

as aforesaid, for the purpose of carrying the said agreement into effect according to the true intent and meaning thereof.

“ And we further particularly recommend and propose, with such consent as aforesaid, that all and singular the lands and tenements, and also the fabric and chapter estates and funds, including the balance in the hands of or due to the said chapter at the date of the said agreement, and all other the property and hereditaments whatsoever and wheresoever belonging to or forming part of the property or endowment of the said collegiate church of Southwell, or the chapter thereof, collectively, or held in trust for the said collegiate church or the said chapter (other than any rights of patronage), and all the estate, right, title and interest of the said collegiate church or the said chapter therein or thereto, together with all the rents, issues, fines, premiums and other profits, from the third day of November, one thousand eight hundred and forty-seven, and all rights, powers and remedies at law and in equity heretofore belonging to or which might have been had and exercised or enjoyed by the chapter of the said collegiate church for or in respect of such lands, tenements, property and hereditaments, rents, issues, fines, premiums and profits, and balance as aforesaid, or any of them, or any part thereof shall, without any conveyance or assurance in the law other than this scheme, and any duly gazetted Order of your Majesty in Council ratifying the same, and upon and immediately after the gazetting of such Order, become and be to all intents and purposes transferred to and absolutely vested in us for the purposes of the hereinbefore recited Acts, subject only to such leases or grants heretofore made thereof, or of any part thereof, as may be now legally subsisting and not void or voidable at law or in equity; and that the general funds vested in us for the purposes of the said Acts shall, as from and after the said third day of November, one thousand eight hundred and forty-seven, be chargeable with the several annual payments by the said agreement agreed to be made by us as therein expressed in exoneration of the said chapter estates and property from all lien on account thereof.

“ Provided always, and we do further recommend and propose, that in case any proceedings

shall be taken by us the said Ecclesiastical Commissioners for setting aside any lease or grant heretofore made of any of the lands, tenements or hereditaments belonging to or forming part of the said collegiate church on the ground of any defect at law or in equity in or affecting such lease or grant, or for obtaining or enforcing any remedy or redress on account of any waste or dilapidations in or about any of the said lands, tenements and hereditaments, we, the said Ecclesiastical Commissioners, shall, out of the general funds placed at our disposal, indemnify and save harmless the said chapter against all losses, costs, charges, damages and expenses which they may pay or incur, or to which they may become liable in consequence thereof, either under any express or implied covenant on the part of the said chapter for the quiet enjoyment of the premises comprized in such lease or grant, or otherwise.

“ And we do further recommend and propose, that as soon as conveniently may be after the publication in the London Gazette of any Order of your Majesty in Council ratifying this scheme, all deeds, books, registers, leases, counterparts of leases, court rolls, court books, maps, terriers, valuations, plans, and all other papers, writings and documents whatsoever, which are or ought to be in the custody, possession or power of the said chapter, and relating to the said lands, tenements, hereditaments, property and estate so recommended to be vested in us as aforesaid, or the title thereof (other than and except the chapter books and records hereafter mentioned), shall be delivered to us, and that all and singular the chapter books and records relating as well to the said lands, tenements, hereditaments, property, and estate, or the title thereof, as also relating to and recording Acts heretofore made, done or passed by the said chapter in its corporate capacity, shall remain and be kept in the treasury or muniment-room of the said collegiate church, and shall be under the custody of the canon residentiary for the time being, or of the substitute for the time being (being a canon of the said church) appointed, as in the said agreement referred to, and the chapter clerk, as well on behalf of the said chapter as of us, and for their and our joint use, until every person who was a member of the said chapter at the passing of the said secondly recited Act shall have ceased to be such mem-