CHAPTER cxvi.

An Act to relieve the Governors of Saint Thomas's Hospital from liability to maintain the Minister and Church of the Parish of Saint Thomas Southwark and to unite the said Parish to the Ecclesiastical Parish of Saint Saviour Southwark and for other purposes. A.D. 1898.

[25th July 1898.]

WHEREAS by a charter or letters patent of His late Majesty King Edward the Sixth bearing date the twelfth day of August in the fifth year of his reign the said King Edward granted to the mayor and commonalty and citizens of his city of London all the house and site of the late hospital of Thomas Becket then of late commonly called the Hospital of Saint Thomas in Southwark in the county of Surrey and the church belfry and churchyard of the said late hospital and all his houses buildings gardens land and soil being within the precinct of the said late hospital and the rectory of Thomas Becket then of late commonly called the parsonage of Saint Thomas in Southwark aforesaid with all tithes and oblations and other profits and hereditaments to the same rectory appertaining together with divers other lands and hereditaments And by the said charter the said King Edward further willed and granted that out of the revenues of the premises thereby granted the said mayor commonalty and citizens should for ever maintain two ministers to celebrate divine services and administer the sacrament and sacramental rights as well to the poor and officers and servants of the said hospital as to the parishioners of the parish of Saint Thomas in Southwark aforesaid:

And whereas by another charter or other letters patent of the said King Edward the Sixth bearing date the twenty-sixth day of June in the seventh year of his reign the ordering managing and governing of the said hospital of Saint Thomas thereby directed to be called the Hospital of Saint Thomas the Apostle and of the

A.D. 1898.

hospitals of Christ and of Bridewell were vested in the mayor and commonalty and citizens of the said city of London and their successors and the said mayor and commonalty and citizens were thereby named the governors of the possessions revenues and goods of the said hospitals and were constituted a body politic and corporate for ever by the name of "The Governors of the possessions revenues "and goods of the Hospitals of Edward King of England the Sixth "of Christ Bridewell and Saint Thomas the Apostle" (herein-after referred to as "the Governors"):

And whereas by the Saint Thomas's Hospital Act 1862 after reciting that in pursuance of the said firstly herein-before recited charter or letters patent two ministers had always been maintained in connexion with the said hospital of whom one had acted as the minister of the said parish of Saint Thomas in Southwark and had had the spiritual cure of the said parish and of the parishioners thereof other than the inmates of the said hospital and the other of them had so far as was known acted as the chaplain of the said hospital it was (section 5) enacted that the respective duties of the two ministers maintained by the Governors in pursuance of the provision in that behalf contained in the said firstly herein-before recited charter or letters patent should be thenceforth deemed to be as follows (that is to say) One of them should act as the minister of the said parish church of Saint Thomas and have the spiritual cure over the said parish of Saint Thomas and over the parishioners thereof and the other of them should reside in or near to the buildings for the time being of the said hospital and act as the chaplain of the said hospital:

And whereas by section 6 of the same Act it was further enacted that the Governors should provide and from time to time maintain by such arrangements permanent or temporary as they might deem expedient a suitable residence within the distance of a quarter of a mile from the said parish church of Saint Thomas for such one of the said two ministers as should from time to time be appointed to act as minister of the said parish church and for that purpose the Governors should have the same power of taking and purchasing land and all other the same powers as were therein-before entrusted to them for the purpose of providing a new hospital:

And whereas the present minister of Saint Thomas is the Reverend Edward Travers Clark and he is in receipt from the Governors of a stipend of one hundred pounds per annum and of an allowance of fifty pounds per annum in lieu of a house:

And whereas the said Reverend Edward Travers Clark is about to resign his office of minister of Saint Thomas:

And whereas the present population of the ecclesiastical parish of Saint Thomas is now under five hundred exclusive of that part of Guy's Hospital which is in the parish and which is under the spiritual care of the clergy of Saint Saviour and there is sufficient church accommodation for their spiritual needs independently of the church of Saint Thomas:

And whereas it is expedient that the ecclesiastical parish of Saint Thomas be united to and made part of the ecclesiastical parish and benefice of Saint Saviour Southwark and that the Governors be authorised to convey the church of Saint Thomas and the site thereof to the Ecclesiastical Commissioners to be by them dealt with as in this Act provided:

And whereas the Governors are advised that such union of the said parishes cannot be effected under the Union of Benefices Act 1860:

And whereas in consideration of being released from their obligations to maintain a minister for the parish of Saint Thomas and to provide for him a residence or an allowance in lieu of a residence and to maintain the church of Saint Thomas the Governors are willing and it is expedient that they be authorised to pay to the Ecclesiastical Commissioners the sum mentioned in this Act to be applied to the provision of a residence for clergy or members of the collegiate church of Saint Saviour Southwark or to be otherwise applied as the Ecclesiastical Commissioners with the consent of the bishop may determine:

And whereas it is expedient to make such other provisions in connexion with the matters aforesaid as are in this Act contained:

And whereas the Lord Bishop of Rochester and the Ecclesiastical Commissioners and the present incumbent of Saint Saviour have consented to the provisions of this Act:

And whereas the objects of this Act cannot be attained without the 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 as follows (that is to say):—

Short title.

1. This Act may be cited as the Saint Thomas Southwark and Saint Saviour Southwark Act 1898.

Interpretation.

2. The expression "the bishop" in this Act means the Lord Bishop of Rochester or in case the ecclesiastical parish of Saint Saviour Southwark as constituted by this Act shall at any time

A.D. 1898.

cease to form part of the diocese of Rochester then the bishop of the diocese of which the said parish shall for the time being form part.

Union of ecclesiastical parishes of Saint Thomas Southwark and Saint Saviour Southwark.

3. On and after the passing of this Act the ecclesiastical parish of Saint Thomas Southwark shall be united to and merged in the ecclesiastical parish of Saint Saviour Southwark for all ecclesiastical purposes and the united parishes shall form and be one benefice and cure of souls by the name of Saint Saviour Southwark.

Extinction of offices of minister beadle and clerk of Saint Thomas Southwark.

4. The offices of minister beadle and clerk of the church of Saint Thomas shall be extinguished and cease after the passing of this Act.

First incumbent of parish and benefice formed by union.

5. The person who immediately before the passing of this Act is incumbent of Saint Saviour Southwark shall be without presentation admission institution or induction the first incumbent of the parish and benefice of Saint Saviour Southwark formed by the union of the ecclesiastical parishes of Saint Thomas and Saint Saviour under this Act.

Future presentations.

6. The person or persons in whom is vested the right of presentation to the benefice of Saint Saviour existing immediately before the passing of this Act shall have the right of presentation to the new benefice of Saint Saviour Southwark constituted by this Act.

Conveyance of church of Saint Thomas to Ecclesiastical Commissioners.

7. As soon as may be after the passing of this Act the Governors shall convey to the Ecclesiastical Commissioners all their estate and interest in the church of Saint Thomas and the adjoining land held therewith and containing by admeasurement eight hundred and thirty-six feet superficial or thereabouts and the fittings and furniture of the said church excepting the communion plate consisting of two silver cups two silver plates and one silver flagon which are and shall remain the property of the Governors and shall be removed to the chapel of Saint Thomas's Hospital and be there preserved by the Governors for use.

Disposal of church of Saint Thomas by Ecclesiastical Commissioners.

8. It shall be lawful for the Ecclesiastical Commissioners to appropriate the church of Saint Thomas as a chapter house for the collegiate church of Saint Saviour or to pull down and remove the fabric of the church of Saint Thomas and to sell and dispose of the materials and site thereof and the land and other property conveyed to them under this Act freed and discharged from all ecclesiastical trusts and disabilities or otherwise to deal with the same as they and the bishop may in their discretion think fit The proceeds of any such sale may be applied by the commissioners in payment of

any expenses incurred by them under this Act and any balance shall be applied for the use of the collegiate church of Saint Saviour in such manner as the bishop and commissioners shall determine.

Removal of human remains.

9.—(1) Subject as herein-after provided the Ecclesiastical Commissioners may at any time and shall before the completion of any sale or disposal of the church of Saint Thomas cause the remains of any deceased person interred therein or in any vault or graveyard attached or belonging thereto to be removed and to be interred in some consecrated burial ground or cemetery in which burials may lawfully take place and such removal and interment shall be carried out in such manner as the bishop shall direct or sanction under the superintendence and to the satisfaction of the medical officer of health for the district in which the said church is situate.

(2) Before carrying out any such removal the Ecclesiastical Commissioners shall give notice in writing of such intended removal to the heirs or executors or administrators or relatives of the deceased person unless they cannot after reasonable inquiry be found and at any time within three months after the date of such notice it shall be lawful for the said heirs or executors or administrators or relatives under such supervision and to such satisfaction as aforesaid to cause the remains of the deceased person to be removed to and interred in any burial ground or cemetery in which burials may lawfully take place.

(3) The expenses of any such removal and re-interment of remains not exceeding in the case of any one grave the sum of ten pounds shall be defrayed by the Ecclesiastical Commissioners out of the moneys to be paid to them by the Governors under this Act.

Monuments to be preserved.

10. All monuments tombstones and monumental inscriptions in the church of Saint Thomas Southwark shall upon the closing of the church be removed to the church of Saint Saviour Southwark and preserved in such manner as the bishop shall direct or sanction Provided that the bishop may on the application of the heirs or legal personal representatives of any deceased person in whose memory any such monument tombstone or inscription shall have been erected or placed permit the same to be removed to such other place as he shall direct.

Payment by Governors to Ecclesiastical Commissioners and application

11. Within one month from the passing of this Act the Governors shall pay to the Ecclesiastical Commissioners the sum of four thousand five hundred pounds less one half of the costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act and less one half of the costs charges and expenses

A.D. 1898.

of sum received.

preliminary to and of and incidental to the preparing and promoting the Saint Thomas Southwark and Saint Saviour Southwark Bill 1897 and the sum so paid shall be applied by the commissioners first in discharge of any expenses incurred by them in the removal of human remains under the provisions of this Act and subject thereto in or towards the provision of a residence house for clergy or members of the collegiate church of Saint Saviour Southwark or otherwise to the use of the said collegiate church as the commissioners with the consent of the bishop shall determine Provided that if at any time it shall appear to the commissioners and to the bishop that any residence house so provided is no longer necessary or convenient it shall be lawful for the commissioners with the consent of the bishop to sell such house and the proceeds shall be applied to the use of the said collegiate church in such manner as the commissioners with the consent of the bishop may determine:

If at any time the said collegiate church be dissolved the commissioners shall apply all moneys or property which may at the time of such dissolution be in their hands or vested in them by virtue of this Act to such ecclesiastical purpose or purposes in the diocese of which the parish of Saint Saviour Southwark shall then form part as they with the sanction of the bishop shall determine.

Release of Governors from their obligations under charters and Act of 1862.

12. On such payment being made to the Ecclesiastical Commissioners the Governors shall by virtue of this Act be released and discharged from their obligation to maintain a minister for the parishioners of Saint Thomas and from their obligation to provide a residence for or to make any allowance in lieu of a residence to such minister and from any obligation to maintain the church of Saint Thomas and from all other obligations (if any) relating to the church or ecclesiastical parish of Saint Thomas and sections 5 and 6 of the Saint Thomas's Hospital Act 1862 and so much of the said first-recited charter of King Edward the Sixth as relates to the appointment of a second minister shall as from the date of such payment be repealed.

Disposal of registers &c.

13. All registers deeds records books and documents belonging to or kept in the church of Saint Thomas Southwark shall be removed to the church of Saint Saviour Southwark and be there securely kept with the registers and other documents of that parish and the churchwardens of Saint Saviour are hereby empowered and required to make all necessary provision for the removal and safe custody thereof Provided that one of the duplicate marriage registers current at the church of Saint Thomas at the passing of

this Act shall be deposited with the district superintendent registrar as required in the case of filled register books by section 33 of the Births and Deaths Registration Act 1836.

Power of Governors to appoint assistant hospitaller.

14. The Governors may from time to time appoint a fit person to be assistant chaplain or assistant hospitaller of the said hospital and may pay to him such stipend out of the revenues of the said hospital as they may think fit and may at any time remove the person so appointed.

Rector &c. of Saint Saviour not to be ex-officio members of vestry of Saint Olave and Saint Thomas.

15. Nothing in this Act shall be deemed to confer upon the rector or churchwardens of the parish of Saint Saviour Southwark any right to be ex-officio members of the vestry of the parish of Saint Olave and Saint Thomas Southwark.

Costs of Act.

16. The costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act shall be paid by the Governors.

Printed by Eyre and Spottiswoode,

FOR

T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.