



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 182.

An Act for enabling the Dean of *Windsor* and *Wolverhampton*, and his Successors, to grant Leases and Licences for opening and working Mines within the Lands belonging to the Manor of *Wolverhampton*; and for augmenting the Income of the Sacrist of the Collegiate Church or Royal Free Chapel of *Wolverhampton*. [15th June 1811.]

WHEREAS the Honourable and very Reverend *Edward Legge*, Doctor in Divinity, as Dean of the Free Chapel of *Saint George*, within the Castle of *Windsor*, and Dean of the Collegiate Church or Royal Free Chapel of *Wolverhampton*, and Prebendary of the Prebend of *Wolverhampton*, is in Right of such his Deanery and Prebend Lord of the Manor or Lordship of *Wolverhampton* otherwise called *Wermerhampton*, otherwise *Wolmerhampton*, in the County of *Stafford*, with its Rights, Members, and Appurtenances: And whereas within or under the Demesne Lands, Copyhold Lands, Woodlands, and Common or Waste Lands, of or belonging to or Parcel of the said Manor, or some Part or Parts thereof, there are Mines, Veins, Layers, Quarries, and Strata of Freestone, Ironstone, Clay, Coal, and other Minerals and valuable Substances, which Mines have been opened, and partly worked, and the same cannot probably be wrought out in a very long course of Years: And whereas the fully and properly working of the said Mines would not only be advantageous to

[Loc. & Per.] 47 E the

the said Dean and his Successors, by augmenting the Revenue of the said Deanery and Prebend of *Wolverhampton*, but would be of public Utility; but in order thereto it is necessary that the said Dean and his Successors should be enabled to grant sufficient Powers or Interests to induce Adventurers to undertake the same: And whereas the Duties of the said Church or Royal Free Chapel of *Wolverhampton* are more immediately under the Care of a Clergyman, denominated the Sacrist or Sexton, and there are Three other Assistant Ministers of the same Church or Chapel called *Readers*: And whereas the Income of the said Sacrist or Sexton is very inadequate to the Support of his Dignity and Station; and, with a View to the Augmentation thereof, and the making a more suitable Provision for the due Discharge of the Ministerial Duties of the said Church, the said *Edward Legge* is willing that the Offices of the said Assistant Ministers should be extinguished on the next Vacancy thereof respectively; and that the Duties, Salaries, and Emoluments of the said Offices, when vacant, shall devolve upon and be annexed to the Office of the said Sacrist or Sexton for the Time being; and as a further Provision for the better Maintenance and Support of the said Sacrist or Sexton for the Time being, the said *Edward Legge* is desirous that an Income of a given Amount should be appropriated and secured to the said Sacrist or Sexton from a Fund to be raised out of the Rents to be reserved by Leases to be granted by the Dean for the Time being: And whereas it is expedient that the said Sacrist or Sexton should hereafter be denominated the Perpetual Curate of the said Parish of *Wolverhampton*: But the several Objects aforesaid cannot be accomplished without the Aid of Parliament; wherefore Your Majesty's most dutiful and loyal Subject the said *Edward Legge*, doth 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 at any Time and from Time to Time, after the passing of this present Act, it shall and may be lawful to and for the said *Edward Legge*, and his Successors for the Time being, Deans of the said Free Chapel of *Saint George*, within the Castle of *Windsor*, and Deans and Prebendaries of *Wolverhampton* aforesaid, by Indenture or Indentures to be by him or them respectively sealed and delivered in the Presence of and attested by Two or more credible Witnesses, to lease or demise all, every, or any of the Mines, Layers, Veins, Seams, and Strata of Free Stone, Clay, Sand, Ironstone, Coal, and other Minerals or Substances found and discovered, or which shall or may at any Time or Times hereafter be opened, found, or discovered in, under, or upon any of the Demesne, Waste Wood, or Common Lands, Parcel of or belonging to the Manor of *Wolverhampton* otherwise *Wermerhampton* otherwise *Wolmerhampton* aforesaid, to any Person or Persons for any Term or Number of Years not exceeding Fifty Years, to take Effect in Possession and not in Reversion, or by Way of future Interest, and to grant or join in granting to any such Lessee or Lessees, and his, her, or their Executors, Administrators, and Assigns, for any Term or Number of Years not exceeding Fifty Years, to take Effect in Possession and not in Reversion, or by Way of future Interest, full and free Liberty, Licence, Power, and Authority to search, seek, dig, drive, win, work, and make Groves, Shafts, Drifts, Trenches, Sluices, Way Gates, Water Gates, and Water Courses, and to erect any Furnace or Furnaces, Engines, Mills, or Gins, and to use all other lawful Ways and Means for the finding, discovering, winning, work-

Edward Legge and his Successors, Deans of the Free Chapel of Saint George within the Castle of Windsor, and Deans and Prebendaries of *Wolverhampton*, may grant Leases of the Mines for any Term not exceeding Fifty Years, under the usual Restrictions.

ing, and getting the said Free Stone, Clay, Sand, Ironstone, Coal, and other Minerals and Substances forth and out of the said Mines and Quarries, and for the emptying and carrying away Water, Foul Air, or Stench from forth and out of the same, and sufficient Ground Room, Heap Room, and Pit Room for laying, and placing, and manufacturing the Iron, Ironstone, Coal, Earth, Rubbish, and other Substances which shall from Time to Time proceed from or be wrought, dug, or gotten out of the same; and also to grant to such Lessee or Lessees, or other Person or Persons as aforesaid, full and sufficient Way and Passage either by Iron Railways or otherwise, to and for them respectively, and their respective Agents, Workmen, or Servants, and the Purchasers and under Lessees from them respectively, from Time to Time during the Continuance of the Term and Terms for Years to be by such Lease or Grant, Leases or Grants respectively granted or created, to take, lead, and carry away with Horses, Carts, Wains, Waggons, and other Carriages, all the said Freestone, Clay, Sand, Ironstone, Coal, Minerals, and other Substances to be wrought, won, and gotten forth and out of the said Mines and Quarries to be demised or leased, or so to be opened and worked as aforesaid; and also full and free Liberty, Licence, Power, and Authority to erect, build, and set up in any convenient Places or Place near any of the said Mines and Quarries so to be demised or leased, or so to be opened or worked as aforesaid, all such Houses, Hovels, Lodges, Sheds, Buildings, and other Conveniences as shall from Time to Time be needful or convenient for the standing, laying, and placing of Workmen, Work Houses, Work Gear, and Utensils to be used or employed in or about the working and carrying on of the Works of the said Mines and Quarries respectively; and also to dig and get up Stone, Sods, Peat, Clay, or Spar for making, building, or repairing such Houses or other Buildings, and to do whatever else shall be deemed needful or requisite for, in, or about the winning, working, obtaining, getting, washing, cleaning, and smelting of Iron, Ironstone, Coal, and other Minerals and Substances forth and out of the said Mines and Quarries, and for manufacturing, leading, and carrying away the same, so as by such Demises, Leases, or Grants respectively there shall be respectively reserved and made payable, during the Continuance of the Term or Terms of Years to be thereby respectively created, the best and most improved Yearly Rent or Rents, or Sum or Sums of Money, Tolls, Duties, Royalties, and Reservations, not less than One-eighth Part of the Value of the Produce, (to be estimated by Sales at the Pit's Mouth), that can be reasonably had or gotten for the same, and so as such Demises, Leases, or Grants so to be made as aforesaid be made without taking any Fine, Premium, or Foregift, or any Thing in the Nature of a Fine, Premium, or Foregift for the same, and so as in every such Demise, Lease, or Grant so to be made, there be contained a Condition or Power of Re-entry, or a Power to make void the same for the Non-payment for a limited Time to be thereby appointed, and not exceeding Sixty Days of the Rent or Rents, Sum or Sums of Monies, Tolls, Duties, Royalties, or Reservations thereby respectively to be reserved or made payable, and so as the respective Lessees or Grantees shall execute Counterparts of all such Demises, Leases, or Grants as shall be made to them respectively, and enter into such Covenants and Agreements for the working and managing of the said Mines and Works, and for building, repairing, and keeping in Repair the Messuages, Buildings, and other Conveniences to be mentioned in such Leases or Grants respectively, and for rendering and paying the Rent or Rents, Sum or Sums of Money, Tolls, Duties, Royalties, and Reservations

tions thereby to be made payable as the Person or Persons making such Leases or Grants respectively shall judge expedient.

Power to enable the Dean for the Time being to grant Licences to Copyholders, to work and lease the Mines under their Copyholds.

H. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Dean and his Successors for the Time being, Lords of the said Manor, to grant Licences to enable the Tenant or Tenants of any Customary or Copyhold Tenements, Parcel of the said Manor, his, her, or their Heirs and Assigns, by himself or themselves only, his, her, or their Tenant or Tenants, Lessee or Lessees for the Time being, to open or work any Mines, Veins, Quarries, Seams, or Strata in or under such Tenements, under such Reservations, Terms, and Conditions as the Person granting such Licence shall deem expedient, so as such Licence shall reserve an Annual Income by Way of Royalty, (so long as such Mines shall be worked) from such Mines or Minerals, to be equal at least to One-sixteenth Part of the Ironstone, Coal, and other Mineral Produce of such Mines, and such Part so reserved shall vest in the said Dean for the Time being, as soon as the same shall be brought to the Pit's Mouth, and a Division thereof shall be made Four Times at least in every Year.

Leases made under this Act to be good in Law, and binding on the said Dean and his Successors.

III. And be it further enacted by the Authority aforesaid, That every Demise, Lease, and Licence to be made in pursuance of this Act, shall be good and effectual in the Law to all Intents and Purposes; and that the Lessees to be in such Demises, Leases, or Grants respectively named, and their respective Heirs, Executors, Administrators, and Assigns, subject to the Payment of the Rent or Rents, Tolls, Royalties, and Reservations thereby respectively reserved or made payable, and Performance of the Covenants, Conditions, and Agreements therein on their Parts respectively contained, shall and may hold and enjoy the Premises so to them respectively demised, leased, or granted according to the Purport of such Demises, Leases, or Grants respectively; and that all and every Contract and Contracts to be entered into by the said Dean for the Time being, for the Grant of any such Lease or Licence as aforesaid, shall be binding on the said Dean for the Time being and his Successors, and shall be carried into Execution by a Lease or Leases, Licence or Licences to be granted in pursuance of the Powers and subject to the Restrictions herein-before contained, so far as the same shall be applicable.

Sacrist to be denominated Perpetual Curate of Wolverhampton.

IV. And be it further enacted, That the said officiating Minister, heretofore called Sacrist or Sexton, shall from henceforth be denominated the Perpetual Curate of the said Parish of *Wolverhampton*.

On the Death or other Avoidance of said Assistant Ministers, each of the said Offices shall cease and be annexed to the Office of Sacrist.

V. And be it further enacted by the Authority aforesaid, That on the Death, Cession, Resignation, or other Avoidance of each of the said Assistant Ministers (being the Three present Readers of the said Collegiate Church, namely, the Reverend *William Tindall*, the Reverend *Thomas Walker*, and the Reverend *John Oldershaw*, Clerks) the Office of such Reader or Assistant Minister, and the Right to nominate any Successor to the same Office, shall cease and be extinguished; and the Duties of each of the same Offices respectively, when and as the same respectively shall become extinct, shall devolve on and be performed by the said Perpetual Curate for the Time being; and that all the Salaries, Perquisites, and Emoluments belonging, due, and of Right accustomed, to be paid to each such Reader or Assistant Minister as aforesaid, shall, on the Cession or other Avoidance of his Office, belong

belong and be payable to, and may be demanded and recovered by the said Perpetual Curate for the Time being.

VI. And be it further enacted by the Authority aforesaid, That One-fourth Part of the Rents which from Time to Time shall be payable to the said Dean for the Time being for his own Use, under such Licences and also under such Leases as aforesaid, shall Yearly and every Year, until the Sum of Eight thousand Pounds Three *per Centum* Annuities shall have been purchased, as herein-after mentioned; be applied by the said Dean for the Time being in the Purchase of Three *per Centum* Consolidated Annuities, in the joint Names of the most Reverend the Archbishop of *Canterbury* for the Time being, the said Dean for the Time being, and the said Perpetual Curate for the Time being; and that the said Perpetual Curate for the Time being shall either in his own Person, or by his Attorney to be appointed for that Purpose, be authorized to receive the Dividends, Interest, and Income of so much of the said Three *per Centum* Annuities as from Time to Time shall have been purchased; and that all or any Part of the said Three *per Centum* Consolidated Annuities shall or may be sold for the Purpose of being laid out in the Purchase of Lands, held in Fee Simple, and situate in the County of *Stafford*; and in defraying the Expences of and attending the making and completing such Purchase; such Purchase to be made by the said Archbishop for the Time being, and the said Dean for the Time being, and the said Perpetual Curate for the Time being; and that the said Lands when so purchased shall be conveyed to and vested in the said Perpetual Curate for the Time being, to hold to him and his Successors for the Time being; and the said Perpetual Curate for the Time being shall be a Sole Corporation, capable of taking, holding, and enjoying the same Lands; and that the said Perpetual Curate for the Time being shall have full Power and Authority from Time to Time to lease such Lands or any of them, in Possession and not in Reversion, for any Term or Number of Years not exceeding Twenty-one Years, at the best improved Rent that can or may be obtained for the Lands so to be demised or leased, without taking any Fine, Premium, or Foregift for the Grant of any such Lease; and so nevertheless as every such Lease shall be by Indenture, to be sealed and delivered by the said Perpetual Curate for the Time being, and the Lessee or Lessees named in such Lease shall do and execute a Counterpart of the same Lease; and thereby enter into Covenants for Payment of the Rents, and the Management of such Lands according to the best Rules of good Husbandry in the Neighbourhood of the same Lands; and for preserving and keeping the Buildings (if any), to be leased with the same Lands, in good Repair; and so as every such Lease shall contain a Condition giving a Right of Re-entry to the Perpetual Curate for the Time being, in case the Rent shall, at any Time be in Arrear for the Space of Thirty Days after the same shall have been due, and the same shall be demanded upon or at any Time after the Expiration of the said Thirty Days, and not paid when demanded.

VII. And be it further enacted by the Authority aforesaid, That all the Rents which shall become payable from Time to Time for or in respect of the Lands to be so purchased, and also the Dividends, Interest, and Income which from Time to Time shall become payable for or in respect of the said Three *per Centum* Consolidated Annuities, or the Residue thereof for the Time being, in the mean Time and until the same shall be applied

One-fourth of the Rents until 8,000l. Three per Centum Annuities shall have been purchased; shall be invested in Three per Cent. Consolidated Annuities, &c.

Rents of Land to be purchased and the Dividends of the Stock to be received by the Perpetual Curate

for the Time being.

applied according to the Direction herein-before contained, shall belong and be payable to the said Perpetual Curate for the Time being, as Part of his Income and Increase thereof.

After 8,000l. Three per Cent. Annuities shall have been purchased, One-fourth of the Rents to be paid into the Court of Chancery, &c.

VIII. And be it further enacted, That after the said Sum of Eight thousand Pounds Three *per Centum* Consolidated Annuities shall be purchased as aforesaid, so much of the said One-fourth Part of the said Rents or Income as shall not have been applied in the Purchase thereof, and also One-fourth Part of all the Rents or Income which shall from thenceforth accrue, due, or be payable to the said Dean and his Successors, under such Licences or Leases as aforesaid, shall Yearly and every Year be paid by the said Dean for the Time being 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 an Account there, "*ex parte* the Dean of *Windsor* and *Wolverhampton*," pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Consolidated Three *per Centum* Annuities, in the Name of the said Accountant General, to be placed to the same Account; and the Dividends which shall from Time to Time become payable for or in respect of such last-mentioned Three *per Centum* Annuities, shall belong to and (under the Order and Direction of the said Court, on a Petition to be preferred in a summary Way) be payable to the said Dean for the Time being, as Part of the Income of the said Deanry.

Court of Chancery empowered to lay out the Funds in the Purchase of Land in the County of *Stafford*.

IX. And be it further enacted, That it shall and may be lawful to and for the High Court of Chancery from Time to Time, upon a Petition to be preferred to that Court in a summary Way, by or on the Behalf of the said Dean or his Successors in the said Deanry, to order and direct the Sale of all or any Part of the Consolidated Annuities which shall for the Time being be standing in the Name of the said Accountant General, on the Account aforesaid; and to pay and apply all or any Part of the Monies to arise by any such Sale or Sales in the Purchase of Freehold Manors, Messuages, Farms, Lands, Tenements, or Hereditaments of an Estate of Inheritance in Fee Simple in Possession, and of Copyhold Hereditaments convenient to be held therewith, (so as such Copyhold Part shall not exceed in Value One-sixth Part of the Freehold Premises to be purchased, (free from all Incumbrances) except Quit-rents, Fee-farm Rents, or other usual Outgoings or Payments to be situate in the County of *Stafford*; and that all and singular the Freehold and Copyhold Manors, Lands, and Hereditaments which shall be so purchased as aforesaid, shall be thereupon immediately settled, conveyed, surrendered, and assured unto and to the Use of the said Dean and his Successors in the said Deanry for ever, and shall from the Time of such Conveyance and Surrender or Assurance, be annexed to and for ever thereafter continue and be Part of the said Deanry.

No Lease of the Lands to be purchased to be granted for longer than 21 Years, at Rack Rent.

X. Provided always, and be it further enacted, That no Lease or Leases shall be made by the said Dean for the Time being of all or any Part of the Manors, Messuages, Farms, Lands, Tenements, and Hereditaments to be purchased by virtue of the Provisions of this Act for any Term exceeding Twenty-one Years in Possession, and not in Reversion, or otherwise than

at the best improved Rent or Rents, payable Half-yearly or oftener, which can or may be obtained for the same Manors, Farms, Lands, Tenements, and Hereditaments respectively; and all Leases to be so made by the said Dean or his Successors shall be binding on the said Dean and his Successors.

XI. Provided always, and it is hereby further enacted and declared, That previously to the Investment of any Part of the said Royalties, Rents, Issues and Profits, in the Purchase of Three *per Centum* Consolidated Annuities, as herein-before is mentioned, the Costs, Charges, and Expences attending, incident to, or in anywise relating to the applying for and obtaining this present Act, and for carrying the same into Execution, shall be first paid and satisfied; and the said Dean for the Time being shall, by and out of the said Royalties, Rents, Issues and Profits which shall be received from the said Leases, Demises, or Licences, pay, satisfy and discharge the said Costs, Charges and Expences accordingly.

Expences of
the Act to be
first paid.

XII. 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 and their Heirs, Successors, Executors and Administrators, (other than and except the said *Edward Legge*, and his Successors Deans of *Windsor*, and Deans and Prebendaries of *Wolverhampton* aforesaid, the said Sacrist or Sexton, hereafter to be denominated the Perpetual Curate of the said Parish of *Wolverhampton*, the several Prebendaries who have or enjoy the Right of Nomination of the said Readers and Assistant Ministers, and other than and except the Persons to whom such Licence shall be granted, and all Persons claiming under them or in Remainder after and expectant on their Estates,) all such Estate, Right, Title, Interest, Benefit, Property, Claim and Demand whatsoever, of, into, or out of or upon the said Hereditaments to be so leased or contracted to be leased, or in respect whereof any such Licence may be granted as aforesaid, under and by virtue of and pursuant to the Powers contained in this Act, and every or any Part thereof, as he, she and they, or any of them had before the passing of this Act, or would, could, or might have had, held, and enjoyed, in case this Act had not been made.

General
Saving.

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

Act to be
printed by
King's
Printer, and
a Copy
thereof to be
Evidence.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1811.

