



ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

Cap. 30.

An Act for effecting an Exchange between the Warden and Fellows of the College of *All Souls, Oxford*, and *Thomas Penrice Esquire*.

[27th July 1838.]

WHEREAS the Warden and Fellows of the College of the Souls of all Faithful People deceased, in *Oxford*, are seised to them and their Successors for ever of the Rectories or Parsonages of *Pennard* and *Llangennith* in *Gower* in the County of *Glamorgan*, with all manner of Tithes and Commodities to the same belonging, the Glebe and Manor of *Priorstown* otherwise *East Town*, of *Llangennith* in the said Parish of *Llangennith*, and the Advowsons of the Vicarages and Parish Churches of the said Parishes of *Pennard* and *Llangennith*, and a Rent-charge of Two Pounds *per Annum* upon *Blackhill's Lands* in the Parish of *Bishopstone*, adjoining to the said Parish of *Pennard*, payable by the Rector of *Bishopstone*, all which said Lands are particularly mentioned and described in the First Schedule to this Act annexed, and are subject to the Lease therein particularly mentioned: And whereas *Thomas Penrice* of *Kilborough House* in the County of *Glamorgan*, Esquire, is seised to him and his Heirs for ever of or is otherwise well entitled to in Fee Simple, or has absolute Power to dispose of for his own Benefit, all that and those Messuage, Tenement, Farmhouse, Homestead, Cottages,

[Private.]

Fields, Closes, and Parcels of Land, containing altogether Sixty-one Acres Three Roods and Twenty-two Perches or thereabouts, called or known by the Name of *Fortescue's Farm*, situate in the Parish of *Newton Bromshold* in the County of *Northampton*; and also all that One undivided Third Part or Share of and in the Manor of *Newton Bromshold* called *Dewell's Manor*, in the said County of *Northampton*; and also all that Messuage, Tenement, Farmhouse, Homestead, Cottages, Fields, Closes, and Parcels of Land, containing altogether One hundred and fifty-four Acres One Rood and Thirty-six Perches, or thereabouts, called or known by the Name of *Gray's Farm*, situate in the several Parishes of *Newton Bromshold* and *Higham Ferrers*, in the said County of *Northampton*, (being the Hereditaments described in the First Part of the Second Schedule to this Act annexed,) with their respective Rights, Members, and Appurtenances; and also all that the Advowson, Donation, Nomination, Collation, Presentation, and Right of Patronage and free Disposition of, in, and to the Rectory of the Parish Church of *Newton Bromshold* in the County of *Northampton*, being the Hereditaments described in the Second Part of the said Second Schedule to this Act: And whereas it has been mutually agreed by the said Warden and Fellows and the said *Thomas Penrice* to exchange the said Hereditaments described in the First Schedule to this Act, belonging to the said Warden and Fellows, for the said Hereditaments described in the said Second Schedule to this Act belonging to the said *Thomas Penrice*, and in consideration of a Sum of Money to be paid by the said *Thomas Penrice*: And whereas upon the Treaty for the said Exchange it was agreed that the Hereditaments so to be given in Exchange by the said Warden and Fellows of the said College should be settled to the Uses, upon and for the Trusts, Intents, and Purposes, and with, under, and subject to the Powers, Provisoos, Agreements, and Declarations herein-after limited, declared, and contained of and concerning the same; and that all the Costs, Charges, and Expenses of and attending the said Exchange and carrying the same into effect should be borne by the said *Thomas Penrice*: And whereas it will be for the mutual Benefit and Advantage of the said Warden and Fellows of the said College and their Successors, and of the said *Thomas Penrice*, that such Exchange should be carried into execution; but inasmuch as the same cannot be effected without the Aid and Authority of Parliament, Now therefore Your Majesty's most dutiful and loyal Subjects, the said Warden and Fellows of the College of the Souls of all Faithful People, deceased, in *Oxford*, and also the said *Thomas Penrice*, do most humbly beseech 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, That from and immediately after the passing of this Act, and the Payment in manner herein-after mentioned of the Sum of Seven hundred and ninety-four Pounds Eight Shillings (being the Sum agreed to be paid as herein-before is mentioned); the said Rectories or Parsonages, and all other the Hereditaments mentioned and comprised in the First Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, and the Re-
version

Upon Payment of the Sum herein mentioned the Hereditaments comprised in the First Schedule to be settled to

version and Reversions, Remainder and Remainders, yearly and other Rents, Issues, and Profits thereof, shall stand and be settled to such Uses, and for such Trusts, Intents, and Purposes, as the said *Thomas Penrice*, by any Deed or Deeds, Writing or Writings, with or without Power of Revocation and new Appointment, to be by him sealed and delivered in the Presence of and attested by Two or more credible Witnesses, shall direct, limit, or appoint; and in the meantime, and in default of such Direction, Limitation, or Appointment, to the Use of the said *Thomas Penrice*, his Heirs and Assigns, for ever, freed and discharged and absolutely acquitted and exonerated of, from, and against all the Estate, Right, Title, Interest, Claim, and Demand whatsoever of the said Warden and Fellows of the said College of the Souls of all Faithful People deceased, and their Successors, in, to, or out of the said Hereditaments and Premises or any Part thereof; subject nevertheless to the several Leases in the said First Schedule particularly mentioned.

such Uses as Mr. Penrice may appoint, and in default of Appointment to the Use of himself in Fee;

II. And be it further enacted, That from and after the passing of this Act, and the Payment in manner herein-after mentioned of the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, all the said Hereditaments mentioned and comprised in the Second Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, and the Reversion and Reversions, Remainder and Remainders, yearly and other Rents, Issues, and Profits thereof, shall be and the same are by this Act settled upon and vested in the said Warden and Fellows of the College of the Souls of all Faithful People deceased, and their Successors for ever, freed and discharged and absolutely acquitted and exonerated of and from all Uses, Trusts, Intents, and Purposes heretofore limited and declared of and concerning the same.

and the Hereditaments comprised in the Second Schedule vested in the Warden and Fellows of All Souls College for ever.

III. And be it further enacted and declared, That the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, to be paid as herein-before is mentioned, shall, as soon as conveniently may be after the passing of this Act, be paid by the said *Thomas Penrice*, his Heirs, Executors, Administrators, or Assigns, 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 *ex parte* the Fellows of the College of *All Souls, Oxford*, pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two, and to the general Rules and 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 Twenty-four; and that the Certificate to be given by the said Accountant General, together with the Receipt of the Cashier of the Bank of *England*, to be thereunto annexed and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* by the said *Thomas Penrice*, his Heirs, Executors, Administrators, or Assigns, of the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, shall be a sufficient Discharge for the same; and that after the filing of such Certificate and Receipt the said *Thomas Penrice*,

The Sum agreed to be paid by Mr. Penrice to be paid into the Court of Chancery for the Purpose of being laid out in Land.

Penrice, his Heirs, Executors, Administrators, and Assigns, shall be and are and is hereby absolutely acquitted and discharged of and from the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, and every Part thereof, and shall not be answerable or accountable for any Loss, Misapplication, or Non-application of such Money, or any Part thereof; and the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, as soon as may be after the same shall have been paid as aforesaid, shall, upon a Petition to be preferred to the said Court of Chancery in a summary Way, by the said Warden and Fellows for the Time being, be laid out and invested in the Purchase or Purchases of Freehold Manors, Advowsons, Messuages, Farms, Lands, or Hereditaments of an Estate of Inheritance in Fee Simple in Possession, or in the Purchase or Redemption of the Land Tax charged upon or affecting any Lands, Tenements, or Hereditaments belonging to the said Warden and Fellows; and all such Premises so to be purchased as aforesaid shall be conveyed, settled, and assured to the Warden and Fellows for the Time being, and their Successors.

Until Purchase of Land made, the Money to be invested in Navy or Exchequer Bills.

IV. And be it further enacted, That in the meantime and until such Purchase or Purchases shall be made as aforesaid the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, so to be paid into the Bank as aforesaid, shall be by the said Accountant General laid out in the Purchase of Navy, Victualling, Transport, or Exchequer Bills; and the Interest arising from the Bills so to be purchased, and the Monies received for the same as they shall respectively be paid off by Government, shall be laid out by the said Accountant General in the Purchase of other such Bills as aforesaid: Provided that it shall and may be lawful to and for the said Court of Chancery to make such general Order or Orders, or special Order or Orders, if necessary, that whensoever the said Bills of the Date of those in the Hands of the said Accountant General shall be in a Course of Payment by Government, and new Bills shall be issued, such new Bills may be received in exchange for those which are in a Course of Payment as shall be effectual for enabling such Receipt or Receipts in Exchange, and that in that Event the Interest of the old Bills shall be laid out as before directed with respect to the Interest when the Bills were paid off; all which Exchequer Bills, whether purchased or exchanged, shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be made as herein-before mentioned, and until the same shall, upon a Petition in that Behalf to be preferred to the said Court of Chancery in a summary Way by the said Warden and Fellows of the said College of *All Souls* for the Time being, be ordered to be sold by the said Accountant General, for the completing such Purchase or Purchases in such Manner as the Court shall think fit and direct.

Court of Chancery may make Orders for the taxing of Costs, &c.

V. Provided always, and it is hereby further enacted, That it shall be lawful for the said Court of Chancery from Time to Time to make such Orders as the said Court shall think fit for taxing and settling all Costs, Charges, and Expences which shall have been incurred in making the several Applications to the said Court respecting the Matters aforesaid, and the Costs of taking the said Money out of the said Bank, and investing the same in the Purchase of Lands and Hereditaments,

Hereditaments, and of settling the same according to the Directions herein-before contained.

VI. And be it further enacted, That if the said Warden and Fellows, or their Successors, shall at any Time hereafter be evicted from the Possession of the said Hereditaments described in the said Second Schedule to this Act, by any Right or Title precedent to the passing of this Act and of the Payment of the said Sum of Seven hundred and ninety-four Pounds Eight Shillings as aforesaid, then and from thenceforth it shall and may be lawful to and for the said Warden and Fellows and their Successors, immediately after such Eviction from the Possession of the same Premises, to enter into and upon the said Hereditaments described in the First Schedule to this Act, and the same to have, hold, and enjoy again as in their first and former Estate, in as full, ample, and beneficial a Manner to all Intents and Purposes whatsoever as if this present Act had not been passed, any thing herein contained to the contrary thereof in anywise notwithstanding.

In the event of the Warden and Fellows being evicted from the Possession of the Hereditaments in the Second Schedule, they may again take Possession of the Hereditaments in the First Schedule.

VII. And be it further enacted, That if the said *Thomas Penrice*, his Appointees, Heirs, or Assigns, shall at any Time hereafter be evicted from the Possession of the Hereditaments described in the said First Schedule to this Act, by any Right or Title precedent to the passing of this Act and the Payment of the said Sum of Seven hundred and ninety-four Pounds Eight Shillings as aforesaid, then and from thenceforth, it shall and may be lawful to and for the said *Thomas Penrice*, his Appointees, Heirs or Assigns, immediately after such Eviction from the Possession of the same Premises, to enter into and upon the Hereditaments described in the said Second Schedule to this Act, and the Lands and Hereditaments in or upon which the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, or any Part thereof, shall be laid out or invested, as herein-before directed, (as if the same had formed Part of the said Hereditaments described in the said Second Schedule to this Act,) and to have, hold, and enjoy the said Premises for such Estate, and in as full, ample, and beneficial a Manner as the said *Thomas Penrice* held the said Hereditaments described in the said Second Schedule prior to the passing of this Act, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

In the event of Mr. Penrice being evicted from the Possession of the Hereditaments in the First Schedule, he may again take Possession of the Hereditaments in the Second Schedule.

VIII. Provided always, and be it further enacted, That if the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, or any Part thereof, shall not then have been laid out in the Purchase of Lands or Hereditaments, the Bills in which the same or any Part thereof shall be then laid out shall be sold by the Order and under the Direction of the High Court of Chancery, to be obtained upon a Petition to be presented to the said Court in a summary Way by the said *Thomas Penrice* during his Life, and after his Decease by his personal Representative or Representatives; and by and out of the Monies to arise from such Sale the said Sum of Seven hundred and ninety-four Pounds Eight Shillings, or so much thereof as shall not have been laid out in the Purchase of Lands or Hereditaments as aforesaid, shall be paid to the said *Thomas Penrice*, his Executors, Administrators, or Assigns; and the Residue, if any, of the Monies

Provision in such an Event with respect to the Equality Money.

[Private.]

to arise from such Sale shall be paid to the said Warden and Fellows of the said College of *All Souls* for the Time being.

Expences of
the Act.

IX. And be it further enacted, That all the Costs and Expences of applying for and obtaining this Act, or in anywise relating thereto, shall be borne and paid by the said *Thomas Penrice* alone; and that the said Warden and Fellows shall be wholly exempt, freed, and exonerated from the same Costs and Expences, and every Part thereof.

General
Saving.

X. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their respective Heirs, Successors, Executors, Administrators, and Assigns, (except to the said Warden and Fellows of the College of *All Souls* aforesaid, and their Successors, and except to the said *Thomas Penrice*, his Heirs, Appointees, and Assigns, and any Person seised of any Estate in Trust for him the said *Thomas Penrice*,) all such Estates, Rights, Titles, Interests, Claims, and Demand whatsoever, of, in, to, or out of the said Hereditaments and Premises comprised in or in any Manner affected by this Act as aforesaid, as they or any of them respectively had before the passing, or respectively could or might have had, held, enjoyed, or been entitled to in case this Act had not been passed.

This Act as
printed by
the Queen's
Printers to
be Evidence.

XI. And be it further enacted, That this Act shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom; and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

The FIRST SCHEDULE referred to by the above Act.

The Rectories or Parsonages of the Parishes of Pennard and Llangennith in Gower in the County of Glamorgan, with the Tithes of Corn and Grain thereto belonging, the Glebe, Mill, and Manor of Priorstown otherwise East Town, Llangennith in the said Parish of Llangennith, and the Advowson of the Vicarages of the said Parishes. — The Property of the Warden and College of All Souls, Oxford.

| | Net Annual Value. | | | Years Purchase. | Value in Fee. | | |
|---|-------------------|----|----|-----------------|---------------|----|----|
| | £ | s. | d. | | £ | s. | d. |
| Pennard Parish, Tithes of Corn and Grain, William Jones, Tenant | 112 | 1 | 0 | | | | |
| Llangennith Parish, Ditto, Thomas Evan and Richard Jenkins, Lessees | 130 | 10 | 0 | | | | |
| | 242 | 11 | 0 | 22 | 5,336 | 2 | 0 |
| Rent-charge on Blackhill's Land, 2 <i>l.</i> paid by Rector of Bishopstone | 1 | 11 | 0 | 26 | 40 | 6 | 0 |
| Llangennith Glebe House and Lands, Thomas Evan and Richard Jenkins, Lessees | 34 | 14 | 0 | 26 | 902 | 4 | 0 |
| Ditto Corn Mill and Land, Thomas Evans and Richard Jenkins, Lessees | 12 | 12 | 0 | 18 | 226 | 16 | 0 |
| Priorstown Manor Chief Rents | 5 | 16 | 5½ | 16 | 93 | 3 | 0 |
| Ditto Manorial Rights | - | - | - | - | 120 | 0 | 0 |
| | 297 | 4 | 5 | | 6,718 | 11 | 0 |
| Deduct the Value of Messrs. Jenkins' present Lease of Llangennith Tithes, &c. | - | - | - | - | 205 | 11 | 0 |
| | Total | | | - | 6,513 | 0 | 0 |
| The Advowson of the Vicarages of the Parishes of Pennard and Llangennith, the Reverend Richard Williams, Incumbent, aged Sixty-three: — | | | | | | | |
| Pennard Vicarial Tithes, &c. | 17 | 0 | 0 | | | | |
| Queen Anne's Bounty (200 <i>l.</i>) to Pennard | 6 | 10 | 0 | | | | |
| Llangennith Vicarial Tithes, House, &c. | 26 | 0 | 0 | | | | |
| An Estate called Cwm Inon Farm, consisting of a Farmhouse, Barn, Beast House, Stable, small detached House, Barn, and Cottage, and about Seventy-six Acres of Land, in the Parish of Llangendeirne in the County of Carmarthen, Thomas Walter, Lessee for Three Lives: One has dropped, the Two remaining are of the Ages of Seventy-eight and Eighty-four. | 36 | 8 | 0 | | | | |
| | 85 | 18 | 0 | 18 | 1,546 | 4 | 0 |
| Deduct the Interest of the present Incumbent | - | - | - | - | 687 | 4 | 0 |
| | Total | | | - | £859 | 0 | 0 |
| Total Value of the Fee Simple of Tithes of Corn and Grain, Glebe, Manor and Advowson | 7,372 | 0 | 0 | | | | |

Chr. Crouch.

The SECOND SCHEDULE referred to by the above Act.

A Freehold Farm called Gray's and Fortescue's Farms in the Parishes of Newton Bromshold and Higham Ferrers in the County of Northampton, One undivided Third Part of the Manor of Newton Bromshold, and the Advowson of the Rectory of Newton Bromshold. — The Property of Thomas Penrice, Esquire.

PART FIRST.

| | Net Annual Value. | | | Years Purchase. | Value of Fee-Simple. | | |
|--|-------------------|----|----|-----------------|----------------------|----|----|
| | £ | s. | d. | | £ | s. | d. |
| Gray's Farm, Thomas Browning, Tenant, consisting of Farmhouse, Barns, Stable, &c., Cottage, and 154A. 1R. 36P. of Land, Tithe-free | 157 | 12 | 9 | | | | |
| Fortescue's Farm, Thomas Rootham, Tenant, consisting of Farmhouse, Barns, Stables, and Two Coach Houses, and 61A. 3R. 22P. of Land, Tithe-free | 71 | 13 | 6 | | | | |
| One undivided Third Part of the Manor of Newton Bromshold, called Dewell's Manor, of no Annual Value. | | | | | | | |
| | 229 | 6 | 3 | 26 | 5,962 | 2 | 6 |
| Value of the Timber and Wood on the Two Farms | - | - | - | - | 177 | 7 | 0 |
| | | | | | 6,139 | 9 | 6 |

PART SECOND.

The Advowson of the Rectory of Newton Bromshold, consisting of the Rectory Farm (consisting of Farmhouse, Barns, Stables, &c.), and 169A. 1R. 27P. of Land, Tithe-free, a Cottage, and the Herbage of the Churchyard, containing 2R. 5P. The Land Tax redeemed. — The Reverend John Cooper, Incumbent, aged Seventy-eight.

| | Net Annual Value. | | | Years Purchase. | Value of Fee. | | |
|---------------------------------------|-------------------|----|----|-----------------|---------------|----|-------------|
| | £ | s. | d. | | £ | s. | d. |
| Rectory Farm, &c. John Ellson, Tenant | 181 | 5 | 0 | 14 | 2,537 | 10 | 0 |
| Timber and Trees | - | - | - | - | 1 | 0 | 0 |
| | | | | | 2,538 | 10 | 0 |
| Deductions: | | | | | | | |
| Interest of present Incumbent | 725 | 0 | 0 | | | | |
| Repairs of Chancel, 10s. per Annum | 13 | 0 | 0 | | 738 | 0 | 0 |
| | | | | | | | 1,800 10 0 |
| Total Value of Estate and Advowson | - | - | - | - | - | - | £7,939 19 6 |

Chr. Crouch.