ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 187.

An Act to repeal ſo much of an Act paſſed in the Forty-eighth Year of His preſent Majeſty, for incloſing Waſtes in the Townſhip of *Minera* in the County of *Denbigh*, as ſubjects the Owners of certain Mines there to Damages for working the ſame, and as authorizes any Perſon to get Stone from any Mines of Stone in the ſaid Waſtes.

[19th *June* 1809.]

WHEREAS an Act was paſſed in the Forty-eighth Year of His preſent Majeſty's Reign, for incloſing divers Commons and Waſte Lands, containing Four hundred and eighty Acres or thereabouts, in the Townſhip of *Minera*, in the Pariſh of *Wrexham*, in the County of *Denbigh*: And whereas by virtue of certain Letters Patent of His late Majeſty King *Charles* the Firſt, under the Great Seal of *Great Britain*, bearing Date the Eighth Day of *December* in the Seventh Year of His ſaid late Majeſty's Reign, the Right Honourable *Robert* Earl *Groſvenor* is ſeiſed in Poſſeſſion of (among other Things) all Mines of Coal, Stone, and Lead, and all Materials to make Lead, within the whole Lordſhips of *Bromfield* and *Yale*, in the County of *Denbigh*, in all Places whatſoever where Stone, Coal, and Materials to make Lead can be found within the whole Lordſhips aforeſaid, under Ground or above Ground; and he and his Leſſees are now working Coal Mines and Lead Mines in and upon the ſaid Commons and Waſtes within the Townſhip of *Minera*, within the ſaid Lordſhips or One of them: And whereas prior to the paſſing of the ſaid 48 G. 3.

Act, the said *Robert* Earl *Grosvenor* and his Lessees were entitled by Law to win and work all such Mines and Minerals in or under the said Commons and Wastes, without making any Compensation for Damage or Spoil of Ground in winning and working the same: And whereas on the Application to Parliament for the said Act, it was consented and agreed to on the Part of the Persons interested, that the said Mines and Minerals in or under the said Commons and Waste Lands, and the Right and Privilege of winning and working the same without making any Compensation for Damage or Spoil of Ground, should be saved and reserved to the said Earl, his Heirs and Assigns, as fully and amply as he enjoyed the same before the passing of such Act, and it was the Intention of all the Persons consenting to the said Bill, that a Provision for that Purpose should be inserted therein; but since the said Act passed, it has been discovered that the said *Robert* Earl *Grosvenor*, his Heirs and Assigns, and all other Persons working the said Mines and Minerals, are by the said Act subjected or made liable to the Payment of Satisfaction for any Damage or Injury thereby done to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, sustaining such Damage or Injury: And whereas it is reasonable and just that the Provision last before-mentioned should be amended, conformably to the Intention of the Parties interested, more especially as the said Earl, not being Owner of the Soil of the said Commons or Wastes, nor of any Lands in the said Township, is not interested in the Division and Inclosure of the said Commons and Wastes, and can derive no Benefit or Advantage therefrom: And whereas it is apprehended that some of the Provisions contained in the said Act, may infringe upon the Rights and Privileges of the said Earl to the Mines of Stone in, upon, and under the said Commons and Wastes: May it therefore please 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 so much and such Part and Parts of the said Act of the Forty-eighth Year of the Reign of His present Majesty, as in any Manner doth, or do, or can or may subject or make liable the said *Robert* Earl *Grosvenor*, his Heirs or Assigns, or his or their Lessee or Lessees, or the Person or Persons who for the Time being shall by virtue of the said Letters Patent be entitled to the said Mines of Coal, Stone, and Lead, and Materials to make Lead, in upon or under the said Commons and Waste Lands by the said Act directed to be divided and inclosed, or any Part thereof, to make or pay any Satisfaction or Compensation for any Damage or Spoil of Ground, or any other Damage or Injury done or occasioned, or to be done or occasioned by the working of the said Mines of Coal, Stone, and Lead, and Materials to make Lead, or exercising any other lawful Rights and Privileges in about or concerning the same Mines of Coal, Stone, and Lead, and Materials to make Lead, shall be and the same is and are hereby repealed and made void.

So much of said Act as subjects Earl Grosvenor to Damages for working Mines and authorizes other Persons to work Quarries, repealed.

II. And be it further enacted, That it shall be lawful for the said *Robert* Earl *Grosvenor*, his Heirs and Assigns, and his and their Lessee and Lessees, Tenant and Tenants for the Time being, to work, use, and enjoy all the said Mines of Coal, Stone, and Lead, and Materials to make Lead, which, before the passing of this Act have been or hereafter can be found under Ground or above Ground, in or upon any of the said Commons or Waste Lands by the said Act directed to be divided and inclosed, in as full, ample, and

Earl Grosvenor may work Mines under the Wastes, as before the recited Act.

and beneficial a Manner as he and they respectively were lawfully entitled to work, use, and enjoy the same before the passing of the said recited Act.

This Act shall not give Earl Grosvenor any other Right to the Mines than he had before the recited Act.

III. Provided always, and it is hereby enacted, That nothing in this Act contained shall extend or be construed to extend to give to the said *Robert* Earl *Grosvenor*, his Heirs or Assigns, Lessee or Lessees, Tenant or Tenants, any Right or Title to the said Mines of Coal, Stone, and Lead, and Materials to make Lead, or any of them in the said Letters Patent mentioned, or to the working, using, and Enjoyment of the same, other than such Right and Title to the same, and to the working, using, and Enjoyment thereof, as the said *Robert* Earl *Grosvenor*, his Lessee or Lessees, Tenant or Tenants, lawfully had immediately before the passing of the said recited Act.

Act to be printed by the King's Printer.

IV. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1809.