



ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.



Cap. 183.

An Act for vesting in *John Theophilus Daubuz* Esquire, an undivided Moiety of certain Premises, situate at *Low Layton*, in the County of *Essex*; and for applying the Purchase Money in the Purchase of other Estates, to be settled to the subsisting Uses of the Will of *Edward Martin* deceased.

[15th June 1811.]

WHEREAS *Edward Martin*, of *London*, Weaver, by his last Will and Testament, in Writing, bearing Date the Tenth Day of *March* One thousand six hundred and forty-five, bequeathed to the following Effect:—‘ I give unto the Poor Men’s Children that can read, in the Parish of *Bermondsey*, Forty Bibles, to every Child a Bible, One Bible in a House, a Bible in Octavo, an *English* Print:—Item, I give unto *Toole’s* Parish (now called *Saint Olave’s* Parish), unto Poor Men’s Children that can read, Forty Bibles, to every Child a Bible, One Bible in a House, a Bible in Octavo, an *English* Print:—Item, I give unto *George’s* Parish, to Poor Men’s Children that can read, Forty Bibles, to every Poor Child a Bible, One Bible in a House, a Bible in Octavo, an *English* Print:—Also, I give to the Poor of *Mary Magdalen’s* Parish, in *Bermondsey*, Ten Pounds:—Item, I give my Freehold Lands at *Lolaton*, which containeth Twenty-eight Acres of Ground, be it more or less, with the Houses, and all other Things belonging unto it, for the Uses following, after the Death of my loving Wife, *Sarah Martin*, whom I make my Executrix; (that is to say), the

[Loc. & Per.] 47 G Third

Will of *Edward Martin*,
10th March,
1645.

Third Part of the Moiety for the Poor Men's Children that can read, in *Mary Magdalen's* Parish, in *Bermondsey*, One Bible to a House, to every One a Bible, a Bible in Octavo, an *English* Print; and I do put in Trust the Minister of *Mary Magdalen's* Parish, in *Bermondsey*, for his Time being, or those that shall succeed after him, for their Time being, with Two of the Chief Godly Elders of the Parish, and their Succeeders after them to the World's End; and if it shall be proved that the said Parish of *Mary Magdalen's*, in *Bermondsey*, shall dispose of it for any other Use than is expressed in my Will, then my Will is, that upon any such Proof, it shall be taken away and given unto *Lambeth* Parish, upon the same Terms:—*Item*, I give unto *Toole's* Parish (now *Saint Olave's* Parish), to Poor Men's Children that can read, the Third Part of the Moiety of my Land at *Lolaton*, for to buy them Bibles, to every House a Bible, One Bible in a House, a Bible in Octavo, an *English* Print, to the World's End; and I do put I Trust the Minister of *Toole's*, for his Time being, or those that shall succeed after him, for their Time being, with Two of the Chief Elders that be Godly Men, of the Parish, and their Succeeders after them to the World's End; and if it shall be proved that the said Parish of *Toole's* shall dispose of it for any other Use than is expressed in my Will, that upon such Proof it shall be taken away, and given unto *Newington* Parish, upon the same Terms:—*Item*, I give unto *George's* Parish (meaning the Parish of *Saint George the Martyr*, in *Southwark*), to Poor Men's Children that read, the Third Part of the Moiety of my Lands at *Lolaton*, for to buy them Bibles, to every House a Bible, One Bible to a House, in Octavo, an *English* Print, to the World's End; and I do put I Trust the Minister of *George's*, for his Time being, or for those that shall succeed after him, for their Time being, with Two of the Chief Godly Elders of the Parish, and their Succeeders after them to the World's End; and if it shall be proved that the said Parish of *George's* shall dispose of it for any other Use than is expressed in my Will, that upon such Proof it shall be taken away, and given unto *Overies* Parish (now called *Saint Saviour's* and *Saint Mary Overies*), upon the same Terms:—*Item*, I give also out of my Lands at *Lolaton*, to the Ministers and Elders of the said Parishes, (namely), *Mary Magdalen's*, *George's*, and *Toole's*, Forty Shillings every Year out of the said Land, to make them a Dinner once in the Year, when they do dispose of the said Legacies; namely, those Bibles, according to my Will, in token of my Thankfulness unto them for their Pains for their Time being: And whereas the said Testator afterwards departed this Life without having revoked or altered his said Will as to the Bequests aforesaid: And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for providing a Maintenance for the Minister of the New Church of Horselydown, in the Borough of Southwark, in the County of Surry, and for making the District assigned to the same a distinct Parish, and for other Purposes therein mentioned*, after reciting (among other Things), that pursuant to certain Acts therein recited, a Scite for a Church had been purchased, and a new Church built thereupon near *Horselydown* in the said Parish of *Saint Olave's*, in the Borough of *Southwark*, in the County of *Surry*, and that a District or Division for a new Parish to the said new Church had been laid out, and the Bounds and Limits thereof ascertained, and that the said District or Division for a new Parish was to be taken out of the said Parish of *Saint Olave's*, it was enacted, that the said District

Death of
 Testator
 without hav-
 ing revoked
 his Will.
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and Division so set out, ascertained and appointed as aforesaid, for a new Parish to the said new Church, should be called the Parish of *Saint John, Horselydown*, and from and after the Consecration of the said new Church be deemed and taken to be for ever of itself a distinct Parish to all Intents and Purposes whatsoever, by the Name which should be given to such Church in the Act or Instrument of Consecration thereof; and that the Inhabitants of the said new intended Parish should have and be entitled, in common with the Inhabitants of the said old Parish, to all Benefits and Advantages arising from a certain Free School, in the said Act mentioned, to be situate in the District of the old Parish, in such Manner as if the said Parishes had still continued in common and undivided; and that all other Charities and Donations that had before the making of the said Act, been given and granted to, and had been appropriated and applied for, the Service and Benefit of the Parish of *Saint Olave's, Southwark*, in general should, after the Consecration of the new Church, in the new intended Parish, be divided and applied in Manner following; (that is to say), Three-fifths thereof for the sole Use and Benefit of the old Parish; and out of such of the Revenues of the other Two-fifths thereof there should be paid to the Churchwardens of the old Parish the annual Payment or yearly Sum of Twenty-nine Pounds, free from all Taxes and Reprizes, for the Benefit of the Poor of the said old Parish; and that the Residue of the said Two-fifths, subject to the said Annuity, should be for the Benefit of such new intended Parish: And it was thereby further enacted, that the Rector, or Senior Churchwarden of each of the said Parishes should jointly collect the said several Charities and Donations, and should and might, with the Consent of the Vestry of each Parish, make Leases of the Lands, Tenements, Possessions, and Hereditaments, so given and settled for the charitable Purposes in such Gifts and Donations mentioned and expressed, and should do, perform, and execute all and every such Acts and Things relating to the Management of the said Charity, in such Manner as the Churchwardens of the said Parish of *Saint Olave's, Southwark*, could or might have done before the Separation and Division of the said two Parishes, and before the passing of the said Act: And whereas by Articles of Agreement, bearing Date the Twenty-second Day of *January* One thousand eight hundred and eleven, and made between the Reverend *Charles Hughes* Clerk, Rector of the said Parish of *Saint Mary Magdalen, Bermondsey*, in the County of *Surry*, and *William Powell* and *John Dabbs*, Churchwardens of the said Parish, the present Trustees for the Charitable Purposes of the said Will of the said *Edward Martin* deceased, so far as relates to the said Parish; the Reverend *James Evans* Clerk, Rector of the said Parish of *Saint Olave, Southwark*, in the said County, in the said Will of the said *Edward Martin*, called *Tooley Parish*, and *William Humphrey*, *Thomas Stafford*, *William Gates*, and *Henry Ledger* the younger, Churchwardens of the said Parish, the present Trustees for the Charitable Purposes of the said Will, so far as relates to the said last-mentioned Parish; the Reverend *William Jarvis Abdy*, Rector of the said Parish of *Saint John, Horselydown*, and *Thomas Flockton* and *James Heale*, Churchwardens of the said Parish of *Saint John, Horselydown*, (the present Trustees of the said Will), so far as relates to the said last-mentioned Parish; and the Reverend *John Buckland* Clerk, Rector of the said Parish of *Saint George the Martyr* in *Southwark* aforesaid, and *Charles Duplock*, *Joseph Cooper*, and *Thomas Cotsworth*, Churchwardens of the said Parish (the present Trustees for

Rector, &c.
to collect the
Charities, and
to make Leases
with the Con-
sent of the
Vestry.

Recital of
Agreement of
22d Jan. last.

for the Charitable Purposes of the said Will), so far as relates to the said last-mentioned Parish of the One Part, and the said *John Theophilus Daubuz* of the other Part; after reciting that under or by virtue of the said Will of the said *Edward Martin*, the Rents, Issues and Profits of one undivided Moiety, or equal Half-part or Share of and in all those Lands, Meadows, Feedings, and Pastures, with the Appurtenances, called or known by the Name or Names of *Knots* and *Brookland*, containing by Estimation Twenty-eight Acres, be the same more or less, with all Houses, Tenements, and Hereditaments thereupon, or thereunto belonging, lying and being together in the Parish of *Leighton*, or *Low Layton*, in the County of *Essex*, formerly in the Occupation of *Christopher Jackson*, afterwards of *Joseph Lees*, and then in the Occupation of the said *John Theophilus Daubuz*, his Under-tenants or Assigns, under a Lease, of which Four Years, or thereabouts, were then to come and unexpired, were applicable upon or for certain Charitable Trusts and Purposes, for the Benefit of the Poor of the said respective Parishes of *Saint Mary Magdalen*, *Saint Olave Southwark*, and *Saint George the Martyr*, in equal Three Shares; and reciting the said recited Act, and that the said *John Theophilus Daubuz* was seised of or entitled to the other Moiety or equal Half-Share, or Part of and in the said Lands and Hereditaments, for an Estate of Inheritance in Fee Simple; and reciting, that at a public Vestry of the said Parish of *Saint George the Martyr*, holden on the Sixth Day of *March* One thousand eight hundred and ten, a Report was made to the said Vestry, that the said *John Theophilus Daubuz* had made a Proposition for obtaining an Act of Parliament at his sole Costs, for vesting the Fee Simple of the Whole of the said Estate in him, he settling other Lands of full equal present annual Value, for the Benefit of the said several Parishes, or paying the present Value of the Interest of each of the said Parishes, in the said Estate, to Trustees for the respective Parishes, to be laid out in the Purchase of other Lands, the Rents and Profits of which should be applied as directed by the said Testator, when, after Debate had, it was unanimously resolved to agree to such Proposition; and reciting that the said Proposition was also reported, and unanimously agreed to, at a Vestry of the said Parish of *Saint John, Horselydown* aforesaid, held on the Fifteenth Day of *March* One thousand eight hundred and ten; and was also reported, and unanimously agreed to, at a Vestry of the said Parish of *Saint Olave, Southwark*, held on the Twenty-third Day of *March* One thousand eight hundred and ten; and was also reported, and unanimously agreed to, at a Vestry of the said Parish of *Saint Mary Magdalen, Bermondsey*, held on the Eighth Day of *January* last past; and reciting that at Vestries held for the said Four Parishes respectively as aforesaid, the Trustees of the said Charity, for the said Parishes respectively, were authorized and desired to enter into an Agreement with the said *John Theophilus Daubuz*, for carrying the aforesaid Proposition into Effect; it is witnessed, and it was thereby agreed and declared by and between the said Trustees, Parties thereto, so far as they respectively could, or lawfully might, and the said *John Theophilus Daubuz*, that the aforesaid Proposition should, with all convenient Speed, be carried into Execution and Effect, and in order thereto, the said *John Theophilus Daubuz* did thereby agree with the said Trustees, that he the said *John Theophilus Daubuz* would forthwith apply for, and obtain, or use his utmost Endeavours to obtain, an Act of Parliament, for carrying the aforesaid Proposition into Execution

tion and Effect, according to the true Intent and Meaning thereof, in such Manner as by Counsel shall be advised; and the said Trustees (as far as they respectively could or lawfully might) did thereby for themselves respectively, and their respective Successors in the said Trusts, and their said respective Parishes, agree with the said *John Theophilus Daubuz*, that the said Parishes respectively, and their respective Trustees for the said Charity, and all other respective Persons on Behalf of the said Parishes respectively, and of the said Charity, should and would join and concur with the said *John Theophilus Daubuz*, in applying for and obtaining or endeavouring to obtain, an Act of Parliament for carrying into Execution and Effect the said recited Proposition, according to the true Intent and Meaning thereof; and it was thereby further mutually agreed between the said Trustees (so far as they respectively could or lawfully might) and the said *John Theophilus Daubuz*, that the said respective Parishes, and their respective Trustees for the said Charity, and all other proper Persons in that Behalf; and that the said *John Theophilus Daubuz* should and would respectively, from Time to Time, (either before or after passing the said Act), enter into, make, do, and execute all such further and other Contracts, Agreements, Conveyances, Assurances, Acts, Deeds, Matters, and Things, as by Counsel should be advised, for carrying the aforesaid Proposition into full and complete Execution and Effect; and particularly it was thereby agreed, that for better effecting the Purposes aforesaid, a Valuation should forthwith be made of the said Estate and Premises by Three Surveyors, One of them to be chosen by the said Four Parishes, another to be chosen by the said *John Theophilus Daubuz*, and the Third to be chosen by the Two Persons so first chosen, and that the Valuation of the Three Persons so chosen, or any Two of them, should be binding and conclusive; and that the said Four Parishes should bear, pay, and satisfy the Costs, Charges, and Expences of the Surveyor so to be appointed on their Behalf; and that the said *John Theophilus Daubuz* should bear, pay, and satisfy the Costs, Charges, and Expences of the Surveyor to be appointed on his Behalf, and also of the Umpire to be named by such Two Surveyors as aforesaid; and it was thereby agreed and declared, that all the Expences of applying for and obtaining the said Act of Parliament, or in anywise relating thereto, should be paid and borne by the said *John Theophilus Daubuz*: And whereas at Vestry Meetings lately held for the said respective Parishes of *Lambeth, Newington, and Overies*, the said Proposition of the said *John Theophilus Daubuz*, for obtaining an Act of Parliament for vesting in him the Fee Simple of the said Estate, according to the Terms specified in the said Agreement, was taken into Consideration; and it was at such Vestry Meetings unanimously resolved to agree to such Proposition: And whereas a Valuation hath lately been made of the said Estate, pursuant to the said Agreement, by *Samuel Paynter, William Driver, and Richard Winstanley*, Three Land Surveyors, who have estimated the same to be worth, including the Timber thereon, the Sum of Seven thousand five hundred and eighty-four Pounds Four Shillings: And whereas the said Estate, being held in undivided Shares, is attended with great Inconvenience, and it would be of great Benefit and Advantage to the said Parishes of *Saint Mary Magdalen, Saint Olave, Saint John Horselydown, and Saint George the Martyr*, if the said recited Agreement was carried into Effect, so as to vest the Moiety of the said Lands and Hereditaments, so given by the said Will of the said *Edward Martin* deceased, in the said *John Theophilus Daubuz*, in Fee Simple, freed and discharged from the Uses and Trusts of the same

Vestry Meetings held for the Parishes of Lambeth, Newington, and Overies.

Valuation of Estates.

For vesting the Moiety of the Estate in Mr. Daubuz.

Will; and that the Sum of Three thousand eight hundred and thirty-two Pounds Two Shillings, being One equal Moiety of the said Sum of Seven thousand five hundred and eighty-four Pounds Four Shillings, at which the said Lands and Hereditaments, together with the Timber growing thereon, and also the said Rent Charge of Forty Shillings a Year, payable out of the other Moiety, have been valued by the said Surveyors, should be paid by the said *John Theophilus Daubuz*, in Manner hereafter mentioned, to be laid out in the Purchase of other Lands and Hereditaments, to be settled to the subsisting Uses of the same Will; but inasmuch as the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects, the said *Charles Hughes*, *William Powell*, and *John Dabbs*; on Behalf of themselves, and the rest of the Parishioners of the said Parish of *Saint Mary Magdalen*; and the said *James Evans*, *William Humphrey*, *Thomas Stafford*, *William Gates*, and *Henry Ledger* the younger, on Behalf of themselves, and the rest of the Parishioners of the said Parish of *Saint Olave*; and the said *William Jarvis Abdy*, *Thomas Flockton*, and *James Heale*, on Behalf of themselves, and the rest of the Parishioners of the said Parish of *Saint John Horselydown*; and the said *John Buckland*, *Charles Duplock*, *Joseph Cooper*, and *Thomas Cotsworth*, on Behalf of themselves, and the rest of the Parishioners of the said Parish of *Saint George the Martyr, Southwark*; and the said *John Theophilus Daubuz*; do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King'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, That from and immediately after the said Sum of Three thousand eight hundred and thirty-two Pounds Two Shillings, of lawful Money of *Great Britain*, being the Amount or Value of One undivided Moiety of the said Lands, Tenements, and Hereditaments, at *Low Layton* aforesaid, and of the Timber growing thereon, and of the said Annuity so applicable to the charitable Purposes aforesaid, shall be paid by him the said *John Theophilus Daubuz*, or his Heirs, Executors, or Administrators, into the Bank of *England*, in the Proportions, and in the Manner herein-after mentioned, and after such Receipts shall be given as herein-after directed to be given for the same; all that One undivided Moiety or equal Half Part of and in the said Lands and Hereditaments, situate, lying, and being in the Parish of *Leighton*, otherwise *Low Laton*, in the said County of *Essex*, and so given or devised by the said Will of the said *Edward Martin* deceased, for the charitable Purposes aforesaid, and which Lands and Hereditaments are more particularly described and comprized in the said Schedule to this Act annexed, and of and in their and every of their Rights, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits thereof, shall be and become absolutely vested in and settled upon the said *John Theophilus Daubuz*; his Heirs and Assigns, to the only proper Use and Behoof of him the said *John Theophilus Daubuz*, his Heirs and Assigns for ever; and that the said Moiety, as also the other undivided Moiety of the said Lands, Tenements, and Hereditaments shall thenceforth be freed, and absolutely acquitted, exonerated, and discharged of and from all and every the Uses, Trusts, Powers, Annuity, Provisoos, Declarations, and Agreements, in and by the said Will of the said *Edward Martin* deceased, expressed, declared, and contained of and concerning the same.

The Moiety of the Lands given by the Will of *Edward Martin*, vested in *Mr. Daubuz*, in Fee Simple.

II. And be it further enacted, That the said *John Theophilus Daubuz*, his Heirs, Executors, or Administrators, shall, within Six Calendar Months next after the passing of this Act, pay the said Sum of Three thousand eight hundred and thirty-two Pounds Two Shillings into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there in the Manner herein-after mentioned; that is to say, the Sum of One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, being One equal Third Part or Share of the said Sum of Three thousand eight hundred and thirty-two Pounds Two Shillings, *ex parte John Theophilus Daubuz Esquire*, and the said *Charles Hughes, William Powell, and John Dabbs*; the further Sum of One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, being One other Third Part of the said Sum of Three thousand eight hundred and thirty-two Pounds Two Shillings, *ex parte John Theophilus Daubuz Esquire*, and the said *James Evans, William Humphrey, Thomas Stafford, William Gates, Henry Ledger, William Jarvis Abdy, Thomas Flockton, and James Heale*; the further Sum of One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, being the remaining Third Part of the said Sum of Three thousand eight hundred and thirty-two Pounds Two Shillings, *ex parte John Theophilus Daubuz*, and the said *John Buckland, Charles Duplock, Joseph Cooper, and Thomas Cotsworth*; which said several Sums shall be paid into the said Bank, pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter the Twenty-fourth; and that the Certificate or Certificates of the said Accountant General of the said Court of Chancery, of the Payment of the said several Sums, together with the Receipt or Receipts of One of the Cashiers of the Bank to be thereto annexed, and therewith filed in the Register Office of the said Court, shall be a sufficient Release and Discharge for the Money so paid into the Bank as aforesaid; and that the said *John Theophilus Daubuz*, his Heirs, Executors, or Administrators, shall not afterwards be obliged to see to the Application of such Money, or any Part thereof.

Purchase Money to be paid into the Bank without Fee or Reward.

III. And be it further enacted, That the said respective Sums of One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, One thousand two hundred and seventy-seven Pounds Seven Shillings and Four pence, and One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, so to be paid into the Bank of *England* as aforesaid, shall be severally and distinctly laid out and invested under the Direction and with the Approbation of the said Court of Chancery, to be signified by an Order or Orders to be made upon a Petition or Petitions, to be preferred in a summary Way, by the Ministers and Churchwardens for the Time being of the said respective Parishes of *Saint Mary Magdalen, Saint Olave, Saint John Horselydown, and Saint George the Martyr*, or by any or either of them, or their Successors, the Ministers and Churchwardens of the said respective Parishes for the Time being, in the Purchase of Lands, Tenements, or Hereditaments, to be situate in *England*, to be settled for the like charitable Purpose, so far as may respect the Parish so petitioning, as the said undivided Moiety of the Lands and Hereditaments, at *Low Layton* aforesaid, were, by the Will of the said *Edward Martin* deceased, applicable previous to the passing of this Act, and with the like Reversions to

Money to be laid out in the Purchase of Lands.

the said respective Parishes of *Saint Mary Lambeth*, *Saint Mary Newington*, and *Saint Mary Overies*, on any Misapplication by the said Parishes of *Saint Mary Magdalen Bermondsey*, *Saint Olave*, *Saint John Horselydown*, or *Saint George the Martyr Southwark*, or either of them, as in the last Will and Testament of the said *Edward Martin* deceased is declared respecting the same; all which Lands, Tenements, and Hereditaments, so to be purchased as aforesaid, shall be conveyed and settled in such Manner as that the Minister and Churchwardens of the said respective Parishes of *Saint Mary Magdalen Bermondsey*, *Saint Olave* and *Saint John Horselydown*, and *Saint George the Martyr Southwark*, and their several Successors, may be respectively possessed of an entire Estate, separate and distinct from each other, upon the Trusts, and for the Purposes, and with such Reversion and Limitations over on Misapplication, as in the Will of the said *Edward Martin* deceased is provided in respect to the Part or Share of each of the said respective Parishes.

Monies, until laid out in Lands, to be invested in Navy, Victualling, or Exchequer Bills.

IV. And be it further enacted, That the said several Sums of One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, and One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, so directed to be paid into the Bank of *England* as aforesaid, shall, in the mean Time, and until the same shall be invested in a Purchase or Purchases as aforesaid, from Time to Time, be laid out by the said Accountant General, under the Direction of the High Court of Chancery, in the Purchase of Navy or Victualling or Exchequer Bills, and the Interest arising from the Money so laid out in the said Navy, Victualling, or Exchequer Bills, and the Money received for the same, as they shall respectively be paid off by Government (except such Interest as herein-after directed to be otherwise applied) shall be laid out in the Purchase of other Navy, Victualling, or Exchequer Bills, all which said Navy, Victualling, or Exchequer Bills shall be deposited in the Bank in the Name of the said Accountant General, in Three separate and distinct Accounts, *ex parte* the Persons herein-after mentioned, and shall there remain until a proper Purchase or Purchases shall be found and approved, (as before directed), and until the same shall, upon a Petition or Petitions, setting forth such Approbation, to be preferred as aforesaid, be ordered to be sold by the said Accountant General, for the completing any such Purchase or Purchases as aforesaid, in such Manner as the said Court shall think just and meet.

Investing certain Monies in Navy, &c. Bills.

V. And whereas the said respective Parishes of *Saint Mary Magdalen*, *Saint Olave*, *Saint John Horselydown*, and *Saint George the Martyr*, do now receive out of the Moiety of the said Lands and Hereditaments hereby directed to be vested in the said *John Theophilus Daubuz*, until the Expiration of the present Lease thereof, the yearly Sum of Eleven Pounds, in the Proportions following; *videlicet*, the Parish of *Saint Mary Magdalen*, the yearly Sum of Three Pounds Thirteen Shillings and Four-pence; the Parishes of *Saint Olave*, and *Saint John Horselydown*, the like yearly Sum of Three Pounds Thirteen Shillings and Four-pence; and the Parish of *Saint George the Martyr*, the like yearly Sum of Three Pounds Thirteen Shillings and Four-pence; be it therefore enacted, That in the mean Time, and until the said Navy, or Victualling, or Exchequer Bills shall be ordered by the said Court to be sold for the Purposes aforesaid; that the yearly Sum of Three Pounds Thirteen Shillings and Four-pence shall from Time to Time be paid by the said Accountant General out of the Interest of each of

of the said separate Accounts herein-before directed to be made out of the said Navy, Victualling, or Exchequer Bills, to the said several Persons; in whose Names, or to whose Account, the said several Sums of One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, and One thousand two hundred and seventy-seven Pounds Seven Shillings and Four-pence, shall be so paid in *ex parte* as aforesaid, or some or One of them, or to their lawful Attorney, duly authorized to receive the same, and by them or him applied and disposed of in such and the same Manner, in all Respects, as the Rents and Profits of the Hereditaments and Premises, by Sale whereof the Money invested in Navy, Victualling, or Exchequer Bills are, were, or ought to have been applied, in case this Act had not been made.

VI. And be it further enacted, That all and every the Lands, Tenements, and Hereditaments to be purchased in pursuance of this Act, for the Benefit of the said respective Parishes of *Saint Mary Magdalen Bermondsey*, *Saint Olave*, and *Saint John Horselydown*, and *Saint George the Martyr Southwark*, shall be conveyed and assured to Eight or more of the Inhabitants of the said Parishes respectively, to be nominated at a publick Vestry in each respective Parish, as Trustees for the Parish, making such Nomination upon Trust to receive the Rents and Profits thereof, and to pay the same to the Minister and Churchwardens of the Parish and Parishes for which they are respectively Trustees, to be by such Minister and Churchwardens applied for the Intents and Purposes in the Will of the said *Edward Martin* mentioned:

Lands to be purchased in pursuance of this Act to be conveyed to Eight or more of the Inhabitants.

VII. Provided also, and be it further enacted, That in every such Conveyance and Conveyances to the Trustees so to be appointed as aforesaid, of any Lands, Tenements, or Hereditaments, for the Purposes of this Act, Provision be also made for the Appointment of new Trustees for the said respective Parishes, whenever the Number of such Trustees for the said respective Parishes shall, by Death or Relinquishment of their Trust, or Removal from the Parish for which they shall be a Trustee or Trustees, be reduced to Three Persons, and so from Time to Time, as often as such Reduction shall be occasioned by any or either of the Means aforesaid, all which new Trustees shall from Time to Time be nominated and chosen by the Vestrymen of the Parish requiring the same, at some publick Vestry Meeting to be held for that Purpose.

Proviso for the Appointment of new Trustees.

VIII. And be it further enacted by the Authority aforesaid; That all and every the respective Conveyances of the Lands, Tenements, and Hereditaments to be purchased, in pursuance or for the Purposes of this Act, shall, for the better perpetuating the said charitable Purposes, be enrolled in His Majesty's High Court of Chancery within Six Months next after the Execution thereof, and shall be valid and effectual to all Intents and Purposes; any Law, Statute, or Usage to the contrary notwithstanding.

Purchase Deeds to be enrolled.

IX. Provided always, and be it further enacted, That all the Costs, Charges, and Expences attending the soliciting, and obtaining, and passing of this Act, and which shall be incurred in the applying for, and investing all or any of the Monies, which, under this Act, shall be paid into the Bank of *England*, in the Purchase of other Lands and Hereditaments, according to the Directions herein contained, or otherwise, in carrying

Costs of Act, &c.

rying the Trusts and Purposes of this Act into Execution, or which shall be in anywise incident thereto, or connected therewith, shall be paid wholly by the said *John Theophilus Daubuz*, his Heirs, Executors, or Administrators.

The Court of Chancery to order Expences of Application for new Purchases, and the Expences of Conveyance to be paid by the said J. T. Daubuz, his Heirs and Assigns.

X. Provided also, and be it further enacted, That whenever it shall be deemed necessary by the Minister and Churchwardens for the Time being of the said Parish of *Saint Mary Magdalen Bermondsey*, the Ministers and Churchwardens of the said Parish of *Saint Olave Southwark*, and *Saint John Horselydown*, or the Minister and Churchwardens of the said Parish of *Saint George Southwark*, any or either of them respectively, to make Application to the High Court of Chancery, that the Money so placed to their respective Accounts may be laid out in the Purchase of Lands, Tenements, or Hereditaments, to be settled as herein-before mentioned; it shall be lawful for the said Court to order and direct the same to be so laid out, and also to order all the Costs of such respective Applications, and also the Costs and Expences of enquiring into the Title of, and the settling and assessing the Lands, Tenements, or Hereditaments so proposed to be purchased, and all other Expences attending the same, or so much of such Costs and Expences as the said Court shall deem reasonable, to be paid by the said *John Theophilus Daubuz*, his Heirs, Executors, or Administrators; and the said *John Theophilus Daubuz*, his Heirs, Executors, or Administrators, shall, and he or they is or are hereby required to pay the same to the Person or Persons in such Order or Orders, to be named as the said Court shall from Time to Time direct.

General Saving.

XI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, and their respective Heirs, Successors, Executors, and Administrators, (other than and except the said Rectors and Churchwardens of the said several and respective Parishes, and their respective Successors, and all and every other Person and Persons whomsoever, lawfully claiming or to claim any Estate, Right, Title, Trust, or Interest in, to, or out of the said Moiety of the said Lands and Hereditaments hereby directed to be vested in the said *John Theophilus Daubuz*, his Heirs and Assigns as aforesaid, or any Part thereof, under or by virtue of the said Will of the said *Edward Martin* deceased, or of the said recited Act, or either of them), all such Estate, Right, Title, Claim, and Demand whatsoever, in, to, or out of the said Moiety of the said Lands and Hereditaments hereby directed to be vested in the said *John Theophilus Daubuz*, his Heirs and Assigns as aforesaid, or any Part thereof, as they or any of them had, before the passing of this Act, or could or might have had, held, or enjoyed, in case this Act had not been made.

Act to be printed by the King's Printer.

XII. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and that a Copy thereof so printed, shall be admitted as Evidence thereof, by all Judges, Justices, and others.

The SCHEDULE

To which the foregoing Act refers, of the Estate in the Parish of Leighton, otherwise Low Layton, in the County of Essex, whereof One undivided Moiety was devised by the Will of Edward Martin, deceased, and included in this Act.

DESCRIPTION.	Tenants Names.	Annual Rent.		Annual Value.	
		£	s. d.	£	s. d.
One Timber-built House, with Wash-House, Yard, &c.	Daniel Early	7	7 0	7	7 0
One other Timber-built Cottage, with a Wash House, Yard, &c.	Samuel Emmerway	7	7 0	7	7 0
One other Timber-built Cottage, with Garden Grounds, Sheds, Out-buildings, and large Yard	John Norrington	14	19 0	18	0 0
One other Timber-built Cottage, with Yard, and Wash House	Hill Burton	6	10 0	6	10 0
One other Timber-built Cottage, with Yard, and Wash House	Elisha Noyce	5	10 0	5	10 0
One other Timber-built Cottage, with Yard, and Wash House	John Rawlins	5	10 0	5	10 0
One Brick and Sashed Messuage, with a Wash House, and Yard	John Gowman	6	10 0	8	0 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	Ephraim Knight	6	10 0	8	0 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	John Perrin	6	10 0	8	0 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	John Kendall	6	10 0	8	0 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	Joseph Chapman	6	10 0	8	0 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	John Snow	5	10 0	5	10 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	Mary Pamlin	5	14 0	5	14 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	Richard Capel	5	14 0	5	14 0
One other Brick and Sashed Messuage, with a Wash House, and Yard	Sarah Wood	5	0 0	5	0 0
One other Brick Messuage, with Out-buildings, Yard, Garden, and Fore-court	John Cater	10	0 0	15	0 0
One other Brick Messuage, with Wash House, large Yard, Barn, Cow House, Stabling, and other Out-Buildings, Orchard, &c.	John Theophilus Daubuz	-	-	28	0 0

DESCRIPTION.	Tenants Names.	Annual Rent.	Annual Value.
One other Brick and Timber Messuage, with Wash House, Yard, &c.	Thomas Turner	£ 9 10 0	£ 12 0 0
One other Brick and Timber Messuage, with Wash House, Yard, &c.	James Hall	9 10 0	12 0 0
One other Brick and Timber Messuage, with Wash House, Yard, &c.	William Wilson	9 10 0	12 0 0
One other Brick and Timber Messuage, with Wash House, Yard, &c.	W. D. Moxley	21 0 0	25 0 0
Six Pieces of Land, containing 26 Acres 2 Roods and 1 Perch	John Theophilus Daubuz	- -	172 0 0

The Timber growing on the said Premises is valued at Two hundred and five Pounds. All which Premises are held by the said John Theophilus Daubuz, his Under-tenants or Assigns, under a Lease, of which Three Years or thereabouts are now unexpired, at the yearly Rent of Eighteen Pounds.

WILLIAM DRIVER.
SAM PAYNTER.
Rd WINSTANLEY.

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