ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 158.

An Act to enable the Vicar, for the Time being, of the Vicarage of *Kidderminſter*, in the County of *Worceſter*, to grant Building Leaſes of certain Glebe Lands, belonging to the ſaid Vicarage, and to ſell the preſent Vicarage Houſe, Garden, and Out Offices occupied therewith, and certain Part of the Glebe Land, and to purchaſe Land and build thereon a new Vicarage Houſe. [9th *June* 1812.]

WHEREAS *Richard Francis Onſlow* Clerk, Maſter of Arts, is Vicar of the Vicarage of *Kidderminſter*, with the Chapel of *Mitton* annexed, in the County and Dioceſe of *Worceſter*, and is in Right of the ſaid Vicarage ſeiſed of certain Glebe Lands ſituated in the Borough of *Kidderminſter*, and in the Hamlet of *Lower Mitton* in the Foreign of *Kidderminſter*, and is alſo ſeiſed of the Vicarage Houſe, with the Coach Houſe, Stables, Out Offices, and Gardens thereto belonging, ſituated in the Borough of *Kidderminſter* aforeſaid, containing in the Whole Thirty-two Acres Two Roods and Five Perches, Statute Meaſure, or thereabouts: And whereas the Right Honourable *Thomas* Lord *Foley* is the Patron of the ſaid Vicarage: And whereas the Trade and Population in the Borough of *Kidderminſter* aforeſaid has of late Years greatly increaſed, and the Situation of Part of the ſaid Glebe Lands there is well ſuited for Trade and Manufactory, and great Benefit would ariſe to the ſaid Vicarage, and to the Inhabitants of *Kidderminſter* aforeſaid, if Power were given to the ſaid Vicar, for the Time being, to grant a Leaſe or Leaſes of the ſaid Glebe Lands in the Borough of *Kidderminſter*, ſet forth

forth in the First Schedule to this Act, for a Term of Years sufficient to encourage Persons to build upon and improve the same: And whereas the said Vicarage House is an ancient Building in a low and unhealthy Situation, and the recent Establishment of several Dye Houses and Carpet Manufactories in the immediate Vicinity thereof, and the frequent Overflowings of the River *Stour* render the Situation of the said Vicarage House very damp and unhealthy: And whereas the Situation of the present Vicarage House, Coach House, Stables, Out Offices, and Gardens, and other Part of the said Glebe Land, containing together Three Acres and Six Perches, set forth in the First Part of the Second Schedule, situate in the Borough of *Kidderminster*, is well adapted for Trade and Manufactory, and Seventeen Acres and Thirty-five Perches of the said Glebe Lands situate in the Hamlet of *Lower Mitton* aforesaid, set forth in the Second Part of the said Second Schedule, are well adapted for Building and other Purposes, and it would be very beneficial to the said Vicarage, if Permission were given to sell the present Vicarage House, Coach House, Stables, and Offices, Gardens, and Glebe Lands, containing Three Acres and Six Perches, in the Borough of *Kidderminster*, and also the said Seventeen Acres and Thirty-five Perches of the said Glebe Lands, in the Hamlet of *Lower Mitton* aforesaid: And whereas the said *Richard Francis Onslow* has contracted and agreed with the Honourable *Andrew Foley* and Sir *Thomas Edward Winnington* Baronet, (the Trustees named in the Settlement made on the Marriage of the said *Thomas* Lord *Foley*), with the Consent of the said *Thomas* Lord *Foley*, and Lady *Cecilia Olivia* his Wife, for the Purchase of the Fee Simple and Inheritance, free from all Incumbrances, of the several Pieces or Parcels of Land in the Foreign of *Kidderminster* aforesaid, particularly described in the Third Schedule to this Act: And whereas Part of the said Land so contracted for is an eligible Situation for a new Vicarage House, Out Offices, and Garden for the said Vicarage, and the Residue thereof is Land desirably situated for Occupation, with the new Vicarage House intended to be built by virtue of this Act; but the Purchase Money for such Land cannot be raised by the said Vicar of the said Vicarage, nor can the several other Purposes aforesaid, although highly beneficial to all Persons interested in the said Vicarage, be effected without the Aid and Authority of Parliament; therefore Your Majesty's most dutiful and loyal Subjects, the said *Thomas* Lord *Foley* and *Richard Francis Onslow*, do most humbly pray 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 for the Vicar of the Parish and Parish Church of *Kidderminster*, with the Chapel of *Mitton* annexed, in the County and Diocese of *Worcester*, for the Time being, by Indenture or Indentures by him sealed and delivered in the Presence of, and to be attested by Two or more credible Witnesses, by and with the Consent of the Bishop of *Worcester* for the Time being, to be signified by any Writing under his Hand and Seal, from Time to Time, and at any Time or Times hereafter, to demise or lease all or any Part or Parts of the said Glebe Lands, not exceeding in the whole Ten Acres and Thirty-two Perches (Statute Measure), or thereabouts (particularly described in the First Schedule to this Act), for any Term or Number of Years, not exceeding Ninety-nine Years, unto any Person or Persons who shall be willing to take, build upon, and improve the same, by building and erecting, or causing to be built and erected thereon, any Houses, Out

The Vicar empowered to grant Leases, &c.

Houſes, Edifices, Buildings, or Structures, together with Ground ſufficient for any Garden, Yard, Road, Way, or Paſſage, for the Uſe and Convenience of the Leſſees, and others the Tenants and Occupiers of the ſame Premiſes, which Leaſe or Leaſes as aforeſaid ſhall be renewable at any Time, and ſhall commence and take Effect in Poſſeſſion, and not in Reverſion, ſo as on the ſaid Leaſe or Leaſes originally to be granted, or by way of Renewal, there be reſerved the beſt and moſt improved yearly Ground Rent or Ground Rents, that can be had or obtained for the Benefit of the ſaid Vicar, and his Succeſſors, to be paid Quarterly, without taking any Sum of Money, or other Thing, by way of Fine, Income, Premium, or Foregift, and ſo as the Leſſee or Leſſees to whom ſuch Leaſe or Leaſes ſhall be granted, do execute a Counterpart or Counterparts thereof, and enter into Covenants to build, and keep and leave in Repair the Meſſuages and Buildings intended and agreed to be built on the Premiſes ſo to be leaſed, and to deliver up Poſſeſſion of the ſame reſpectively, at the Expiration of the Term or Terms in ſuch Leaſe or Leaſes ſo to be granted, and ſo as in ſuch Leaſe or Leaſes reſpectively there be contained a Power of Re-entry for Non-payment of the Rent or Rents thereby to be reſerved.

Vicarage Houſe and Gardens veſted in Truſtees to be ſold.

II. And be it further enacted, That the ſaid Vicarage-Houſe, Coach Houſe, Stables, Out Offices, Gardens, Land, and Premiſes, ſituate, lying, and being in the Borough and Foreign of *Kidderminſter*, in the Pariſh of *Kidderminſter* aforeſaid, belonging to the ſaid Vicarage, and more particularly deſcribed in the Second Schedule to this Act, together with their reſpective Rights, Members, and Appurtenances, and the Reverſion and Reverſions, Remainder and Remainders, Rents, Iſſues, and Profits thereof, ſhall, from and immediately after the paſſing of this Act, be veſted in *Edward Bigg* of *Southampton Buildings*, in the Pariſh of *Saint Andrew, Holborn*, in the County of *Middleſex*, Gentleman, and *George Hallen* of *Kidderminſter*, in the County of *Worceſter*, Gentleman, their Heirs and Aſſigns for ever, freed and abſolutely diſcharged of and from all Eſtates, Rights, Intereſts, Claims, and Demands whatſoever, of the ſaid *Thomas* Lord *Foley*, as Patron of the ſaid Vicarage, or of the ſaid *Richard Francis Onſlow*, or his Succeſſors for the Time being, Vicars of the ſaid Pariſh and Pariſh Church of *Kidderminſter*, in reſpect of the ſaid Vicarage, or any Perſon or Perſons lawfully claiming or to claim by, from, under, or in Truſt for them, or any of them, in reſpect of the Advowſon or Preſentation to the ſaid Vicarage, upon Truſt, nevertheleſs that they the ſaid *Edward Bigg* and *George Allen*, or the Survivor of them, or the Heirs or Aſſigns of ſuch Survivor, do and ſhall, as ſoon as conveniently may be after the paſſing of this Act, make Sale and diſpoſe of the preſent Vicarage Houſe, Coach Houſe, Stables, Out Offices, Gardens, Land, and Premiſes, or any of them, or any Part or Parts thereof, either together or in Parcels, for the beſt Price or Prices, in Money, that can be reaſonably had or gotten for the ſame, and upon Payment into the Bank of *England* of the Purchaſe Monies in Manner herein-after mentioned, ſhall grant, convey, and aſſure the ſaid Vicarage Houſe, Coach Houſe, Stables, Out Offices, Gardens, Land, and Premiſes, or any Part or Parts thereof, with the Appurtenances, unto and to the Uſe of the Purchaſer or Purchaſers thereof, and his, her, or their Heirs and Aſſigns, or to ſuch Uſes as he, ſhe, or they ſhall direct, freed and diſcharged as aforeſaid: Provided always, that nothing herein contained ſhall authorize or empower the ſaid *Edward Bigg* and *George Hallen*, or the Survivor of them, or the Heirs or Aſſigns of ſuch Survivor,

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to make Sale or diſpoſe of the preſent Vicarage Houſe, Coach Houſe, Stables, Out Offices, or Gardens, to the ſaid Vicarage belonging, until the ſaid Purchaſe, ſo as aforeſaid agreed to be made, ſhall be carried into Effect, or in Default thereof, a proper Purchaſe of other Land, to be approved and certified in Manner herein mentioned ſhall be made, whereon a new Vicarage Houſe and Out Offices may be erected, according to the Directions of this Act.

The Purchaſe Monies to be paid into the Bank, and laid out in Government Bills.

III. And be it further enacted, That all the Purchaſe Monies for the ſaid Hereditaments and Premiſes, hereby made ſaleable as aforeſaid, ſhall be paid by the Purchaſer or Purchaſers 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 Purchaſer or Purchaſers of the Vicarage Houſe, Out Offices, and Land belonging to the Vicarage of *Kidderminſter*, in the County of *Worceſter*, purſuant to the Method preſcribed by the Act of the Twelfth Year of King *George* the Firſt, Chapter Thirty-two, 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 Twenty-four, and ſhall when ſo paid in, be laid out in the Purchaſe of Navy, Victualling, or Exchequer Bills; and the Intereſt ariſing from the Money ſo laid out in the ſaid Navy, Victualling, or Exchequer Bills, and the Money received for the ſame, as they ſhall be reſpectively paid off by Government, ſhall be laid out, in the Name of the ſaid Accountant General, in the Purchaſe of other Navy, Victualling, or Exchequer Bills; all which ſaid Navy, Victualling, and Exchequer Bills ſhall be depoſited in the Bank, in the Name of the ſaid Accountant General, and ſhall there remain until the ſame ſhall, upon a Petition to be preferred to the Court of Chancery, in a ſummary Way, by or on Behalf of the ſaid *Richard Francis Onſlow*, or his Succeſſors in the ſaid Vicarage, be ordered to be ſold by the ſaid Accountant General, for carrying the ſeveral Purpoſes of this Act into Execution.

The Purchaſers indemnified.

IV. And be it further enacted, That the Certificate and Certificates to be given by the ſaid Accountant General, together with the Receipt and Receipts of one of the Caſhiers 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 ſuch Purchaſer or Purchaſers, of his, her, or their Purchaſe Money, ſhall from Time to Time, and at all Times be, and be deemed and taken to be a good and ſufficient Diſcharge to ſuch Purchaſer or Purchaſers, and to his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, for ſo much of the ſaid Purchaſe Monies for which ſuch Certificate or Certificates, and Receipt or Receipts as aforeſaid, ſhall reſpectively be given; and that after the filing of ſuch Certificate or Certificates, and Receipt or Receipts as aforeſaid, ſuch Purchaſer or Purchaſers, and his, her, and their reſpective Heirs, Executors, and Adminiſtrators, ſhall be, and is and are hereby abſolutely acquitted and diſcharged of and from the ſame Monies, and ſhall not be anſwerable or accountable for any Loſs, Miſ-application, or Non-application thereof, or of any Part thereof.

V. Provided alſo, and be it further enacted, That the ſaid *Edward Bigg* and *George Hallen*, and each of them, their and each of their Heirs, Executors, and Adminiſtrators, ſhall, by and out of the Rents and Profits of the Hereditaments and Premiſes hereby made ſaleable as aforeſaid, or

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by or out of the Monies arising by Sale thereof, be fully paid, reimburſed, and indemnified againſt all Coſts, Charges, and Expences of the Truſts aforeſaid, or the Execution thereof.

Application of the Monies ariſing from the Sale of Vicarage Houſe and Premiſes

VI. And be it further enacted, That it ſhall and may be lawful 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 Behalf of the ſaid *Richard Francis Onſlow*, or his Succeſſors in the ſaid Vicarage, to order and direct the Monies herein-before directed to be paid into the Bank of *England*, or the Monies to be produced by Sale of the aforeſaid Navy, Victualling, or Exchequer Bills, after Payment of the Coſts, Charges, and Expences of this Act, and of the aforeſaid Sales and Diſpoſitions, and of the Application of the ſaid ſeveral Purchaſe Monies, or of the ſaid Purchaſe or Purchaſes, or incidental thereto, and of the Truſts aforeſaid, and of reimburſing and indemnifying the ſaid Truſtees as aforeſaid, or any Part thereof, to be paid and applied in Manner, and for the Purpoſes following; that is to ſay, in caſe the ſaid Contract for, and the Title to the ſaid Lands mentioned in the Third Schedule to this Act, ſhall be approved of by the ſaid Court of Chancery, a competent Part of ſuch Monies for the Purchaſe of ſuch Land; and in caſe the ſaid Contract for, and the Title to ſuch Lands, ſhall not be ſo approved, then for the Purchaſe of other Lands in the ſaid Pariſh, which may be approved of and certified by the Biſhop of *Worceſter* for the Time being, under his Hand and Seal, to be an eligible Situation for the Erection of a Dwelling Houſe for the Vicar of the ſaid Vicarage, and convenient to be occupied therewith, the Purchaſe of and Title to which Lands ſhall have been previouſly approved of by the ſaid High Court of Chancery on ſuch Petition as aforeſaid; and the Reſidue, or a competent Part of ſuch Money, to ſuch Perſon or Perſons as the ſaid Biſhop for the Time being, may appoint under his Hand and Seal, to receive the ſame, for the Purpoſe of laying out the ſame in the Erection and Building upon ſuch Part of the ſaid Land mentioned in the ſaid Third Schedule to this Act, in caſe the Title thereto be approved of as aforeſaid; and the ſame be conveyed to the ſaid Vicar, as the ſaid Biſhop ſhall approve of, or upon any other Land to be purchaſed by virtue of this Act, and approved of by the ſaid Biſhop, a good and ſubſtantial Dwelling Houſe, with ſuitable Out Buildings and Offices, with a Garden thereto, fit for the Reſidence and Habitation of the Vicar for the Time being, of the ſaid Vicarage of *Kidderminſter*, with the Chapel of *Mitton* annexed, upon a Plan to be previouſly ſettled and approved of by the ſaid Biſhop; and the Reſidue, if any, of ſuch Monies which ſhall remain, after anſwering the Purpoſes herein-before mentioned, in caſe the ſame ſhall amount to One hundred Pounds, to and for the Purchaſe of Fee Simple Land within the ſaid Pariſh of *Kidderminſter*, to be approved by the ſaid Biſhop and Vicar; but in caſe ſuch Surplus ſhall be leſs than One hundred Pounds, the ſame to be paid with the Approbation of the Biſhop and Patron, to the Vicar of the ſaid Vicarage for the Time being, to be laid out by him for the Improvement of the ſaid Vicarage Houſe, Out-Offices, and Premiſes, in ſuch Manner as the ſaid Biſhop and Patron ſhall approve and direct.

New Vicarage Houſe to be the Reſidence of the Vicar.

VII. Provided alſo, and be it further enacted, That ſuch new Vicarage Houſe, Out Offices, and Premiſes, ſo directed to be built as aforeſaid, and the Garden thereto, ſhall be erected, completed, and finiſhed, at a Price not exceeding Three thouſand Pounds, within Three Years from the Time of ſelling the preſent Vicarage Houſe and Premiſes, and when ſo

completed and finiſhed, ſhall be deemed, accepted, and taken, by the ſaid Vicar for the Time being, as and for the Vicarage Houſe and Place of Reſidence of the Vicar of the Vicarage of *Kidderminſter*, with the Chapel of *Mitton* annexed, in the County and Dioceſe of *Worceſter*, in lieu and inſtead of the preſent Vicarage Houſe; and all the Land to be purchaſed under the Directions and by virtue of this Act, ſhall be conveyed to the Vicar of the ſaid Vicarage for the Time being, and his Succeſſors, Vicars of the ſaid Vicarage, for ever, and ſhall belong to, and be conſidered Part of the Glebe Lands of the ſaid Vicarage, and be held and enjoyed by the Vicar for the Time being of the ſaid Vicarage, without his being ſubject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain.

Until Sale, Rents to be received as before the paſſing of the Act.

VIII. Provided always, and be it further enacted, That in the mean Time and until any Sale or Sales, and Conveyance or Conveyances ſhall be completed, and made in purſuance of this Act, of the ſaid Vicarage Houſe, Coach Houſe, Stables, Out Offices, Gardens, and Lands, the ſaid *Edward Bi g* and *George Hallen*, their Heirs and Aſſigns, ſhall permit and ſuffer the ſaid Hereditaments hereby veſted in them as aforeſaid, to be holden and enjoyed, and the Rents, Iſſues, and Profits thereof, to be had, received, and taken by and for the Benefit of ſuch Perſon or Perſons as would be entitled to, and ought to hold, enjoy, and receive the ſame in caſe this Act had not been made.

Court of Chancery may order Payment of Coſts and Expences.

IX. Provided always, and be it further enacted, That it ſhall and may be lawful for the ſaid Court of Chancery, from Time to Time, to make ſuch Order or Orders as to the ſame Court ſhall ſeem meet for ſettling and aſcertaining the Coſts, Charges, and Expences incident to, and attending, or in anywiſe relating to the applying for and obtaining and paſſing of this Act, and the Coſts, Charges, and Expences attending or relating to the Sales and Purchaſes hereby authorized, or of, or relating to, the Applications to be made to the ſaid Court, reſpecting the Matters and Truſts, and Execution thereof as aforeſaid, and alſo for Payment of all ſuch Coſts, Charges, and Expences, as aforeſaid, out of the Monies which ſhall be ſo paid into the Bank as aforeſaid, or out of the Monies ariſing by Sale of the Navy, Victualling, or Exchequer Bills ſo to be purchaſed, as aforeſaid, or by and out of the Dividends and Intereſt thereof.

General Saving.

X. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every Perſon and Perſons, Bodies Politic or Corporate, his, her, or their Heirs, Succeſſors, Executors, or Adminiſtrators, (other than and except the Patron or Patrons for the Time being of the ſaid Vicarage, and the ſaid *Richard Francis Onſlow*, and every other Vicar for the Time being of the ſaid Vicarage), all ſuch Eſtate, Right, Title, Intereſt, Claims, and Demands, of, in, and out of all and ſingular the ſaid Vicarage Houſe, Lands, and Premiſes, ſo to be ſold as aforeſaid, as they, every or any of them reſpectively had before the paſſing of this Act, or could or might have had, held, or enjoyed, in caſe this Act had not been made.

Evidence Clauſe.

XI. And be it further enacted, That this Act ſhall be printed by the ſeveral Printers to the King'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 to which this Act refers.

Lands in the Borough of Kidderminſter, in the County of Worceſter, propoſed to be leaſed.

Tenant.		A. R. P.
Robert Shirley.	Three Meadows, called the Vicarage Meadows, with a ſmall Garden adjoining -	10 — 32

HEN. JACOB.

The Second SCHEDULE to which this Act refers.

Buildings and Land in the ſaid Borough of Kidderminſter, and in the Hamlet of Lower Mitton, in the ſaid County of Worceſter, intended to be ſold.

Tenants.		A. R. P.	A. R. P.
	FIRST PART.		
Rev. Rob^{t}. Wylde,	The Vicarage Houſe with Garden walled round, and adjoining thereto	— 1 35	
Rev. Rob^{t}. Wylde and Edward Pritchard,	Garden near thereto - -	— — 32	
Edward Pritchard, Robert Shirley, and Cooper,	Stable, Barn, Coach Houſe, Straw Houſe, Fold Yard, and other Out-Offices belonging to the Vicarage	— — 19	
Robert Shirley,	A Meadow called Pike Meadow, in the ſaid Borough - - -	2 1 —	
			3 — 6
	SECOND PART.		
—— Stringer,	A Meadow called Lye Meadow, in the Hamlet of Lower Mitton -	1 2 35	
Ditto.	A Piece of Arable Land called Old Fellow - - -	6 1 37	
Ditto.	A Piece of Arable Land called Glebe Tining - - -	2 3 —	
Ditto.	Ditto Part of Church Hill -	3 — 2	
Ditto.	Ditto Part of Little Ditto -	— 2 17	
Ditto.	A Meadow called Prieſt Meadow	2 2 24	
			17 — 36
			20 1 1

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The Third SCHEDULE to which this Act refers.

Lands in the Foreign of Kidderminſter, agreed to be purchaſed by the ſaid Richard Francis Onſlow, from the Honourable Andrew Foley and Sir Thomas Edward Winnington Baronet.

Tenant.		A.	R.	P.
John Hillman -	A Piece or Parcel of Arable Land, in the Foreign of Kidderminſter, in the County of Worceſter, called Middle Field, and Part of a certain Farm called Aggborough Farm - - -	17	3	35
Ditto - -	Alſo Part of the Piece or Parcel of Land called Far Field, adjoining, on the North Side, the ſaid laſt mentioned Piece or Parcel of Arable Land - -	15	3	15
Ditto - -	Alſo all that Piece or Parcel of Land uſed as Garden Ground, adjoining the Weſt End of the ſaid laſt mentioned Piece of Land, containing - - -	—	—	30
	Total Acres - -	34	—	—

HEN. JACOB.

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