CHAPTER clxxi.

An Act to empower the South Staffordshire Mines Drainage Commissioners to impose a charge on Mines belonging to certain Collieries as collateral security for money raised by them and to amend the Acts relating to the said Commissioners. [17th August 1894.]

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WHEREAS the South Staffordshire Mines Drainage Act 1873 (in this Act referred to as "the Act of 1873") was passed for the purpose of facilitating the drainage of mines in parts of South Staffordshire and East Worcestershire: 36 & 37 Vict. c. cl.

And whereas the South Staffordshire Mines Drainage Act 1878 (in this Act referred to as "the Act of 1878") was passed for the purpose of varying and amending the provisions of the Act of 1873: 41 & 42 Vict. c. lxxxi.

And whereas the South Staffordshire Mines Drainage Act 1882 (in this Act referred to as "the Act of 1882") was passed for the purpose of varying and amending the provisions of the Act of 1873 and the Act of 1878: 45 & 46 Vict. c. cxxxi.

And whereas the South Staffordshire Mines Drainage Act 1891 (in this Act referred to as "the Act of 1891") was passed for the purpose of varying and amending the provisions of the Act of 1873 the Act of 1878 and the Act of 1882: 54 & 55 Vict. c. clxxxv.

And whereas the arbitrators appointed under the provisions of the Act of 1873 shortly after their appointment divided the drainage area into drainage districts in accordance with the directions contained in the twenty-third section of the same Act and one of such districts as subsequently altered by an award of the arbitrators dated the ninth day of March one thousand eight hundred and eighty-one is called or known by the name of "the Tipton district":

And whereas under the provisions of the South Staffordshire Mines Drainage Acts 1873 to 1882 (in this Act referred to as "the Acts of 1873 to 1882") the Commissioners from time to time

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borrowed divers sums of money on mortgage of the mines drainage rate levied in the said Tipton district (in this Act referred to as "the Tipton rate") and the total sum of two hundred and sixty-five thousand two hundred and ninety-five pounds is now owing in respect of principal moneys with an arrear of interest:

And whereas the Commissioners being unable to pay the current interest on the said sum so borrowed an action was commenced on the twenty-fourth day of October one thousand eight hundred and eighty-eight in the Chancery Division of the High Court by Francis William Victor Mitchell and John Biddle Manly as plaintiffs on behalf of themselves and all other their co-mortgagees of the Tipton rate against the Commissioners in which action the plaintiffs claimed the appointment of a receiver of the said rate and other incidental relief and by the judgment in the said action dated the second day of November one thousand eight hundred and eighty-eight divers accounts and inquiries were ordered to be taken and made and one Edmund Howl of the Quarries Gornal Staffordshire the manager of the Commissioners was appointed receiver of the Tipton rate And it was ordered that the said Edmund Howl should out of the moneys to be received by him pay all expenses chargeable to the said rate and all necessary and proper contributions (properly chargeable to the said rate) towards general expenses incurred by the Commissioners from time to time for the due carrying out by the Commissioners of the duties imposed on them by the Acts of 1873 to 1882 and should pay the balances (if any) from time to time in his hands into court:

And whereas the annual amount produced by the Tipton rate after payment thereout of the expenses and contributions directed by the said judgment was found to be insufficient to keep down the interest on the said sum of two hundred and sixty-five thousand two hundred and ninety-five pounds:

And whereas a large portion of the mines or underground workings in the Tipton district being still submerged it was and still is considered that if such mines and workings could be freed from water and were worked a very large addition would be made to the Tipton rate and by such means the principal moneys and interest so secured as aforesaid could be paid off within a reasonable period:

And whereas the Commissioners were unable by reason of their want of funds to carry into effect the works necessary for freeing from water the said submerged mines and workings and by the Act of 1891 they were accordingly empowered to borrow any moneys either at one time or several times not exceeding in the whole one hundred thousand pounds on the security of a mortgage or mortgages of

the Tipton rate and of all other moneys in the nature of income receivable by the Commissioners from any other source in respect of the drainage of mines in the Tipton district only and also (subject to certain exceptions) on all property of the Commissioners for the time being situate in the Tipton district and acquired by them for the purposes of the drainage of mines in that district (which rate income and property thereby authorised to be mortgaged are in this Act referred to as "the Tipton revenue and property"):

And by the Act of 1891 it was further enacted that such mortgages (in the Act of 1891 and in this Act referred to as "mortgages of the A Class") should rank (as between themselves pari passu without priority one over another) as a first charge on the Tipton revenue and property in priority to all existing mortgages of the Tipton rate:

And by the Act of 1891 it was further enacted that all moneys borrowed by the Commissioners under the provisions of that Act should be applied by the Commissioners in the execution of works which might be recommended by the arbitrators for freeing from water and keeping free the whole or any part or parts of the mines and underground workings situate in the Tipton district:

And whereas by the Act of 1891 certain restrictions were imposed on the Commissioners in relation to expenditure and to re-borrowing and the said existing mortgage debt was consolidated and the future interest thereon was reduced and the arrears of interest funded and the said action was stayed and a committee called "the mortgagees' committee" was appointed to represent the several persons who for the time being were holders of mortgages representing then existing mortgages (in the said Act and in this Act referred to as "mortgages of the B Class") with certain powers:

And whereas notwithstanding the provisions of the Act of 1891 the Commissioners have been unable to raise the said sum of one hundred thousand pounds or any part thereof on the security of mortgages of the A Class that is to say on the security of the Tipton revenue and property only:

And whereas it is expedient and in the interests of the owners mortgagees and occupiers of mines in the Tipton district that the Commissioners should be empowered to borrow the said sum of one hundred thousand pounds not only primarily on the security of the Tipton revenue and property under the provisions of the Act of 1891 but also secondarily and in aid of such last-mentioned security on the security of a first and paramount charge on the fee simple and inheritance of certain of the mines and minerals situate within the said Tipton district:

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And whereas the objects aforesaid cannot be attained without the authority of Parliament:

May it therefore please 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 as follows (that is to say):—

Preliminary.

Short title.

1. This Act may be cited as the South Staffordshire Mines Drainage Act 1894 and the South Staffordshire Mines Drainage Acts 1873 to 1891 and this Act may be cited together as the South Staffordshire Mines Drainage Acts 1873 to 1894.

Interpretation.

2. In this Act the several words and expressions to which meanings are assigned by the South Staffordshire Mines Drainage Acts 1873 to 1891 or any of them or by the Acts wholly or partially incorporated with those Acts or with any of them have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Power to Create a Charge on the Inheritance of Certain Collieries.

Additional security for 100,000*l.* raisable under the Act of 1891.

3.—(1.) In addition to the powers conferred on them by the Act of 1891 of borrowing moneys not exceeding in the whole one hundred thousand pounds on the security of a mortgage or mortgages of the Tipton revenue and property the Commissioners may further secure the repayment of such moneys and interest by a collateral contingent charge on the fee simple and inheritance of the mines and minerals for the time being lying under or belonging to the several collieries specified in the First Schedule hereto and delineated on a map authenticated by the signature of the Right Honourable John William Mellor the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and thereon coloured red and the said mines and minerals to be subject to the said charge are in this Act referred to as "the scheduled mines."

(2.) The amount to be assessed in respect of such charge on any of the scheduled mines at any assessment by the board of assessment hereinafter constituted shall not exceed twenty-five per centum of its value as estimated by such board at the time of such assessment And after the first assessment of any such mine the amount to be assessed on that mine on any future assessment shall not

exceed twenty-five per centum of the then estimated value thereof after deducting any rate or rates per centum previously paid.

(3.) Such charge shall only be enforced against the scheduled mines or any of them subject to the following provisions (that is to say):—

(*a.*) The said charge shall not be enforced until the expiration of five years from the date of the first mortgage of the A Class and in the event of the said charge having been at any time enforced it shall not again be enforced until the expiration of five years from the date of such enforcement;

(*b.*) The said charge shall not be enforced unless and until the Tipton rate received by the receiver under section 11 of the Act of 1891 shall for the time being be insufficient to pay in full the several items set forth in section 12 of the same Act sub-sections (1) (2) and (3);

(*c.*) The said charge shall not be enforced unless and until the sum of at least five thousand pounds shall for the time being be in arrear in respect of the payments and appropriations or one of the payments or appropriations directed to be made by section 12 sub-sections (2) and (3) of the Act of 1891.

Determination of charge.

4. Such charge shall cease and determine when and so soon as the said sum of one hundred thousand pounds which the Commissioners are authorised to borrow by the Act of 1891 and all interest thereon is discharged.

Form of mortgages.

5. Notwithstanding the provisions contained in section 3 of the Act of 1891 mortgages of the A Class may be in the form set out in the Second Schedule to this Act.

Effect and priority of mortgages created under Act.

6. All mortgages created under the powers of this Act shall rank (and as between themselves pari passu without priority one over another) as a first charge in priority to all existing mortgages charges and other incumbrances and all other estates and interests whatsoever on the fee simple and inheritance of the scheduled mines but shall be subject to any wayleaves easements and rights appurtenant to any adjoining or other mines having a different ownership.

Nothing in Act to affect mines left underneath or surrounding buildings &c.

7. Nothing in this Act contained shall affect any mines or minerals which have been left or shall be left underneath or surrounding any building of a permanent character or under land adjoining and occupied with any such building or under land which in the opinion of the board has been or is bonâ fide intended to be laid out as building land and the mines under which have been completely and definitely abandoned or under or surrounding any public railway canal canal-basin or pit shaft for the support of such building

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railway canal canal-basin or pit shaft and in case there shall be any dispute as to what is and what is not a building of a permanent character or as to any other question of fact under this section such dispute shall be referred to the arbitration of the board of assessment whose decision shall be binding upon all parties and the costs of the reference and award shall be in the discretion of the board.

CONSTITUTION AND POWERS OF BOARD OF ASSESSMENT.

Power of receiver in certain contingencies to take steps for election of board of assessment.

8.—(1.) Upon the fulfilment of the conditions on which the enforcement of the charge under this Act is contingent the receiver appointed by or under the provisions of the Act of 1891 (in this Act referred to as "the receiver") shall from time to time upon being requested so to do by a holder or holders of a mortgage or mortgages of the A Class holding a mortgage or mortgages to the value of one thousand pounds at least forthwith cause a board of assessment (in this Act referred to as "the board") to be elected in manner by this Act provided.

(2.) The receiver shall summon a meeting of the board with all due despatch after their election and they shall appoint a chairman and shall meet together for the despatch of business adjourn and otherwise regulate their meetings as they shall think fit.

Constitution of board of assessment.

9.—(1.) The board of assessment under this Act shall consist of three competent mining engineers or surveyors having no interest in or employment with relation to any mine in the Tipton district one of whom shall be nominated by the Tipton district committee of the Commissioners one by the mortgagees' committee and one by the holders for the time being of the mortgages of the A Class Provided that the surveyor arbitrators appointed under the Act of 1891 shall be eligible for nomination.

(2.) If either the Tipton district committee or the mortgagees' committee cease to exist or fail to appoint a member of the board for the space of one month after having been required so to do by notice in writing (such notice being signed by the receiver and delivered or sent by post to the chairman or if there is no chairman to any member of the committee) the other members of the board may and shall act.

(3.) If both the said committees cease to exist or fail to appoint a member of the board for one month after having been required as aforesaid the member of the board appointed by the holders of the mortgages of the A Class shall be and form the board and may act alone.

(4.) Every member of the board shall receive by way of remuneration for his services (including all his expenses) the sum of five pounds five shillings for each day on which the board shall

hold a meeting and such remuneration shall be paid by the receiver out of moneys coming to his hands under the provisions of the Act of 1891 or this Act.

(5.) In the event of any casual vacancy in the board by refusal to act death incapacity or resignation the receiver shall forthwith cause a new member of such board to be nominated by the class or body which nominated the member refusing dying becoming or being incapacitated or resigning.

Draft assessments by board.

10. The board as soon as may be after their election shall make a draft assessment setting forth—

(*a.*) The names and addresses of the owner or owners or reputed owner or owners of each of the scheduled mines and the amount estimated by the board to be the value of each of the said mines regard being had in estimating such value to all the circumstances affecting the mines and particularly to the question of water in the case of mines then unworkable on account of water;

(*b.*) The amount which will be required to be levied on the scheduled mines in order to discharge the arrears of interest (if any) then due to the holders of mortgages of the A Class and the arrears then due of contributions to the sinking fund of mortgages of the A Class together with the estimated costs charges and expenses of enforcing the charge;

(*c.*) The portion of such amount to be borne by each of the scheduled mines which shall be based upon the estimated value of each of the scheduled mines;

(*d.*) The rate per centum which the amount to be raised bears to the estimated value of the scheduled mines.

Powers of board.

11. The board shall in addition to the other powers and authorities conferred on them by this Act have and exercise the following powers and authorities :—

(*a.*) They may by themselves or by any person appointed by them enter upon any lands and mines in the Tipton district;

(*b.*) They may require from the Commissioners full information in relation to the Tipton district and the Commissioners' operations therein and full inspection of all the Commissioners' books and the returns made to them relating to the said district;

(*c.*) They may require full information and returns from all owners lessees and occupiers of the scheduled mines relating to the said mines;

(*d.*) They may employ such surveyors clerks and other assistants as they may think necessary for the performance of their duties

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and the remuneration of such persons shall be fixed and paid by the receiver.

Penalty for non-compliance with requirements of board.

12. Any person who obstructs the board or any member thereof or any person appointed by the board in the execution of any of the powers authorities or things to be exercised or done by the board under the authority of this Act or fails within fourteen days after being called upon to do so to comply with the legal requirements of the board shall be liable to a penalty of ten pounds and every such penalty shall be recoverable summarily and be payable to the Commissioners.

Notice of and appeal against draft assessment.

13. When the board shall have made any draft assessment the following matters shall be observed :—

(1.) The board shall specify at the end of such draft assessment the date when and the place at which they will hold a sitting for the purpose of hearing objections to such draft assessment but such sitting shall not be held until the expiration of one month from the date of such draft assessment;

(2.) The board shall ten clear days at least before the date of such sitting give notice by advertisement in two or more local newspapers circulating within the Tipton district that such draft assessment has been made and that copies thereof may be had at the offices of the Commissioners upon payment of a sum not exceeding one shilling for each copy and shall also state in such advertisement the date when and place where the board will hold such sitting as aforesaid;

(3.) Any person affected by such draft assessment or the mortgagees' committee may three clear days at least before the date of such sitting deliver at the offices of the Commissioners a notice in writing specifying the nature of his or their objections to such draft assessment;

(4.) Upon the date appointed for holding such sitting the board shall sit at the place named in the said draft assessment and shall hear all objections of which notice shall have been delivered as aforesaid (publicly if the objector claims a public hearing) and shall hear counsel solicitors or agents and witnesses on the part of any such objector and of the mortgagees' committee and shall also hear the receiver and the secretary of the Commissioners and any witnesses called by either of them and the decision of the board or the majority of them shall be final subject nevertheless to the provisions contained in the thirty-fourth section of the Act of 1873 Provided that if any person interested or the mortgagees' committee or the Commissioners

shall be dissatisfied with the decision of the board under this section such person or the mortgagees' committee or the Commissioners may within fourteen days after such decision shall have been given by notice in writing stating the grounds of his or their dissatisfaction appeal to the Board of Trade and thereupon such appeal shall be referred to some person appointed by the Board of Trade and the decision of such referee after hearing the appellant and the other parties entitled to be heard before the board and his or their counsel solicitors or agents and witnesses shall be final The costs of such appeal shall be in the discretion of such referee;

(5.) The provisions of the thirty-fourth section of the Act of 1873 shall be extended and shall apply to any decision of the board at any such sitting as aforesaid.

Amendment and final settlement of assessment.

14. The board shall with all due despatch amend the draft assessment so far as may be necessary to bring it into conformity with the decisions of the board sitting as aforesaid and in the event of an appeal with the decisions of the referee or court as the case may be and shall make the assessment accordingly and such assessment shall be signed by the board and shall be made in triplicate and shall be accompanied by any plans and sections which the board think needful for the elucidation of the said assessment and one copy of the said assessment and any accompanying plan or other documents shall be delivered to the receiver and shall be kept at the office of the Commissioners another copy shall be deposited at the office of the clerk of the peace for the county of Stafford and another copy at the office of the clerk of the peace for the county of Worcester and the Parliamentary Documents Deposit Act 1837 shall apply to the said assessment and other documents so deposited and from and after the deposit of the said assessment the same shall be final and binding upon the Commissioners and upon all persons interested in the scheduled mines.

On the completion and signing of their assessment the functions of the board shall cease and the board shall be dissolved.

Quorum of board.

15. Where the board are directed required or empowered to make any draft assessment or final assessment or to hold any meeting or to do any other act or thing whatsoever such draft assessment or final assessment may be made and such meeting may be held and any other act or thing as aforesaid may be done by the board or any two members of such board or in case a single member shall form the board by that member.

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PAYMENT OF AMOUNT ASSESSED.

Demand for payment of amount assessed to be made by receiver.

16. The receiver shall upon receipt of the assessment of the board forthwith serve upon the owner or some or one of the owners or the reputed owner or some or one of the reputed owners of each of the scheduled mines a demand in writing for payment within one month from the date of such demand of the sum assessed upon him or them and the sum so assessed shall bear interest at the rate of four per centum per annum from the date fixed for payment until payment of the whole sum and the interest thereon Any such demand in writing shall be deemed to be sufficiently served if the same be sent by prepaid post letter addressed to the owner or some or one of the owners or the reputed owner or some or one of the reputed owners of a scheduled mine at his or their usual or last known place of abode in the United Kingdom.

Powers of receiver for raising amounts assessed on owners of the scheduled mines.

17. In the event of the owner of any scheduled mine refusing or neglecting for the space of two months after such demand as aforesaid to pay to the receiver the sum assessed and the interest thereon or any part of such sum it shall be lawful for the receiver after giving to such owner or reputed owner one month's notice of his intention so to do to raise and he is by this Act required to raise such sum or sums together with the interest thereon and the costs of and incident to the raising of the same by all or any of the following means (that is to say) :—

(1.) By sale of all or any part of such mine either alone or together with so much of the surface belonging to the owner or reputed owner of such mine and such existing shafts fixed winding engines and pumping engines and other fixed machinery or other fixed plant belonging to such mine and such wayleaves and other rights as in the judgment of the receiver may be necessary or proper for enabling the purchaser to work and get such mines and minerals conveniently ;

Provided always that no sale by private contract shall be made under this section until after the property to be sold shall have been offered for sale by public auction ;

(2.) By mortgage of the whole or any part of such mine including such shafts engines machinery and other plant wayleaves and rights as aforesaid ;

(3.) By demising the whole or any part of such mine including as aforesaid for any purpose whatever for any term not exceeding sixty years ;

(4.) By entering into the receipt of the rents and profits of such mine ;

(5.) By all such other means as a first legal mortgagee of such mine might take to enforce his security (other than by suing the owner of such mine to obtain payment from him personally).

If owner of scheduled mine dissatisfied matter to be referred to arbitration.

18. If any owner of a scheduled mine shall be dissatisfied with the decision of the receiver on any of the matters left to his judgment under sub-section (1) of the last preceding section of this Act he may within fourteen days after the receiver shall have given his decision by notice in writing stating the grounds of his dissatisfaction appeal to the Board of Trade and thereupon the appeal shall be referred to some person appointed by the Board of Trade and the decision of such referee after hearing the appellant and the receiver and his or their counsel solicitors or agents and witnesses shall be final The costs of such appeal shall be in the discretion of such referee.

Power of receiver to pass the legal estate in the property charged.

19.—(1.) On any sale mortgage or lease by the receiver under the powers of this Act the receiver may as regards the property sold mortgaged or leased or intended so to be (including copyhold or customary hereditaments) or as regards easements or other rights or privileges sold or leased or intended so to be convey or create the same by deed for an estate in fee simple or any less estate or interest or in the case of copyhold or customary hereditaments for a corresponding estate.

(2.) Such a deed to the extent and in the manner to and in which it is expressed to operate shall be effectual to pass the mines minerals surface shafts engines machinery plant and wayleaves and rights expressed to be conveyed or demised or created respectively and by this Act authorised to be conveyed or demised or created discharged from all incumbrances estates or interests whatsoever but except and subject to the charge created under this Act in favour of the holders of mortgages of the A Class and all future claims in respect thereof if and so far as the persons entitled to such charge do not concur in or consent to such deed for the purpose of releasing their charge and also subject to any covenant entered into by the owner or owners of the mine for support of the surface and subject to any liability the owner or owners of the mine may be subject to for damage to the surface by working such mine.

(3.) In case of any such deed relating to copyhold or customary land it shall be sufficient that the deed be entered and the steward shall be bound to enter the same on the court rolls of the manor and on payment of customary fines fees and other dues or payments the purchaser or mortgagee whose title requires to be perfected by admittance shall be admitted accordingly.

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Application of moneys raised by receiver.

20. The receiver shall apply all moneys which may come to his hands on the enforcement of any charge under the provisions of this Act to the purposes for which he is authorised to raise them and shall pay any surplus to the person entitled before the sale to the mine or to such other persons (if any) as would have been authorised on a sale of the mine to give receipts for the proceeds of the sale thereof and where there is no such person then the receiver may pay such surplus (after deducting the costs) into court under the provisions of the Trustee Act 1893.

MEETINGS OF MORTGAGEES OF A CLASS.

General meetings of holders of mortgages of the A Class for nominating a member of the board of assessment.

21. In order that the holders for the time being of mortgages of the A Class may nominate a member of the board the receiver shall as and when occasion arises summon a general meeting of holders of mortgages of the A Class at such time and place as he may think fit of which time and place he shall give fourteen days' notice to be sent by post addressed to each such holder at his registered address.

Procedure at meetings of holders of mortgages of the A Class.

22. Every person who at the date of any meeting of holders of mortgages of the A Class convened under the provisions of this Act is the holder of a mortgage of the A Class shall be entitled to appear at such meeting either personally or by proxy and shall be entitled to one vote for every complete one hundred pounds of principal money owing to him in respect of his mortgage or mortgages Where two or more persons are joint mortgagees the one whose name first appears in the mortgage shall alone have the right to attend and vote unless all the joint mortgagees by writing under their hands appoint another of their number to attend and vote.

Proxies.

23. The instrument appointing a proxy to attend and vote at a meeting of the holders of mortgages of the A Class shall be signed by the party appointing such proxy or if the appointor be a corporate body shall be sealed with its common seal and every such instrument shall be deposited with the receiver forty-eight hours at least before the date of the meeting otherwise such proxy shall not be allowed to attend and vote.

Chairman of meetings.

Poll.

24. The receiver or in the event of his absence or inability to act a holder of a mortgage of the A Class to be chosen by the meeting shall act as chairman of every meeting of holders of mortgages of the A Class and if a poll be demanded the chairman shall make all necessary arrangements for taking such poll either immediately or at a subsequent date At any such poll the question shall be decided by a majority of votes and in case of an equality of votes the chairman shall have a casting vote.

MISCELLANEOUS.

Lien of limited owners for charges paid by them under this Act.

25. If any lessee mortgagee or owner other than an owner in fee simple or fee tail shall pay to the receiver any contribution in respect of the charge authorised by this Act the sum so paid by him shall constitute a charge or equitable lien in his favour on the fee simple and inheritance of the scheduled mine in respect of which it was paid Provided nevertheless that in any case in which under any lease or licence a lessee or other person has become entitled to work mines without making any further payment in respect thereof to the owner of such mines then and in such case such lessee or other person shall have no such charge or lien as aforesaid.

Scheme or schemes for Tipton district to be approved.

26. A scheme or schemes for the whole of the Tipton district with respect to the sites for any proposed new engines and their capacity and with respect to any proposed alterations and improvements of the existing engines shall be prepared and the execution of the works therein referred to shall be recommended approved and sanctioned in accordance with the provisions of the South Staffordshire Mines Drainage Acts 1873 to 1894 and such scheme or schemes shall as far as practicable comprise the drainage of the whole of the district and concurrent expenditure in the various divisions or pounds of the district included in such scheme or schemes and no part of the one hundred thousand pounds shall be spent on the aforesaid works save in accordance with the provisions of such scheme or schemes and whenever the Commissioners shall give notice under section 7 of the Act of 1891 of any proposed expenditure on the aforesaid or other works within the Tipton district they shall at the same time advertise in two or more local newspapers that such proposals may be inspected at the principal office of the Commissioners and any owner of scheduled mines to the extent of two hundred acres or any number of owners whose united acreage amounts to two hundred acres may within fourteen days lodge an objection in writing to the works or expenditure proposed with the Commissioners stating the grounds of such objection and the works or expenditure objected to shall not be executed or made unless and until the objection is withdrawn or such works or expenditure is authorised by a referee to be appointed by the Board of Trade in manner provided by section 7 of the Act of 1891:

Provided that nothing herein contained shall be construed to limit the power of the referee to alter and vary such scheme or schemes so as to make the same in his opinion the best practicable and to authorise the works and expenditure to carry out the same:

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Provided further that it shall be lawful for the Commissioners if they shall deem it advisable at any time and from time to time to alter or amend any scheme or schemes prepared in accordance with the provisions of this section but the execution of the works referred to in such amended scheme or schemes shall be in all respects recommended approved and sanctioned in accordance with the provisions of the South Staffordshire Mines Drainage Acts 1873 to 1894 as in the case of the original scheme or schemes.

Mortgagees' committee may object to proposed works.

27. The powers conferred upon the mortgagees' committee by section 7 of the Act of 1891 to object to any proposed expenditure of moneys borrowed under that Act shall extend and apply to any objection to any of the works proposed as well as to the expenditure on such works.

Saving rights of mortgagees' committee.

28. Nothing in this Act shall be construed to in any way restrict the rights powers and authorities conferred upon the mortgagees' committee by the Act of 1891 and all moneys borrowed under the Act of 1891 and further secured by the charge authorised by this Act shall be deemed to be moneys borrowed under the powers of the Act of 1891.

Saving for power to work mines &c.

29. Nothing in this Act shall be construed to hinder or prevent the owner lessee or occupier of any of the scheduled mines from selling leasing exchanging or otherwise dealing with or working and getting the mines and minerals lying in and under the same unless and until such owner shall have failed to comply within the time limited by this Act with a demand of the receiver for payment of the amount assessed on the mine.

Saving for the Earl of Dudley.

30. Nothing in this Act contained shall extend to any lands mines or minerals which at the time of the passing of this Act are the property of the Right Honourable William Humble Earl of Dudley or subject to the uses to which the mansion house of Himley Hall now stands limited.

Incidence of costs of obtaining this Act.

31. The costs charges and expenses including those of the mortgagees' committee preliminary to and of and incidental to the preparing applying for obtaining and passing this Act as taxed by the taxing officer of the House of Lords or the House of Commons shall be paid by the Commissioners in the first instance either out of moneys borrowed by them under this Act and the Act of 1891 or out of moneys received or to be received by them in respect of the general drainage rate or out of both such sources Provided nevertheless that all such costs paid out of money received or to be received in respect of the general drainage rate shall be

recouped to that rate by money borrowed under this Act and the Act of 1891 and if such money prove insufficient then the same shall be recouped to the general drainage rate out of money to be received from the Tipton rate by four equal annual instalments and as part of the working expenses chargeable to the Tipton rate and such costs so paid out of money to be received from the Tipton rate (if any) shall be recouped to that rate out of moneys borrowed by the Commissioners under this Act and the Act of 1891 if and whenever the same shall be so borrowed.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

THE MINES AND MINERALS LYING UNDER OR BELONGING TO THE SEVERAL COLLIERIES HEREAFTER SPECIFIED WHICH MAY BE CHARGED UNDER THE POWERS OF THIS ACT.

Name of Colliery (if any).	Parish or Parishes in which Colliery situate.	Estimated Area of Mines and Minerals.	Name of Owner or reputed Owner.	Address of Same.
		Acres.		
Portobello - -	Wednesfield -	25·06	Philip Williams and Sons - -	Wednesbury Oak, Tipton.
Neachells - - -	Do. -	16·88	Do. - -	Do.
Cold Lanes - -	Bilston - -	3·00	Do. - -	Do.
Wednesbury Oak -	Sedgley - -	303·48	Do. - -	Do.
Old Heath - -	Wednesfield -	59·02	Duke of Cleveland - - -	Agent—F. G. Farwell, 23, Darlington Street, Wolverhampton.
Cockshutt - -	Wolverhampton -	40·18	Do. - - -	Do.
Wednesfield - -	Wednesfield -	7·64	Do. - - -	Do.
Deans Road - -	Do. -	37·87	Ecclesiastical Commissioners -	10, Whitehall Place, London, S.W.
New Cross - - -	Do. -	149·49	H. B. Whitehouse and Son -	Priorfields Furnaces, near Bilston.
Capponfield - -	dgley - -	40·68	Do. - -	Do.
Deans Road - -	Wolverhampton and Bilston.	11·17	Bradburn and Co., Limited - -	Wednesfield.
Wednesfield - -	Do. -	5·52	Do. - -	Do.
New Cross - - -	Do. -	7·64	Do. - -	Do.
Deans Road - -	Sedgley - -	1·78	J. Southan - - -	Walsall.
Old Crescent - -	Willenhall - -	8·00	Do. - - - -	Do.

Willenhall Road - -	Wednesfield -	39·11	Daniel Jones - - -	Kilsall, Shifnal.
Cleveland - - -	Do. -	11·36	Hayward and Dugmore - -	Willenhall Road, Wolverhampton.
Trentham - -	Do. -	81·79		
Russian - - -	Darlaston - -	1·95		
Osier Bed - -	Bilston - -	51·74	Wm. Arthur Sparrow - -	Albrighton Hall, near Shrewsbury.
Church Colliery - -	Do. - -	16·35	St. Leonard's Church - -	Rev. C. Lee, Bilston.
Old Priestfield - -	Bilston - -	17·78	Brewood & Stretton Schools -	S. & J. Bailey, 30, Waterloo Street, Birmingham.
Old Furnace - -	Wolverhampton -	22·21	John C. Major - - -	Monmore Green, Wolverhampton.
Monmore Green - -	Do. -	5·33	Bayliss, Jones, and Bayliss -	Do.
Rough Hills - -	Wolverhampton and Bilston.	30·46	Crowther Smith's Executors -	Lich Gates, Wolverhampton.
Part of New Cross - -	Wednesfield -	7·45	Crowther Smith and M. A. Smith -	Do.
Mount Pleasant - -	Wolverhampton -	36·24	Edwin Dixon - - -	Merridale Grove, Wolverhampton.
Parkfield - - -	Sedgley - -	167·14	Birmingham District and Counties Banking Company, Limited.	Wolverhampton.
Friezland - -	Bilston - -	28·09	G. Adams and Sons, Limited -	Mars Iron Works, Wolverhampton.
Old Friezland - -	Do. - -	16·00	William Ward and Sons - -	Priestfield, near Wolverhampton.
New Priestfield, North -	Willenhall -	12·00	Do. - -	Do.
„ „ South -	Do. - -	64·00	Do. - -	Do.
Rose Hill - -	Do. - -	12·00	Do. - -	Do.
Portobello - - -	Do. - -	82·00	Do. - -	Do.
Bilston and Hallfields -	Bilston - -	70·22	Executors of J. W. Sparrow -	Bilston Mill Iron Works, Wolverhampton.
Fibbersley - - -	Willenhall - -	46·21	Do. -	Do.
Ettingshall - - -	Sedgley - -	199·25	Mrs. Perry Herrick - - -	Agent—J. Bowen, Board Street, Bilston.
Manor - - -	Do. - -	11·20	Stephen Thompson and Company, Limited.	Manor Ironworks, Wolverhampton.
Dock Meadow - -	Do. - -	14·93	Edward Johnson - - -	Lanesfield, Wolverhampton.
Do. - - -	Do. - -	5·31	Thomas Bantock - - -	Merridale, Wolverhampton.
Ladymoor - - -	Sedgley and Bilston	251·94	Sir A. Hickman, M.P. - -	Wolverhampton.
Priestfield or Old Park -	Willenhall - -	8·89	Do. - -	Do.
Neachells - -	Do. - -	219·37	Do. - -	Do.
Chillington - - -	Wolverhampton -	147·55	Do. - -	Do.
Trentham - -	Willenhall - -	16·00	Do. - -	Do.
Part of Willenhall - -	Do. - -	28·80	Do. - -	Do.

THE FIRST SCHEDULE—*continued.*

Name of Colliery (if any).	Parish or Parishes in which Colliery situate.	Estimated Area of Mines and Minerals.	Name of Owner or reputed Owner.	Address of Same.
		Acres.		
Rookery - - -	Sedgley - -	25·25	Caleb Bloomer - - -	Agent—J. Bowen, Broad Street, Bilston.
Ladymoor - - -	Do. - -	11·72	Thomas Holcroft - - -	Bilston Foundry, Bilston.
Deepfields - -	Do. - -	27·02	Benjamin Whitehouse - -	Turls Hill, Sedgley.
Fullwood End and Paddock.	Do. - -	52·80	Do. - -	Do.
Ettingshall - - -	Do. - -	25·67	William Foster - - -	Woodsetton House, near Dudley.
Cann Lane (Hurst Hill) -	Do. - -	22·20	Executors of J. Willim Hall -	Bilston.
Hall Park and Pease Croft.	Bilston - -	118·40	Do. - -	Do.
Hallfields - -	Do. - -	22·04	Do. - -	Do.
Leabrook - - -	Tipton and Wednesbury.	33·42	Do. -	Do.
Bréen Rydding - -	Sedgley - -	11·66	William Baggott - - -	Ednam Street, Dudley.
Waterloo - - -	Do. - -	6·57	Old Meeting House Trustees -	Old Meeting House, Roseville, Coseley.
Barcroft - - -	Do. - -	24·74	Mrs. Whitehouse - - -	Turls Hill, Sedgley.
Branfield - -	Do. - -	6·73	Edward and John Wones - -	18, Woodsetton, Dudley.
Hockley - - -	Do. - -	5·52	W. H. Fowler - - -	The Limes, Sedgley.
Barbors Field - -	Bilston - -	2·48	Do. - - -	Do.
Do. - -	Do. - -	51·56	Do. - - -	Do.
Cosletts Colliery - -	Sedgley - -	7·12	Pemberton Trustees - - -	Agent—T. Coslett, Coseley.
Deepfields - - -	Do. - -	20·01	Do. - -	Do.
Hurst Hill -	Do. - -	8·53	Do. - - -	Do.
Wednesfield - -	Wednesfield -	60·44	Executors of Escott Phillips -	Bushbury, Wolverhampton.
New Cross - -	Do. - -	13·51	Lord Barnard - - -	Near Shrewsbury.
Do. - - -	Do. -	12·62	Executors of the late John Morris -	Cattle dealer, Tettenhall, near Wolverhampton.
Wednesfield - -	Do. - -	37·34	G. Phillips - - - -	Wednesfield.

Barborsfield Neachells	Wednesfield	18·13	Barborsfield Company	Bilston.
Neachells Hall	Do.	17·06	Do.	Do.
Highfields	Sedgley	19·37	Do.	Do.
Neachells	Willenhall	7·81	Thomas Bailey	North Street, Wolverhampton.
Sandbeds	Do.	20·44	Do.	Do.
Neachells	Wednesfield	9·42	Neachell	Tettenhall, near Wolverhampton.
Do.	Willenhall	23·46	J. A. Dorset	16, Augustus Road, Edgbaston.
Hallfields	Bilston	3·35	Do.	Do.
Part of Mill Darlaston	Darlaston	2·31	Do.	Do.
Neachells	Wednesfield	0·35	Chas. Jefcoat, Executors of	Marsh End, Wednesfield, Wolverhampton.
Merrills Hole	Do.	96·36	Aaron Knowles	Merrills Hole Colliery, near Portobello, Wolverhampton.
Willenhall	Willenhall	14·56	Executors of the late Hanbury Sparrow.	W. Arthur Sparrow, Albrighton Hall, Shrewsbury.
Do.	Do.	20·43	H. H. Fletcher	Edgbaston, Birmingham.
Backlane	Do.	13·86	Do.	Do.
Little London	Do.	4·62	W. H. Hatton	3, Corporation Street, Birmingham.
Do.	Do.	6·04	J. Fortnam	Little London, Willenhall.
Willenhall New	Do.	1·06	Executors of the late W. E. Jones	Agent—William Grove, Loxdale House, Bilston.
Golds Hill	Tipton	33·24	Do.	Do.
Part of Golds Hill	Do.	51·00	Do.	Do.
Willenhall	Willenhall	4·80	William Rushton	Temple Bar, Little London, Willenhall.
Clothiers	Do.	73·24	Sir George Chetwode	Agent—Jas. Lindop, Bloxwich, Walsall.
Stow Lawn	Bilston	45·87	Owen Wallis	Agent—J. Bowen, Broad Street, Bilston.
Cemetery	Do.	25·96	Theo. Morrell	Auctioneer, Bilston.
Green Lane	Do.	38·01	Samuel Burrows	Green Lane, Bilston.
Hall Park	Do.	21·31	Joseph Naylor	High Street, Bilston.
Portobello Bridge	Willenhall	4·62	Holt and Page	Willenhall.
Do.	Do.	8·00	T. C. Lee	Do.
Do.	Do.	18·66	Alfred Minors	Little London, Willenhall.
New Priestfield, part of	Do.	9·24	Mrs. Gough	Willenhall.
Crescent	Do.	15·64	Do.	Do.
New Priestfield	Do.	18·64	Do.	Do.
Somerford	Do.	2·31	David Bickley	Licensed Victualler, Willenhall.

THE FIRST SCHEDULE—*continued.*

Name of Colliery (if any).	Parish or Parishes in which Colliery situate.	Estimated Area of Mines and Minerals.	Name of Owner or reputed Owner.	Address of Same.
		Acres.		
Somerford - -	Willenhall - -	21·86	Marten and Dimmick - - -	The Birches, Codsall.
Bunker's Hill - - -	Do. and Bilston -	38·23	Thomas Price and Son - -	Bunker's Hill Colliery, Bilston.
Do. - - -	Bilston - -	11·01	Do. - - -	Do.
Bilston New, and Greaves	Do. - -	46·39	J. L. Bickley - - -	Agent—J. Bowen, Broad Street, Bilston.
Mabb's Bank - - -	Willenhall - -	58·49	Isaiah and Joseph Cotterill - -	Mabb's Bank Colliery, Darlaston.
Barn Farm - -	Do. - -	87·28	Loxdale and Warren - -	Agent—Wm. Grove, Loxdale House, Bilston.
Toll Gate, Wallbutts, and Bradley Lodge.	Bilston and Darlaston.	154·50	Do. - - -	Do.
Bilston, New - -	Bilston - -	13·05	Bilston Curacy - - -	Rev. C. Lee, Vicar, Bilston.
Pease Croft - - -	Willenhall - -	1·78	Do. - - - -	Do.
Part of Barborsfield -	Bilston - -	1·95	Do. - - -	Do.
Bilston, New - - -	Do. - -	3·18	J. H. Pearson - - - -	Farcroft, Handsworth, Birmingham.
Portobello Bridge -	Willenhall -	3·17	J. Tildesley - - -	Willenhall.
St. Stephen's Church -	Do. - -	3·88	St. Stephen's Church - -	The Vicar, St. Stephen's Vicarage, Willenhall.
Holyhead Road - -	Bilston - -	14·75	Executors of John Bate - -	John Hill, Ashmore Lodge, Wolverhampton.
Bilston Quarry - -	Do. - -	25·95	E. Hickman - - -	Stone Quarries, Bilston.
Batch Croft - -	Do. - -	4·97	J. Y. Totherick, M.D. - -	Tettenhall Road, Wolverhampton.
Stonefield - - -	Do. - -	8·35	Joseph Sankey and Sons - -	Bilston.
Bovereaux - -	Do. - -	25·23	Mrs. E. Gibbons - - - -	Ellowes Hall, Sedgley, near Dudley.
Hallfields - - -	Do. - -	2·67	John Harris - - - -	Laburnum Villa, Bilston.
Cold Lanes - -	Do. - -	3·92	Jonathan Bowen - - - -	Broad Street, Bilston.
Part of the Lunts - -	Do. - -	2·31	Richard Bowen - - -	Bunker's Hill, Bilston.
Lunts - - -	Do. - -	1·78	W. Harper and B. Price - -	Wallbutt's Colliery, Bilston.
Do. - - -	Bilston, Darlaston, and Wednesbury.	44·07	S. Groucutt and Sons - -	Bankfield Ironworks, Bilston.
Moxley - - -	Darlaston - -	21·15	Do. - - -	Do.

Part of Moxley	Darlaston	6·93	Charity Commissioners	J. H. Thursfield, Charlemont Hall, Wednesbury.
Part of Herberts Park	Do.	6·93	Wednesbury Poor	J. H. Thursfield, Solicitor, Wednesbury, and Col. Nayler, West Bromwich, Trustees.
Lunts	Bilston	21·50	Daniel Groucutt	66, Merridale Road, Wolverhampton.
Cold Lanes	Do.	13·33	Geo. Marson	Whitmore Reans, Wolverhampton.
Lunts	Do.	15·10	Briscoe's Trustees	Hy. Addenbrooke, Solicitor, Sutton Coldfield.
Deepfields	Sedgley	1·42	Sheldon and Co.	Springvale Foundry, Ettingshall.
Coseley Moor	Do.	30·75	Harold Smith	Pinley House, Coventry.
Yew Tree	Do.	7·12	J. and J. Turley	Sedgley.
Highfields	Do.	31·46	W. B. Collis	Swinford House, Stourbridge.
Hall Green	Do.	16·88	Silvester's Trustees	W. J. Hayward, The Hollies, West Bromwich.
Bradley and Hallfields	Bilston	46·39	Wilkinson's Trustees	Do.
Hallfields	Do.	1·24	J. F. Baker	Wesley Street, Bradley, Bilston.
Bradley Row	Do.	27·71	The Ladies Scott and Foley	Agents—J. Matthews and Sons, 15, Waterloo Street, Birmingham.
Bradley	Do.	161·61	G. B. Thorneycroft	The Wergs, Tettenhall.
Princes End	Tipton	104·18	Jas. Whitehouse	Burnt Tree, Tipton.
Broadwaters	Wednesbury	26·67	Do.	Do.
Factory	Tipton	6·73	Joseph Marsh	Dixon's Green, Dudley.
Coseley Moor	Do.	9·24	Wones Brothers	Coseley Moor Colliery, Tipton.
Princes End	Do.	23·45	Trustees of Isaac Whitehouse	Factory, Tipton.
Do.	Do.	10·66	Wm. Barrows and Sons	Bloomfield, Tipton.
Tipton Green	Do.	71·82	Tipton Green Colliery Company, Limited.	Wm. Williams, Brown, and Co., Bankers, Leeds.
Tipton	Do.	20·78	J. E. Rowley	Tipton.
Tipton Green	Do.	30·58	Roberts and Co.	Tipton Furnaces, Tipton.
Moat	Do.	230·94	Tipton Moat Colliery Company, Limited.	Tipton.
Tibbington	Tipton and Sedgley	81·78	Tibbington Collieries and Brickworks, Limited.	Princes End, Tipton.
Gospel Oak	Tipton	85·69	Grazebrook and Aston	John Aston, Blowers Green, Dudley.

THE FIRST SCHEDULE—*continued.*

Name of Colliery (if any).	Parish or Parishes in which Colliery situate.	Estimated Area of Mines and Minerals.	Name of Owner or reputed Owner.	Address of Same.
		Acres.		
Horseley - - -	Tipton - -	51·56	Horseley Colliery Company -	Horseley, Tipton.
Toll End - - -	Do. - -	17·42	Executors of E. Fisher Smith -	Per Rupert T. Smith, Tettenhall, Wolverhampton.
Cotterills Farm - -	Do. - -	64·71	Do. -	Do.
Brick House - -	West Bromwich -	13·51	Do. - -	Do.
Ash Leasowes or Park Lane	Tipton - -	3·53	Wyrley Birch - - -	Agent—John Field, West Bromwich.
Doebank - - -	Do. - -	28·26	Do. - - - -	Do.
Ash Leasowes - -	Do. - -	3·53	Dixon and Burns - - -	Care of Samuel Smith, Horseley Heath, Tipton.
Do. - -	Do. - -	2·12	W. J. Hayward - - -	Horseley Colliery, Tipton.
Park Lane - -	Do. - -	44·98	Executors of W. Edwards -	Griffin Works, Wolverhampton.
Do. - - -	Do. - -	49·62	Executors of the late Col. Fletcher	Lawnswood, Stourbridge.
Monmore Lane - -	Willenhall -	7·81	E. Wedge - - -	Willenhall.
Sandbeds - - -	Do. - -	6·22	R. Dodd - - -	Tettenhall, Wolverhampton.
Do. - -	Do. - -	23·99	J. Fowler Taylor - -	Agent—H. C. Owen, Solicitor, Wolverhampton.
Do. - - -	Do. - -	7·45	Moses Johnson - - -	Sandbeds, Willenhall.
Willenhall - -	Do. - -	18·31	Joseph Tipper - - -	Newhall Street, Willenhall.
Do. - - -	Do. - -	1·78	John Adams - - -	Willenhall.
Springbank - -	Do. - -	16·88	Springbank Colliery Company -	Do.
Albion - - -	Do. - -	10·48	John Harper - - -	Albion Works, Willenhall.
Do. - -	Do. - -	4·08	Church Estate - - -	Vicar, St. Giles Vicarage, Willenhall.
Stringers - - -	Do. - -	4·43	John Pace - - - -	Stringers Lane, Willenhall.
Deepmoor - -	Bentley - -	858·86	Earl of Lichfield - -	Agent—Wm. Davies, Estate Office, Bentley, Walsall.
Rough Hay - -	Willenhall - -	155·00	Addenbrookes, Smith, and Pidcock	Ocker Hill Colliery, Tipton.
Coppice - - - -	Tipton - -	62·58	Do. -	Do.

Heathfield -	Darlaston - -	18·13	Addenbrookes, Smith, and Pidcock	Ocker Hill Colliery, Tipton.
Rough Hay - - -	Do. - -	24·90	John Annan - - -	Neustadt House, Wolverhampton.
Old Crescent - -	Willenhall - -	34·67	New British Iron Co., Limited -	Corngreaves, Birmingham.
Do. - - -	Do. - -	19·37	Elijah Hayward - - -	Willenhall.
Darlaston Green - -	Darlaston - -	40·89	Arthur Wenham - -	114, Colmore Row, Birmingham.
Do. - - -	Do. - -	50·13	Darlaston Coal and Iron Co. - -	Agent—A. Wenham, 114, Colmore Row, Birmingham.
Herberts Park - - -	Do. - - -	69·33	Lloyds Bank, Limited - -	Colmore Row, Birmingham.
Do. - - -	Do. - -	9·42	David Jones and Sons - - -	Agents—Thursfield and Messiter, Solicitors, Wednesbury.
Do. - -	Do. - - -	2·83	Goodger and Co. - - -	Moxley, Wednesbury.
Moxley - - - -	Do. - -	6·57	Do. - -	Do.
Do. - - -	Do. - - -	4·43	Birmingham Canal Navigations -	Paradise Street, Birmingham.
Bulls Bridge - - -	Wednesbury -	4·61	Thomas Jevons - -	Moxley, Wednesbury.
Moxley Sandbeds -	Darlaston - -	13·51	W. R. Price - - -	Moxley Sandbeds, near Wednesbury.
Russian - - -	Do. - -	33·48	Moxley Colliery Company -	Moxley, Wednesbury.
Heathfield - - -	Do. - -	1·22	G. Wilkes - - -	Darlaston.
Herberts Park - -	Do. - -	2·67	W. Corbett - - -	Do.
Do. - - -	Do. - -	1·42	E. G. Corbett - - -	Do.
Part of Mill, Darlaston -	Do. - -	11·02	Rose, Limited - - -	Moxley, Wednesbury.
Woods Bank - -	Darlaston - -	7·28	Smith and Dorset - - -	Agents—Slater and Co., Solicitors, Darlaston.
Lodge Holes - - -	Wednesbury -	138·49	Heirs of Parkes - -	Wilson Lloyd, M.P., Myvod House, Wednesbury.
Goldicroft - - -	Do. - -	24·71	Do. - - -	Do.
Goldicroft and Hobbs Hole.	Do. -	114·48	Do. - - -	Do.
Kings Hill - - -	Do. - -	1·78	Edwin Bruerton - - -	Darlaston.
Do. - - -	Do. - -	9·60	Do. - - -	Do.
Old Park and Cow Pasture	Do. - -	108·99	Patent Shaft and Axletree Co., Limited.	Wednesbury.
Monway - - -	Do. - -	14·75	Do. -	Do.
Balls Hill and Burrs -	Wednesbury and West Bromwich.	232·68	Do. -	Do.
Heathfield - -	Darlaston - -	1·42	W. Bartram - - -	Darlaston.
Moorcroft, Old - -	Bilston - -	57·57	Executors of D. Skidmore -	Moorcroft Colliery, Bilston.

THE FIRST SCHEDULE—*continued.*

Name of Colliery (if any).	Parish or Parishes in which Colliery situate.	Estimated Area of Mines and Minerals.	Name of Owner or reputed Owner.	Address of Same.
		Acres.		
Fiery Holes - -	Bilston - -	4·43	Executors of D. Skidmore - -	Moorcroft Colliery, Bilston.
Willingsworth - -	Sedgley -	124·46	Wm. Hunt and Sons - -	Chemical Manufacturers, Wednesbury.
Broad Waters - -	Wednesbury -	66·11	Do. - - -	Do.
Monway - - -	Do. - -	4·97	Ed. Smith - - -	Brunswick Tube Works, Wednesbury.
Golden Orchard - -	Tipton and West Bromwich.	43·37	Sir James Languish - -	Agent—J. Cooksey, West Bromwich.
Horseley - - -	Tipton - -	153·23	Dixon, Amphlett, and Bedford -	17, Horseley Heath, Tipton.
Crown Meadow - -	West Bromwich and Tipton.	86·38	S. and R. Mason - - -	Toll End, Tipton.
Golds Green - -	West Bromwich -	10·84	Do. - - -	Do.
Doebank - - -	Tipton and West Bromwich.	23·30	Job Edwards - - -	Wood Green, Wednesbury.
Golds Green - -	West Bromwich -	4·62	J. Bagnall and Sons - -	Golds Hill Ironworks, West Bromwich.
Do. - - -	Do. -	3·88	G. and J. Guy - - -	Wednesbury.
Do. - -	Do. -	20·26	John Bowen - - -	Golds Green, Toll End, Tipton.
	Do. -	5·33	J. Blades - - - -	West Bromwich.
	Do. -	10·13	Horton and Whitehouse -	Agent—W. J. Hayward, The Hollies, West Bromwich.
Part of Hall End - -	Do. -	22·40	Do. - -	Do.

Meyrick House - -	West Bromwich -	4·43	J. E. Partridge - -	Hill Top, West Bromwich.
Golds Green - - -	Do. - -	4·97	E. Williams - - -	New Street, Oldbury.
Ebenezer - -	Do. -	7·12	Ebenezer Colliery Company -	Hill Top, West Bromwich.
Golds Green - - -	Do. - -	3·88	Thomas Davies - - -	Do.
Jamesbridge and Bradford	Bentley and Walsall.	325·73	Earl of Bradford - -	Agents—Geo. G. and T. W. Potter, Walsall.
Bescot Forge - -	Walsall and Wednesbury.	144·22	Wilson Lloyd, M.P. - -	Myvod House, Wednesbury.
Mestycroft - -	Wednesbury - -	6·04	Wm. Horton's Trustees - -	Agent—W. J. Hayward, The Hollies, West Bromwich.
Moorlands and West Bromwich Hall.	West Bromwich -	127·44	James Smith's Trustees - -	Agents—Thursfield and Messiter, Solicitors, Wednesbury.
Stone Cross - -	o. - -	16·69	Ann Spittle - - -	Agent—W. H. Phillips, King Street, Wolverhampton.
Coles Farm - - -	Do. -	30·76	Do. - - -	Do.
Stone Cross - -	Do. - -	17·78	Henry Dawes - - -	Brighton.
Jervoise - - -	Do. -	55·28	J. S. Bourne - - -	Solicitor, Dudley.
Wallface - - -	Do. - -	8·70	John Phillips - - -	Hill Top, West Bromwich.
Crook Hay - - -	Do. -	5·68	William Phillips - -	Do.
Park Lane - -	Tipton - - -	5·68	Miss Martha Mills - - -	Jas. Slater, Solicitor, Darlaston.

A.D. 1894.

THE SECOND SCHEDULE.

Form of Mortgage.

No. Class A.

THE SOUTH STAFFORDSHIRE MINES DRAINAGE ACTS 1873 TO 1894.

Tipton District.

By virtue of the provisions in this behalf contained in the South Staffordshire Mines Drainage Acts 1873 to 1894 we the South Staffordshire Mines Drainage Commissioners incorporated by and acting in pursuance of the said Acts in consideration of the sum of pounds paid to the joint account of the chairman of the Commissioners and the receiver at the Bank by of in the county of (the receipt of which is hereby acknowledged) do grant and assign to the said his executors administrators and assigns such proportion of the whole of the mines drainage rates for that division of the drainage area known by the name of the Tipton district now made or hereafter to be made by us or our successors under the provisions of the same Acts and also such proportion of all other moneys in the nature of income for the time being receivable by us from any other source in respect of the drainage of mines in the Tipton district and also such proportion of all our property for the time being situate in the Tipton district and acquired by us for the purpose of the drainage of mines in that district (but not including the general drainage rate or any property acquired by us for the purpose of general drainage) as the said sum of pounds doth or shall bear to the whole sum which is or shall be borrowed under the South Staffordshire Mines Drainage Act 1891 authorising the raising of a loan of one hundred thousand pounds upon the credit of the same rates income and property:

To hold to the said executors administrators and assigns from this day until the said sum of pounds with interest at pounds per centum per annum for the same shall be fully paid and satisfied Provided that this mortgage shall not entitle the mortgagee to take possession of or interfere with any such property required or which may be required for the carrying on of the undertaking works or operations of the Commissioners:

And by way of further securing the repayment of the said sum of pounds and interest and in exercise of the powers in this behalf vested in us by the South Staffordshire Mines Drainage Act 1894 we the Commissioners do hereby charge in priority to all existing mortgages charges and other incumbrances and all other estates and interests whatsoever

the same sum and interest on the fee simple and inheritance of the mines and minerals for the time being in and under the several areas specified in Schedule 1 to the said Act but so that other mortgages of the present series already issued or which may be hereafter issued for securing payment of the said sum of one hundred thousand pounds shall rank pari passu with this present mortgage Provided always that the charge last herein-before created is made in all respects subject to and with the benefit of the conditions and provisions contained in the South Staffordshire Mines Drainage Act 1894.

Given under our Corporate Seal this day of one thousand eight hundred and

The Seal of the South Staffordshire Mines Drainage Commissioners was affixed in the presence of } L.S.

Chairman.
Law Clerk.
Secretary.

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