



ANNO QUINQUAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 216.

An Act to enable the Trustees of certain Lands called the *Stone Fields*, situate in the Parish of *Saint Mary Islington* in the County of *Middlesex*, to grant Building Leases thereof. [26th June 1811.]

WHEREAS *Richard Cloudysley* (since deceased) by his last Will and Testament in Writing, bearing Date the Thirteenth Day of *January* in the Year One thousand five hundred and seventeen, and in the Ninth Year of the Reign of His Majesty King *Henry* the Eighth, devised or willed and directed in the Words or to the Effect following; (that is to say,) “ I will that all that now be seised to my Use
“ and to the Performance of my Will, or hereafter shall be seised to the
“ same, of and in a Parcel of Ground called the *Stony Field* otherwise
“ called the *Fourteen Acres*, shall suffer the Rent and Profits of the same
“ from henceforth to be counted to this Use ensuing; (that is to say,)
“ I will, that yearly after my Decease the Parishioners of the Parish of
“ *Islington*, or the more Part of them, once in the Year, at the Parish
“ Church aforesaid, shall elect and choose Six honest and discreet Men of
“ the said Parish, such as they think most meet to have the Order and
“ Distribution of the Rent and Profit aforesaid, which Rent I will shall
“ by the said Six Persons be bestowed in manner and form following; (that
“ is to say,) I will that there be yearly for ever a solemn Obite to be kept
“ for me within the said Church of *Islington*, and that there be spent at the
“ Obite Twenty Shillings; and also that there be dealt there to poor
[*Loc. & Per.*] 53 U “ People

" People of the said Parish at every Obite, to pray for my Soul, my
 " Wife's Soul, and all Christian Souls, Six Shillings and Eight-pence,
 " and further, I will that the said Six Persons shall yearly pay, or do
 " to be paid to the Wardens of the Brotherhood of *Jesu*, One Pound
 " Six Shillings and Eight-pence towards maintaining of the Mass of
 " *Jesu* within the said Church, upon this Condition, that the said
 " Wardens shall yearly for ever cause a Trentall of Masses to be said for
 " my Soul in the said Church; and further, I will that the aforesaid
 " Six Persons shall have among them for their Labour to see the true
 " Performance of the same, yearly at every Obite, Ten Shillings: Pro-
 " vided always, that the Parishioners aforesaid do not elect and choose
 " the said Six Persons which shall see the aforesaid Obite to be truly
 " kept, and the aforesaid Six Shillings and Eight-pence to be distributed
 " in manner and form above willed; or if the said Six Persons pay
 " not the said One Pound Six Shillings and Eight-pence to the said
 " Brotherhood of *Jesu*, then I will that my Feoffees that now be or
 " hereafter shall be take the Rent and Profit aforesaid by me above
 " willed, and the same to deliver to the poor Fryars of *Greenwich*, to
 " pray for my Soul and all Christian Souls:" And whereas by Inden-
 " ture of Feoffment, with Livery of Seisin indorsed, bearing Date the
 " Twenty-sixth Day of *May* in the Year One thousand eight hundred
 " and ten, and expressed to be made between the Reverend *George*
 " *Strahan*, *Samuel Pullin*, *Daniel Sebbon*, *William Palmer*, and *Robert*
 " *Benton* (therein described as the only Five surviving Feoffees of the
 " Lands and Hereditaments therein-after mentioned), of the one Part;
 " and *James Cross*, *Steventon Pepys*, *Edward Flower*, *Thomas Porter*
 " *Banner*, *John Tibbatts*, *Thomas Griffith*, *Francis Read*, *William Hott*,
 " *Thomas Whittomore*, *George Wolfgang Widt*, *William Heath*, and *John*
 " *Blount*, of the other Part; after reciting the said Will of the said
 " *Richard Cloudysley*, and reciting that the said *Richard Cloudysley* did
 " enfeoff *Thomas Roberts* Esquire of and in the said Lands and Heredita-
 " ments to the Use, Behoof, and Intent, and for the Performance of
 " his said last Will and Testament, which said *Thomas Roberts* did grant
 " unto and enfeoff *Thomas Pearse* Esquire, *Thomas Payne* alias *Trevors*
 " Esquire, and *Robert England* Gentleman, with others, of and in the
 " said Premises to the Uses aforesaid; and reciting, that under and by
 " virtue of an Act passed in the First Year of the Reign of His Majesty King
 " *Edward* the Sixth Four Marks *per Annum* of the said Rents and Profits
 " given to the Uses aforesaid came to the Hands of the said King, and that
 " said *Thomas Pearse*, *Thomas Payne* alias *Trevors*, and *Robert England*,
 " by their Deed Poll in Writing bearing Date the Twenty-fourth Day of
 " *April* in the Third Year of the Reign of the late Queen *Elizabeth*, did
 " grant, enfeoff, and confirm unto *Henry Idon* and others, their Heirs and
 " Assigns for ever, the aforesaid Lands called *Stone Fields*, with the Appur-
 " tenances in *Islington* aforesaid, paying thereof yearly to the said late Queen
 " *Elizabeth*, her Heirs and Successors for ever, all and all Manner of Monies
 " and Demands therefore due and issuing out of the Premises by virtue of
 " the said Act of Parliament, and paying the Residue of the said Rents and
 " Profits unto the Churchwardens of the said Parish of *Islington* for the Time
 " being, to the Intent that they should distribute and dispose of the same ac-
 " cording as to Six or Eight of the honest and discreet Parishioners of the said
 " Parish should in their Discretion seem most meet, and not otherwise, to
 " hold the Premises of the Chief Lords thereof by the Services thereof due
 " and

and of right accustomed; in which Deed Poll there is a Proviso, that whenever it should happen that only Two of the said Feoffees should be living, that then those Two should enfeoff Ten or more, other Inhabitants and honest Persons of the said Parish of *Islington*, and their Heirs for ever, of and in the said Lands, with the Appurtenances, to the Use, Behoof, and Intent aforesaid; and reciting several other Deeds of Feoffment, whereby the said Lands called *Stoney Fields* were from Time to Time conveyed by the surviving Trustees thereof for the Time being upon the like Trusts, Intents, and Premises as are expressed by the said recited Deed Poll, and that the said Lands and Hereditaments had then become legally vested in the said *George Strahan, Samuel Pullin, Daniel Sebbon, William Palmer, and Robert Benton* as the Five surviving Feoffees or Trustees thereof: It is witnessed, and the said *George Strahan, Samuel Pullin, William Palmer, and Robert Benton* did by the said Indenture of Feoffment now in recital grant, bargain, sell, release, and confirm all those the said Lands called the *Stone Fields* or *Fourteen Acres*, with their Appurtenances, then or lately divided into Two Fields, containing together by Estimation Fourteen Acres, be the same more or less, situate, lying, and being in the Parish of *Saint Mary Islington* aforesaid, adjoining to the common Highway there leading from *London* towards *Holloway* on the East Side thereof, and then or late in the Tenure or Occupation of *Samuel Pullin*, with the Appurtenances, unto and to the Use of them the said *George Strahan, Samuel Pullin, Daniel Sebbon, William Palmer, Robert Benton, and the said James Cross, Steventon Pepys, Edward Flower, Thomas Porter Banner, John Tibbatts, Thomas Griffith, Francis Read, William Ilott, Thomas Whittomore, George Wolfgang Widt, William Heath, and John Blount*, their Heirs and Assigns for ever, subject nevertheless to the Payment of the before-mentioned yearly Sum of Four Marks, and to all such other Rents and Services due and payable or of right accustomed to the Chief Lord or Lords of the Fee or Fees of the same Premises, in respect of his or their Seignories only, if such there be; and, so subject, then upon special Trust and Confidence that they the said *George Strahan, Samuel Pullin, Daniel Sebbon, William Palmer, Robert Benton, James Cross, Steventon Pepys, Edward Flower, Thomas Porter Banner, John Tibbatts, Thomas Griffith, Francis Read, William Ilott, Thomas Whittomore, George Wolfgang Widt, William Heath, and John Blount*, and the Survivors and Survivor of them, and their Heirs and Assigns, should yearly and every Year pay or cause to be paid all the Rest and Residue of the Rents and Profits of the said Premises unto the Churchwardens of the said Parish of *Islington* for the Time being, to the only Intent and Purpose that they the said Churchwardens and their Successors, Churchwardens of the said Parish, should from Time to Time and at all Times thereafter distribute and dispose of all the Rest and Residue of the said Rents and Profits of the said thereby granted Lands, Hereditaments, and Premises, in such Sort or Manner as to the Discretion of Six or Eight of the honest and discreet Parishioners of the said Parish of *Islington* to be for the Intents, and Purposes aforesaid, at the Vestry or Vestries to be held in the Parish aforesaid, nominated and appointed to distribute and dispose thereof, should seem most fit and meet, and not otherwise: And whereas the said *Daniel Sebbon*, in the said recited Indenture of Feoffment of the Twenty-sixth Day of *May* One thousand eight hundred and ten described as one of the surviving Feoffees of the said Lands, died on the Thirty-first Day of the same Month, without

without having ever executed the said Indenture: And whereas the said *George Straban, Samuel Pullin, William Palmer, Robert Benton, James Cross, Steventon Pepys, Edward Flower, John Tibbatts, Thomas Griffith, Francis Read, William Ilott, Thomas Whittomore, George Wolfgang Widt, William Heath, and John Blount* are the present Feoffees and Trustees acting in execution of the Trusts of the same Indenture of Feoffment: And whereas the Rents, Issues, and Profits arising out of the said Lands (after Payment of the said Four Marks *per Annum*, and which are now and have for a long Time past been payable to the New River Company,) have been from Time to Time paid by the several Feoffees or Trustees thereof into the Hands of the Churchwardens of the Parish of *Islington* aforesaid for the Time being, and the same have from Time to Time been and are now applied towards keeping the Parish Church of *Saint Mary Islington* aforesaid in repair and ornamenting the same, and other incidental Expences attending the Office of Churchwarden: And whereas the said Lands called the *Stone Fields* otherwise the *Fourteen Acres*, more particularly described in the Schedule to this Act annexed, being situate in the Parish of *Saint Mary Islington* aforesaid in the County of *Middlesex*, and near to the Town of *Islington*, and in an increasing and improving Neighbourhood, are from such Situation very advantageous and eligible for building upon: And whereas a Meeting of the Inhabitants of the said Parish was lately held in the Vestry Room thereof for the Purpose of taking into consideration the State and Condition of the said Lands, and the Propriety of applying to Parliament in regard thereof; and it was at such Meeting resolved and agreed upon by the Vestrymen then present that Application should be forthwith made to Parliament for enabling the Trustees of the said Lands to grant Building Leases thereof for long Terms of Years: And whereas it would be of great Benefit and Advantage to the Inhabitants of the said Parish if the Trustees of the said Trust Premises were enabled to grant Building Leases thereof for long Terms of Years; but the same cannot be effected without the Aid and Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subjects the said *George Straban, Samuel Pullin, William Palmer, Robert Benton, James Cross, Steventon Pepys, Edward Flower, John Tibbatts, Thomas Griffith, Francis Read, William Ilott, Thomas Whittomore, George Wolfgang Widt, William Heath, and John Blount*, as such Trustees and Feoffees as aforesaid, 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 passing of this Act it shall and may be lawful to and for the said *George Straban, Samuel Pullin, William Palmer, Robert Benton, James Cross, Steventon Pepys, Edward Flower, John Tibbatts, Thomas Griffiths, Francis Read, William Ilott, Thomas Whittomore, George Wolfgang Widt, William Heath, and John Blount*, or any Five or more of them, or the Trustees for the Time being of the said Lands and Hereditaments, under or by virtue of the said recited Indenture of Feoffment of the Twenty-sixth Day of *May* One thousand eight hundred and ten, or of any Trust Deed made in pursuance thereof, or any Five or more of them, and they are hereby authorized and empowered from Time to Time, by Indenture, or Indentures under their Hands and Seals, and attested by Two or more credible Witnesses,

Trustees to
let Lands
on Building
Leases.

to demise or lease all or any Part or Parts of the said Lands and Hereditaments comprised in the said Schedule to this Act annexed, with the Appurtenances, unto any Person or Persons who shall be willing and shall covenant and agree to improve the same by erecting or building thereon any new House or Houses, Erections or Buildings, and also to lay out, and appropriate any Part of the Premises to be comprised in any such Demise or Lease as and for a Yard or Yards, Garden or Gardens, to any Building or Buildings built or to be built upon the Premises, or as and for a Way or Ways, Street or Streets, Road or Roads, Avenue or Avenues, Passage or Passages, Sewer or Sewers, for the Use and Convenience of the Lessee or Lessees, or other Tenants or Occupiers of the Premises, in such Manner as shall be mentioned and agreed upon in any such Demise or Lease, so as any such Demise or Lease shall be for a Term or Number of Years not exceeding Ninety-nine Years, to take effect in Possession but not in Reversion, or by way of future Interest, and so as there be reserved in and by every such Demise or Lease respectively the best and most improved yearly Rent that can be reasonably had or gotten for the same, to be made payable quarterly, the Lessee paying all Taxes and Deductions whatsoever (except any Income or Property Tax in respect of the said Rents), regard being had to the Value of the Buildings (if any) to be comprised in every such Demise or Lease, without taking any Fine, Premium, or Foregift, or any thing in the Nature thereof, for the making such respective Demises or Leases; and so as there be contained in every such Demise or Lease respectively Covenant from the respective Lessees to pay the Rents thereby respectively reserved, and to build and keep in repair the Messuages, Erections, and Buildings which may have been or may be agreed to be erected and built on the Premises, or may be built or building thereon at the Time of the Execution of such Lease or Leases, and to surrender and leave in repair the Messuages, Erections, and Buildings to be erected and built upon the Premises thereby respectively to be leased at the End of the Term or Terms in such Leases to be granted; and so as there be contained in every such Demises or Leases respectively a Power for the Lessors and their Surveyors and Agents to enter upon the Premises, and to inspect the State and Condition thereof, and all such other usual and proper Covenants, Provisoos, and Conditions on the Part of the respective Lessees as are usually contained in Building Leases in and near the City of *London* or in the said County of *Middlesex*; and so as there be also contained in such Demises or Leases respectively Conditions of Re-entry for Nonpayment of the Rent to be thereby reserved, or Non-performance of the Covenants, Provisoos, or Conditions on the respective Lessees Part; and so as the respective Lessees do severally execute Counterparts of their respective Leases.

II. And be it further enacted, That it shall and may be lawful to and for the Trustees or Trustee for the Time being of the said Lands and Hereditaments comprised in the said Schedule to this Act annexed, and they and he are and is hereby authorized and empowered, to apply and dispose of all the Rents, Issues, and Profits of the Lands and Hereditaments as the same shall arise and become due (after Payment of the said Four Marks payable to the New River Company as aforesaid) in Payment in the first place of all Costs, Charges, and Expences attending the obtaining and passing this Act, or in anywise incidental thereto, and then in Payment of all Costs, Charges, and Expences attending the repairing and keeping in

Application
of the Rents
and Profits of
the Lands.

repair and ornamenting the Parish Church of *Saint Mary Islington* aforesaid, and attending the Office of Churchwarden, in such and the like Manner as the Rents and Profits of the said Lands and Hereditaments have been and are now applied and disposed of, and after such Payments, then to apply and dispose of the said Rents, Issues, and Profits in erecting and building and keeping in repair the Chapel of Ease about to be erected and built in the said Parish of *Saint Mary Islington* for the Use of the Inhabitants thereof.

To resort to the Court of Chancery when requisite.

III. And be it further enacted, That in case any Doubts, Disputes, or Difficulties shall arise touching the Application of the Residue and Surplus of the said Rents, Issues, and Profits (if any) after such Payments as aforesaid, then and in every such Case it shall and may be lawful to and for the Trustees or Trustee for the Time being, without any Bill filed, to prefer a Petition or Petitions from Time to Time as Occasion may require to the High Court of Chancery; which Court is hereby authorized, in case it shall think proper, to cause the same to be heard in a summary Way, and to order and direct such Residue and Surplus to be applied and disposed of for the Benefit of the said Parish, and to make any other Order or Orders touching the Subject of such Petition or Petitions as the same Court shall judge proper; and such Order or Orders as the said Court of Chancery shall think fit to make therein, or upon the hearing thereof, shall be observed and obeyed by and be final and conclusive on all Persons whomsoever.

General Saving.

IV. 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, his, her, and their Heirs, Executors, and Administrators, (other than and except the said several Trustees of the said recited Indentures, their Heirs, Executors, Administrators, and Assigns respectively, so far only as their respective Estates and Interests are affected or intended to be affected by this Act,) all such Estates, Right, Title, and Interest in, to, or out of the Premises, or any Part thereof, as they, every or any of them, had or enjoyed before the passing of this Act, or would or ought to have had or enjoyed in case this Act had not been made.

Act to be printed by the King's Printer.

V. 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, his Majesty's Surveyors have the Honour to certify that the same is as follows, to wit:

Description.	Quantity of Acres.	Tenure.						
Stonefield is situate on the West Side of the Back Road leading to Holloway, and bounded on the East by the Back Road aforesaid, West by Land the Property of Cox and others, North on Land of the Drapers Company, and South on Glebe Land of the said Parish.	<table border="1"> <tr> <td>A.</td> <td>R.</td> <td>P.</td> </tr> <tr> <td>16</td> <td>3</td> <td>3 1/4</td> </tr> </table>	A.	R.	P.	16	3	3 1/4	In the Occupation of Mrs Samuel Rhodes, who has Notice to quit at Midsummer next.
A.	R.	P.						
16	3	3 1/4						

W. Wickings, Surveyor.

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to be printed by the King's Printer

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