting under the said Act of the Fifty-fourth Year of King George the Third, Cap. 113., of the Trustees of the said Walworth Common Estate, elected in Vestry in July One thousand eight hundred and forty-six, and of the said Churchwardens and Overseers of the Poor of the said Parish, Parties to the said Agreement respectively, of and incident to all and every the Elections, Meetings, Matters, Petitions, Proceedings, Orders, Suits, Informations, and Act of Parliament, or otherwise in relation to the said Walworth Common Estate, in and subsequently to the Month of July One thousand eight hundred and forty-six, and to the final Completion of the Partition of the said Estate by the said Agreement contemplated and agreed to, and also the Costs, Charges, and Expenses of all the Parties to the said Agreement and of the Attorney General, whether in the said Court of Chancery, in Parliament, or elsewhere, or otherwise howsoever; provided that No Priority no Priority or Preference shall be given to any Person, Party to to be given the said Agreement, over any other Person, Party thereto, in making to Agreeany such Payment of Costs, Charges, and Expenses herein-before ment as to secondly enumerated and referred to, but all such Persons shall Costs, &c. be entitled to such Costs, Charges, and Expenses pari passu and in proportion to the Amounts thereof respectively, all such Costs, Charges, and Expenses to be taxed by such One of the Taxing Masters of the Court of Chancery as the said Court shall appoint, on Application for that Purpose in a summary Way by Motion or Petition as aforesaid, after deducting so much of the Costs, and the Costs, Charges, and Expenses of any of the Parties herein-before mentioned, as have already been taxed and paid to them respectively under and in pursuance of the said Decree, out of the Rents and Profits

to any Party

Surplus Fund, &c. (if any) to be paid to Guardians.

In case the Fund in Court be insufficient for Payment of any Expenses, the Deficiency to be raised and paid by the Governors and Guardians.

Profits of the said Estate then in the Hands of the Treasurer; and, subject to the several Payments, Costs, Charges, and Expenses aforesaid, the Remainder or Surplus of the said Monies, Bank Annuities, Cash, Stocks, Funds, and Securities (if any) shall be paid and transferred to the Governors and Guardians of the Poor of the Parish of Saint Mary Newington and their Successors: Provided, that in case the said Monies, Bank Annuities, Cash, Stocks, Funds, and Securities shall prove to be insufficient for Payment of all and every of the Sum and Sums of Money, Costs, Charges, and Expenses herein-before directed to be paid as aforesaid, the Deficiency shall be raised by Mortgage or other Charge of the said Walworth Common Estate, and for that Purpose the Rector of the said Parish of Saint Mary Newington for the Time being, and the Governors and Guardians of the Poor of the said Parish, and their Successors, are hereby authorized and required to raise such Deficiency as aforesaid by Mortgage or other Charge or by Sale of a competent Part or Parts of the said Walworth Common Estate, or by both oreither of such Methods, in manner following; that is to say, as to One Tenth Part of such Deficiency, by Mortgage, Charge, or Sale of the One Tenth Part of the said Walworth Common Estate so to be vested in the Rector as aforesaid, or a competent Part thereof, and as to Nine Tenth Parts of such Deficiency, by Mortgage, Charge, or Sale of the Nine Tenth Parts of the said Walworth Common Estate so to be vested in the said Governors and Guardians as aforesaid, or a competent Part thereof; and the Receipts of the Governors and Guardians, and also of the Rector (so far as this Clause relates to him), by whom any Mortgage, Charge, or Sale shall under the Provisions of this Act be made, or of their or his Successors, shall be sufficient Discharges for the Monies in such Receipts acknowledged to be received, and shall exonerate the Persons paying such Monics from seeing to the Application thereof, and from being answerable for the Misapplication or Nonapplication thereof.

Church Arrangements not to throw any Rate on the Parish.

LIII. That nothing in this Act contained shall have the Effect of imposing any Rate or Augmentation of Rate upon the Ratepayers or Inhabitants of the said Parish for the Repairs of any Church within the said Parish, or for any other Ecclesiastical Purpose whatsoever.

Power of the Governors and Guardians under not to be abridged,

LIV. That nothing in this Act shall be deemed or taken to lessen or abridge all or any of the Powers, Authorities, or Discretion given to or vested in the Governors and Guardians of the Poor of the 54G.3.c.113. Parish of Saint Mary Newington in and by the said recited Act of the Fifty fourth Year of the Reign of King George the Third, Chapter 113, but all and every such Powers, Authorities, and Discretions shall be and are hereby confirmed; and the Provisions of this Act, and the Powers, Authorities, and Discretion hereby given to and vested

vested in the Governors and Guardians of the Parish of Saint Mary Newington, and their Successors, shall be deemed and taken to be in addition to and extension of the Powers, Authorities, and Discretion by the said recited Act given to or vested in the said Governors and Guardians; and the said Governors and Guardians, and their Successors, by this Act incorporated, shall, as a Body Corporate, and by their Corporate Name, and under their Common Seal, act in the Execution of the said recited Act, and exercise, perform, and execute all and every the Powers, Authorities, and Discretions by the said recited Act given to or vested in the Governors and Guardians thereby appointed.

LV. That nothing herein contained shall authorize the Governors and Guardians to raise under the Provisions of this Act an Amount exceeding in the whole the Sum of Seventy-five thousand Pounds, borrowed by nor shall anything herein contained authorize the Rector to borrow under the Provisions of this Act an Amount exceeding in the whole the Sum of Twenty thousand Pounds, nevertheless the Governors and Guardians and the Rector respectively may borrow Monies for respectively. the Purpose of paying off Monies previously borrowed under the Provisions of this Act.

Limiting the Amount of Money to be the Governors and Guardians and Rector

LVI. That nothing in this Act contained, nor any Conveyance, Lease, or other Assurance executed in pursuance or by virtue thereof, of the Lord of the Manor. shall prejudice, diminish, or take away any of the Rights, Privileges, Powers, Franchises, or Authorities vested in the Lords of the Manor of Walworth.

Saving Right

The SCHEDULE referred to in the foregoing Act.

Walworth Common.

Situation of Property.		Description of Property.	<u></u>	ners d Owners.	Lessees or reputed Lessees.	Occupiers.
Back of Villa Row Gardens, reaching to Sewer, about an Acre, used		Sewer, about an Acre, used as a Rope	the Act 10 viz. the Rev Onslow, Charlow, Charles Posson, John Leat Roffey, Echarles Posson, Willia lett, Philip Volumes Kingo Hardy; the Guardians of the Parish Newington; Cyril Onslow for the Time said Parish; brose Boys William Tehwait, John Carpenter, Freemantle, Ebenezer Bewardens and the Time be Parish; the Iter of Canter the Manor; Stratford, We ton, Thomas Stephen Habe Tenants Manor under the Manor under the Manor under the Time be Tenants Manor under the Tenants Manor under	m Henry Wool-William Urlwing, John Governors and Governors and of the Poor of Saint Mary the said Arthurw, or the Rector the said Amon and John omlinson Lead William Henry and William Henry and William Henry and William Henry and Chaptris of the said Dean and Chaptris of the said o	Maria Nolan.	John Wallis.
Ditto		House, Garden, and Carpenter's Shop.	Ditto	-	Oliver Vile, Charles Wilkin.	Edward Withers
Ditto	-	House, Shop, and Garden.	Ditto	-	Oliver Vile, Michael William Green.	John Harvey.
Ditto	••	House and Yard.	Ditto	-	O1: 37'1.	Robert Morling
Ditto	-	House, Chandler's Shop, and Yard.	Ditto	-	O1: 37:1	Jane Shaw.
Ditto	-	House and Coop- er's Shop.	Ditto	-	A12 379	John Knoll.
Ditto	-	House, Shop, and Yard.	Ditto	•	A1' \$7'1	John Dallimore
Ditto	-	Ditto -	Ditto		1 (2) 37/1	William Pearce.

Situation of Property.		Description of Property.	Owi or reputed			Lessees or reputed Lessees.	Occupiers.
Villa Street		House and Yard	the Act 10 Geo. 3. c. 72., viz. the Rev. Arthur Cyril Onslow, Clerk, Ambrose Boyson, John William Tomlinson Leathwait, Richard Roffey, Edward Jones, Charles Pugh, William Nash, William Henry Woollett, Philip William Urlwin, John Simpson, John Gover, James Kingdon, and Francis Hardy; the Governors and Guardians of the Poor of the Parish of Saint Mary Newington; the said Arthur Cyril Onslow, or the Rector for the Time being of the said Parish; the said Ambrose Boyson and John William Tomlinson Leathwait, John Wills, Daniel Carpenter, William Henry Freemantle, and William Ebenezer Beal; the Churchwardens and Overseers for the Time being of the said Parish; the Dean and Chapter of Canterbury, Lords of the Manor; William Samuel Stratford, William Pennington, Thomas Fleming, and Stephen Hall, claiming to be Tenants of the said Manor under the said Act 10 Geo. 3. c. 72., but which Claim is disputed.		Oliver Vile, James Kingdon.	John Thompson.	
Ditto	-	Ditto -	Ditto	puted. -	-	Ditto -	John Bowerman.
Ditto	يه	Houge	Ditto	-	-	Ditto -	James Harley.
Ditto	· -	House and Yard	Ditto	-	-	Ditto -	Zachariah Munns
Ditto	-	Ditto -	Ditto	•	-	Oliver Vile, John Jackson.	Andrew Maynard
Ditto	_	Ditto -	Ditto	-	-	Ditto -	George Crate.
Ditto	_	Ditto -	Ditto	-	-	Ditto -	William Jackson.
Ditto	-	House, Shoe-	Ditto	-		Ditto -	Henry Colwell.
		maker's Shop,	•				
T):440		House, Shop, and	Ditto	í	_	Ditto -	James Ovens.
Ditto	•	Yard.	151140		_	}	
Ditto	-	House and Yard	Ditto	-		Oliver Vile, Robert Woolmer.	i
Ditto	-	Broker's Shop -	Ditto	-	_ _^	Oliver Vile, Richard Neat.	Thomas Dickeson
Ditto	_	House, Timber	Ditto	· •	-	Oliver Vile,	Robert Woolmer
7)1660	_	Yard, and Car- penter's Shop.	-			Robert Woolmer.	
Ditto		House and Gar- den, used as a Beershop.	Ditto	-	•	Oliver Vile, Richard Neat.	Richard Neat.
Trafalgar F	low -	House, Shop, and Yard.	Ditto	•	-	Executors of the late Abraham PurshouseDriver,	Wedge.
	-					Ann Driver, James Bardolph Wedge.	
Ditto		Ditto -	Ditto	•	•	Ditto.	Ditto,

Situation of Property.		Description of Property.	Owners or reputed O	ł	Lessées or reputed Lessees.	Occupiers.
Trafalgar Row		House, Shop, Gar- den, and Shed.	The Trustees apportude Act 10 Get viz. the Rev. A Onslow, Clerk Boyson, John William Leathwer Roffey, Edw Charles Pug Nash, William lett, Philip William John Simpson,	Arthur Cyril I, Ambrose Illiam Tom- ait, Richard ard Jones, Henry Wool- liam Urlwin, John Gover,	Executors of the late Abraham Purshouse Driver, Ann Driver, William Badcock.	Christopher Shaw.
			James Kingdon Hardy; the Go Guardians of the Parish of Newington; th Cyril Onslow, of for the Time I said Parish; th brose Boyson William Tom	the Poor of Saint Mary esaid Arthur or the Rector being of the he said Amand John linson Lea-		
		•	thwait, John V Carpenter, Wi Freemantle, a Ebenezer Beal wardens and C the Time bein Parish; the De ter of Canterba the Manor; Wi Stratford, Willi ton, Thomas I	Vills, Daniel lliam Henry and William; the Church- lverseers for g of the said an and Chapary, Lords of lliam Samuel am Penning-		
Ditto		House, Shop, and	Stephen Hall, be Tenants Manor under 10 Geo. 3. c. 79 Claim is dispu Ditto	claiming to of the said the said Act 2., but which	Ditto -	Mary Ann Bad-
		Garden.				cock.
Ditto		Ditto - Ditto -	Ditto		Ditto Executors of the late Abraham PurshouseDriver, Ann Driver, Henry Bigger	George Hayward. William Gypp.
Ditto		House, Shop, Bakehouse, and Garden.	Ditto		Henry Pigeon. Executors of the late Abraham PurshouseDriver, Ann Driver, William Elliott.	William Elliott.
Ditto	-	House, Shop, and	Ditto	- 4	Ditto -	Ditto.
Ditto	•	Garden. Public House known as "The Hour Glass," with Stable, Flower Gar-	Ditto		Messrs. Felix Calvert and Co., Robert Mockridge Executors of the late Abraham	ridge.
Ditto	•	den, Trapball Ground, and KitchenGardens. Garden at the Back of the "Hour Glass" Public House.	Ditto		PurshouseDriver, Ann Driver. RobertMockridge Executors of the late Abraham PurshouseDriver, Ann Driver.	Edward Clifford, Gloucester Place, Walworth Com-

Situation of Property.	Description of Property.	f	Owners uted Owners.	Lessees or reputed Lessees.	Occupiers.
Trafalgar Row		the s." the Act viz. the longlow, Boyson, Junson Lea Roffey, Charles Nash, Willett, Phili John Sim James Kin Hardy; the Guardian the Paris Newingto Cyril Onsfor the Tasaid Paris brose Bowilliam thwait, John Stephen Be Tenas Manor un 10 Geo. 3	lliam Henry Wool p William Urlwin pson, John Gover ngdon, and Franci he Governors an is of the Poor of sh of Saint Mar- on; the said Arthu- slow, or the Recto ime being of the sh; the said Am oyson and John Tomlinson Lea ohn Wills, Danie r, William Henr le, and William Beal; the Church and Overseers for being of the sain he Dean and Chap of the sain he Dean and	ridge, Executors of the late Abraham PurshouseDriver, Ann Driver.	
Villa Row	- Villa House, Warth Common; House Lawn, Garden and Stable.	m· se,	-	James Seward, Executors of the late Abraham Purshouse Driver, Ann Driver,	John Tassell. James Seward.
Ditto	- House and Gaden.	Ditto	- - -	Oliver Vile. Oliver Vile, Executors of the late Abraham PurshouseDri- ver, Ann Driver,	Henry Green.
Ditto	- Ditto	- Ditto	₹ -	Mrs. Nolan. Oliver Vile, William Poole,	William Fricker.
Ditto •	- House and Gadens.	Ditto	- ·	Oliver Vile,	James Young.
Ditto	- Ditto	- Ditto	Ţ.		William LeCount.
Ditto	- Ditto	- Ditto		Mrs. Maria Nolan. Oliver Vile,	Thomas Swannell.
Ditto	- Part of House	- Ditto	**	}	John Rayment.
Ditto	- House, Garden and Stable.	ps, Ditto	-	William Silvey. Ditto	William Sabin.
Ditto	- House and Ga	ŗ- Ditto		Oliver Vile,	John Nicholls.
Ditto	dens. Ditto	- Ditto	-	0 , ,	John Matthews.
[Local.]	1 .	1	∇n	Mrs.MariaNolan.	

Situation of Property.	Description of Property.]	Owners uted Owners.	Lessees or reputed Lessees.	Occupiers.
Villa Row	House and Gadens.	the Act viz. the Onslow, Boyson, linson I Roffey, Charles Nash, W lett, Phi John Sir James K Hardy; Guardia the Pari Newing Cyril Or for the said Par brose I William thwait, a Carpent Freeman Ebeneze wardens the Tim Parish; ter of Cathe Man Stratford ton, The Stephen be Ten Manor 10 Geo.	es appointed under 10 Geo. 3. c. 72., Rev. Arthur Cyril Clerk, Ambrose John William Tom-Leathwait, Richard Edward Jones, Pugh, William illiam Henry Woollip William Urlwin, mpson, John Gover, ingdon, and Francis the Governors and ns of the Poor of ish of Saint Mary ton; the said Arthur aslow, or the Rector Time being of the rish; the said Amboyson and John Tomlinson Leadon William Henry and William Penning and the Dean and Chaptanterbury, Lords of or; William Penning and Hall, claiming to ants of the said under the said Act 3. c. 72., but which is disputed.	Oliver Vile, John Jackson.	EdmundAndrews.
Ditto	- Ditto	- Ditte	·	Oliver Vile, Richard Neat.	James Fielder.
Walworth Villa	Cottage	- Ditto		Executors of the late Abraham PurshouseDriver, Ann Driver, Mr. Joseph Colwell Wedge.	Mrs. Ann Jones.
Ditto	Cottage and Y	ard Ditte		Executors of the late Abraham Purshouse Driver, Ann Driver, Mr. Wedge.	Mr. J. B. Wedge.
Ditto	- Ditto	- Ditte		Executors of the late Abraham Purshouse Driver, Ann Driver, Mr. Joseph Orger.	James Cleversley, Joseph Middleton.
Ditto	- Cottage a Garden.	and Ditt	•	Executors of the late Abraham PurshouseDriver, Ann Driver, Mr. Orger.	
Ditto	- Ditto	- Ditt	o	Ditto	Frederick Francis.

The	Walworth	Common	Inclosure	Amendment	Act,	1851.
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Situation of Property.		Description of	Owr	-		Lessees or reputed Lessees.	Occupiers.
Walworth Villa - Cottage and Garden.		. •	The Trustees ap the Act 10 viz. the Rev. Onslow, Cla Boyson, John linson Leath Roffey, Ed Charles Pu Nash, Willian	pointed ung Geo. 3. c. 7 Arthur Cy erk, Ambr William To wait, Rich ward Jor igh, Willi	72., yril ose m- ard ies, iam	Executors of the late Abraham PurshouseDriver, Ann Driver, Mr. William Henry Abraham,	Mary Lock.
**************************************		House and Garden	lett, Philip W John Simpso James Kingo Hardy; the Guardians of the Parish Newington; Cyril Onslow for the Time said Parish; brose Boys William To thwait, John Carpenter, Freemantle, Ebenezer Be wardens and the Time be wardens and the Time be Parish; the ter of Cante the Manor; Stratford, W ton, Thomas Stephen Ha be Tenants Manor unde 10 Geo. 3. d Claim is dis	illiam Urlun, John Governors and Francisch Fleing of the said Articles of the said Articles of the Saint Mondon In William He and William He and William Fleing of the said William Pennis Fleining, Il, claiming of the said for	vin, ver, acis and of ary hur etor the niel nry ian rch- said ap- said Act hich	Executors of the	Isaiah Williams
Ditto	·	11ouse and Carden	Ditto			late Abraham PurshouseDriver, Ann Driver, GeorgeRichmond	Peters.
Ditto	-	Ditto -	Ditto	-	-	Ditto -	Thomas Quelch,
Ditto Ditto	•	Ditto - Ditto -	Ditto Ditto	-	-	Ditto - Ditto -	Hannah Marshall. William Goss. George James Banks.
Ditto Ditto Ditto	-	Ditto - Ditto -	Ditto Ditto Ditto	-		Ditto - Ditto - Ditto -	George Harnden. John Byrne. John Thomas Rose.
Ditto		Ditto Piece of Ground known as Mason's Rope Walk, and Sheds belong- ing thereto.	Ditto		-	Ditto Executors of the late Abraham PurshouseDriver, Ann Driver, James Bardolph Wedge.	Thomas Nelson. James Bardolph Wedge.
Ditto	•	Cottage and Garden.	Ditto	-	-	Ditto -	Richard Bradley.
Ditto	-	Ditto -	Ditto	•	•	Ditto -	Thomas Fentum.
Ditto	•	Piece of Land and Sheds and Warehouses.	Ditto	-	-	Ditto -	J. B. Wedge.

Situation of Property.	Description of Property.		ners d Owners.		Lessees or reputed Lessees.	Occupiers.
Walworth Common.	Bayldon House and Garden Ground.	Charles P Nash, Willia lett, Philip W John Simpso James King Hardy; the Guardians the Parish Newington; Cyril Onslow for the Tim said Parish; brose Boyse William To thwait, John Carpenter, Freemantle, Ebenezer Be wardens an the Time be raish; the ter of Canter the Manor; W ton, Thomas Stephen Ha be Tenants Manor unde	Geo. 3. c. 7 Arthur Cylerk, Ambrolerk, Ambrolerk, Richard Jorgh, William John Governors a of the Poor of Saint Markon, or the Reche being of the said Arthur, or the Reche being of the said A on and Jorgh William Herand William Herand William Herand William Sample of the said A on and Jorgh William Sample of the said Charles Fleming, and Charle	yril ose and oin, reis and oin, reis and oin, reis and oin of any and of aid and oil a	Executors of the late Abraham PurshouseDriver, Ann Driver, Nicholas Edwin.	Nicholas Edwin.
Ditto -	Rose Cottage and Garden.	Diţto	₹	•	Executors of the late Abraham PurshouseDriver, Ann Driver,	John White.
Propp's Buildings	House, Shop, and Garden.	Ditto		44	John White. Executors of the late Abraham Purshouse Driver,	Henry Wood.
Ditto - Lebanon Place -	Ditto - House and Garden	Ditto Ditto	••••••••••••••••••••••••••••••••••••••		Ann Driver, Charles Webb. Ditto Executors of the late Abraham PurshouseDriver,	John Pugh. James Lindsey.
T		T):44			Ann Driver, John Johnson.	Josiah Snow.
Ditto -	Ditto -	Ditto	-	₹	Ditto -	
Ditto - Ditto -	Ditto - Ditto -	Ditto	••••••••••••••••••••••••••••••••••••••		Executors of the late Abraham PurshouseDriver, Ann Driver, Thomas Broad.	John Johnson. William Dellamore.
Ditto -	Ditto	Ditto	-	-	Ditto -	Edward Smith.
Ditto -	Ditto -	Ditto	- -	-	Ditto -	John Martin.

The	e Walworth Con	nmon Inclos	sure Ame	endment Act, 1	851.
Situation of Property.	Description of Property.	Owner or reputed C	· · · · · · · · · · · · · · · · · · ·	Lessees or reputed Lessees.	Occupiers.
Westmoreland Place.	Beer-house and Yard with Sheds, "Jolly Sailor."	The Trustees app the Act 10 Ge viz. the Rev. A Onslow, Clerk Boyson, John V	eo. 3. c. 72., Arthur Cyril k, Ambrose	Executors of the late Abraham Purshouse Driver,	Peter Phelps.
		linson Leathw Roffey, Edw Charles Pug Nash, William lett, Philip Wil John Simpson, James Kingdor Hardy; the G Guardians of the Parish of Newington; th Cyril Onslow, for the Time said Parish; t brose Boyson William Tom	rait, Richard yard Jones, h, William Henry Wool- lliam Urlwin, John Gover, n, and Francis overnors and the Poor of Saint Mary ne said Arthur or the Rector being of the the said Am- n and John nlinson Lea-	Ann Driver, Peter Phelps.	
		wardens and the Time bein Parish; the De ter of Canterb the Manor; W Stratford, Will ton, Thomas Stephen Hall be Tenants Manor under	illiam Henry and William I; the Church-Overseers-for of the said ean and Chapury, Lords of illiam Samuel iam Penning-Fleming, and claiming to of the said Act 72., but which		
Ditto	- House and Garden	Ditto	- · -	Ditto -	Charles Simmonds.
Ditto	- Ditto -	Ditto	-	Ditto -	James Henry Tan- ner.
Ditto	- Beer-house and Yard.	Ditto		Executors of the late Abraham Purshouse Driver, Ann Driver,	
Ditto	- Part of Ditto,	Ditto		George Maguire. Ditto	
	with Brewhouse.	;			
Ditto	- House, Beer- house, and Gar- den.	Ditto		Executors of the late Abraham Purshouse Driver, Ann Driver, Thomas Broad.	
Ditto	- House and Yard	Ditto	· _	Ditto -	Samuel Thomas Broad.
Ditto	- House and Garden	Ditto		late Abraham Purshouse Driver, Ann Driver,	
Ditto	- House, Coach- house, and Gar- den.		-	George Maguire Ditto	Ditto.

14° VICTORIÆ, Cap.vii.

Situation of Property.		Description of Property.		vners ed Owners.		Lessees or reputed Lessees.	Occupiers.
Westmoreland Place.		HouseandGarder	the Act 10 viz. the Re Onslow, C Boyson, Joh linson Lea Roffey, I Charles I Nash, Willi lett, Philip John Simps James King Hardy; the Guardians the Parish Newington Cyril Onslo for the Tin said Parish brose Boy William I thwait, Joh Carpenter, Freemantle Ebenezer B wardens an the Time b Parish; the ter of Cante the Manor; Stratford, V ton, Thoma Stephen H be Tenants Manor unde	Geo. 3. c. ev. Arthur Clerk, Amb in William T thwait, Rich	yril rose om- nard nes, liam ool, win, neis and roth the Am- lean of lary liam reforms and large	Executors of the late Abraham PurshouseDriver, Ann Driver, Thomas Broad.	Richard Pell.
Ditto	-	Ditto -	Claim is dis Ditto	sputed.	-	Executors of the late Abraham PurshouseDriver, Ann Driver, Jeremiah Hodg-	Jeremiah Hodg- kins.
Ditto	•	Ditto	Ditto	_ •••		kins. Executors of the late Abraham PurshouseDriver, Ann Driver,	Charles William son.
Ditto Ditto	ch m	Ditto House, Shop, and	1		-	William Hayslep. Ditto Ditto	Thomas Parker. William Hayslep.
Ditto	-	Garden. House, Shop, Shed, and Yard	1	-	•	Executors of the late Abraham PurshouseDri-	Thomas West.
Ditto		Beer-house and	Ditto		-	ver, Ann Driver, Mrs. Elizabeth Alger Peters. Ditto	Daniel Ward Clut-
Ditto		Premises. House and Shop House, Shop, and Yard.	Ditto	, — , —		Ditto - Executors of the late Abraham PurshouseDriver, Ann Driver, George Bensted.	terham. Charles Carley. George Bensted.

Situation of Property.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Wellington Place	Cottage -	The Trustees appointed under the Act 10 Geo. 3. c. 72., viz. the Rev. Arthur Cyril Onslow, Clerk, Ambrose Boyson, John William Tomlinson Leathwait, Richard Roffey, Edward Jones, Charles Pugh, William Nash, William Henry Woollett, Philip William Urlwin John Simpson, John Gover, James Kingdon, and Francis Hardy; the Governors and Guardians of the Poor of the Parish of Saint Mary Newington; the said Arthur Cyril Onslow, or the Rector for the Time being of the said Parish; the said Ambrose Boyson, and John William Tomlinson Leathwait, John Wills, Danie Carpenter, William Henry Freemantle, and William Ebenezer Beal; the Churchwardens and Overseers for the Time being of the said Parish; the Dean and Chapter of Canterbury, Lords of the Manor; William Samue Stratford, William Penning ton, Thomas Fleming, and Stephen Hall, claiming to Be Tenants of the said Manor under the said Act 10 Geo. 3. c. 72., but which Claim is disputed.	late Abraham PurshouseDriver, Ann Driver, Mrs. Peters.	Mrs. Harriett Hudson.
	Currier's Shop	Ditto -	Executors of the late Abraham PurshouseDriver, Ann Driver, Thomas Suduck Seager.	John Poole,
WalworthCommon	Dwelling House, Garden, Cur- rier's Shop, and Outbuildings.	Ditto -	Executors of the late Abraham PurshouseDriver, Ann Driver, James Wood, Charles Wood, Henry Wood.	
	Garden and Part of Dwelling House.	Ditto -	- Executors of the late Abraham PurshouseDriver, Ann Driver, Charles and William Hayslep.	
	A Picce of Land used for drying Tan and Garden Ground.	Ditto -	- Executors of the late Abraham PurshouseDriver, Ann Driver, James Wood.	and John Poole.

Situation of Property.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Walworth Common	A Piece of Land used as a Nursery Ground.	The Trustees appointed under the Act 10 Geo. 3. c. 72., viz. the Rev. Arthur Cyril Onslow, Clerk, Ambrose Boyson, John William Tomlinson Leathwait, Richard Roffey, Edward Jones, Charles Pugh, William Nash, William Henry Woollett, Philip William Urlwin, John Simpson, John Gover, James Kingdon, and Francis Hardy; the Governors and Guardians of the Poor of the Parish of Saint Mary Newington; the said Arthur Cyril Onslow, or the Rector for the Time being of the said Parish; the said Ambrose Boyson and John William Tomlinson Leathwait, John Wills, Daniel Carpenter, William Henry Freemantle, and William Ebenezer Beal; the Churchwardens and Overseers for the Time being of the said Parish; the Dean and Chapter of Canterbury, Lords of the Manor; William Samuel Stratford, William Pennington, Thomas Fleming, and Stephen Hall, claiming to be Tenants of the said Manor under the said Act 10 Geo. 3. c. 72., but which Claim is disputed.		James Wood.
	A Roadway, 30 Feet wide, used conjointly.	Ditto.		

Joseph Lott.

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