

ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

CAP. XCV.

An Act to carry into effect the Arrangements of the Ecclesiastical Commissioners for *England* for making better Provision for the Cure of Souls in the Parish of *Wolverhampton* in the County of *Stafford* and Diocese of *Lichfield*.

[31st *August* 1848.]

WHEREAS by an Act commonly called or known by the Name of "The *Pelsall* Mining Act," passed in the Session of Parliament held in the Fifty-first Year of the Reign of His late Majesty King *George* the Third, and intituled *An Act for enabling the Dean of* Windsor *and* Wolverhampton, *and his Successors, to grant Leases and Licences for opening and working Mines within the Lands belonging to the Manor of* Wolverhampton, *and for augmenting the Income of the Sacrist of the Collegiate Church or Royal Free Chapel of* Wolverhampton, after reciting that the Duties of the said Church were under the Care of a Clergyman denominated the Sacrist or Sexton, and there were Three other Assistant Ministers of the same Church called Readers, and that the Income of the said Sacrist was very inadequate to his Dignity and Station, and with a view to the Augmentation thereof, and the making a more suitable Provision for the due Discharge of the Ministerial Duties of the said 51G.3.c.182.

Church, the Dean of the said Collegiate Church was willing that the Duties, Salaries, and Emoluments of the said Offices, when vacant, should devolve upon and be annexed to the Office of the said Sacrist for the Time being, and that the said Dean was desirous that an Income of a given Amount should be appropriated and secured to the said Sacrist from a Fund to be raised out of the Rents to be reserved by Leases to be granted by the Dean for the Time being, and that it was expedient that the said Sacrist should thereafter be denominated the Perpetual Curate of the said Parish of *Wolverhampton*, it was enacted, that the said officiating Minister theretofore called Sacrist or Sexton should from thenceforth be denominated the Perpetual Curate of the said Parish of *Wolverhampton*; and it was further enacted, that on the Death or other Avoidance of the Three then Assistant Readers the Office of such Reader or Assistant Minister, and the Right to nominate any Successor to the same Office, should cease and be extinguished, and the Duties of each of the same Offices respectively, when the same should respectively become extinct, should devolve on and be performed by the Perpetual Curate for the Time being, and that all the Salaries, Perquisites, and Emoluments belonging to such Offices respectively should belong and be payable to and might be demanded and recovered by such Perpetual Curate; and it was further enacted, that One Fourth Part of the Rents payable to the said Dean for the Time being under the Licences and Leases therein mentioned should yearly, until the Sum of Eight thousand Pounds Three *per Centum* Annuities should have been purchased, as hereinafter mentioned, be applied by the said Dean for the Time being in the Purchase of Three *per Centum* Consolidated Annuities in the joint Names of the Most Reverend the Archbishop of *Canterbury*, the said Dean, and the said Perpetual Curate for the Time being, and that such Perpetual Curate should, either in his own Person or by his Attorney, be authorized to receive the Dividends and Income of so much of the said Three *per Centum* Annuities as from Time to Time should have been purchased, and that all or any Part of the said Three *per Centum* Annuities might be sold for the Purpose of being laid out in the Purchase of Lands held in Fee Simple, and situate in the County of *Stafford*, in manner therein mentioned, and that the said Lands, when so purchased, should be conveyed to and vested in the said Perpetual Curate, to hold to him and his Successors for the Time being, and that the said Perpetual Curate should be a sole Corporation, and that he should be capable of holding the same Lands; and it was further enacted, that all the Rents payable from Time to Time in respect of the Lands so to be purchased, and the Dividends and Income payable in respect of the said Stock, or the Residue thereof, should belong and be payable to the Perpetual Curate for the Time being, as Part of his Income, and Increase thereof: And whereas by a certain Act commonly called or known by the Name "*Hobart*'s Estate Act," passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, and intituled *An Act to authorize the making of Grants or Leases of Mines within and under Parts of the Lands belonging to the Perpetual Curacy of the Parish of* Wolverhampton *in the County of* Stafford, after reciting (amongst other things) that *Henry Lewis Hobart* Doctor in Divinity was Dean

5 & 6 W. 4. c. 25.

Dean of the said Collegiate Church of *Wolverhampton* and Prebendary of the Prebend of *Wolverhampton* aforesaid, and was in right of such his Deanery and Prebend Patron and Ordinary of the said Collegiate Church, and that the Reverend *George Oliver* Clerk was the officiating Minister of the said Collegiate Church, and as such was denominated the Perpetual Curate of the Parish of *Wolverhampton* aforesaid, and that there belonged to the said Collegiate Church and Perpetual Curacy certain Lands and Hereditaments situate within and in the Neighbourhood of the Town of *Wolverhampton* aforesaid, and there were under the same Lands divers Mines of Coal, Ironstone, and other Minerals of considerable Value, and that by Articles of Agreement under the respective Hands of the said *George Oliver* and of *George Jones*, Coal and Iron Master, and dated the Fourteenth Day of *May* One thousand eight hundred and thirty-five, for the Sale to and Purchase of by the said *George Jones* all the Mines of Clay, Coal, Ironstone, and other Mines and Minerals whatsoever under Two several Closes of Land situate in *Wolverhampton* aforesaid, and comprised in the Schedule to the now-reciting Act, at or for the Price of Three thousand seven hundred and fifty-one Pounds Eighteen Shillings and Sixpence, to be paid in manner therein-after mentioned, it was enacted, that from and after the passing of the now-reciting Act it should be lawful for the said *George Oliver*, or other the Perpetual Curate for the Time being of the said Parish of *Wolverhampton*, with the Consent of the Governors of the Bounty of Queen *Anne*, testified as therein mentioned, on Payment by the said *George Jones*, his Heirs, Executors, or Administrators, of the said Sum of Three thousand seven hundred and fifty-one Pounds Eighteen Shillings and Sixpence, to carry into effect the said recited Articles of Agreement according to the true Intent and Meaning thereof, or with such Variations or Modifications as the said *George Oliver* or other the Perpetual Curate for the Time being and the said Governors should think fit; and it was further enacted, that the said Sum of Three thousand seven hundred and fifty-one Pounds Eighteen Shillings and Sixpence should be paid by the said *George Jones* to the Treasurer for the Time being of the said Governors of the Bounty of Queen *Anne* for the Augmentation of the Maintenance of the Poor Clergy, and that the Receipts of the said Treasurer should be a good and effectual Discharge for the same; and it was further enacted, that after Payment of all Costs and Expenses attending the making and executing of the said recited Contract, and attending or in anywise relating to the making and passing of the now-reciting Act, and of all other incidental Costs and Expenses, the Residue of the Monies to arise from such Sale should be invested by the said Governors, in their Names, in the Purchase of Three Pounds *per Centum* Bank Annuities, and be placed to the Credit of the said Perpetual Curacy of *Wolverhampton*, and applied for the perpetual Augmentation of such Curacy, in such and the like Manner as the same would have been applicable in case the Amount thereof had arisen by means of any Grant made by the said Governors for the Augmentation of the said Curacy: And whereas an Act was passed in the Session of Parliament held in the Third and Fourth Years of Her Majesty's Reign, intituled *An Act to carry into effect, with certain Modifications, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, 3 & 4 Vict. c. 113.

and

4 & 5 Vict. c. 39.

and another Act was passed in the Session of Parliament held in the Fourth and Fifth Years of Her Majesty's Reign, intituled *An Act to explain and amend Two several Acts relating to the Ecclesiastical Commissioners for* England: And whereas at the passing of the thirdly recited Act the Church of *Saint Peter, Wolverhampton*, was a Collegiate Church consisting of a Dean and Eight Prebendaries, of which the Dean was One, and a Sacrist or Sexton, and the said Sacrist was also the Perpetual Curate of *Wolverhampton*: And whereas by the said thirdly recited Act it was enacted, that no new Appointment should be made to the Deanery of *Wolverhampton*, but that the said Deanery should upon the Vacancy thereof be suppressed, and that no Presentation or other Appointment to the Offices therein mentioned, nor to any Prebend not residentiary, in any Collegiate Church in *England*, should convey any Right or Title whatsoever to any Lands, Tithes, or other Hereditaments, or any other Endowments or Emoluments whatsoever, then belonging to any such Office or Prebend, and that all Lands, Tithes, and other Hereditaments, (excepting any Right of Patronage,) and all other Emoluments and Endowments whatsoever, belonging to the said Deanery of *Wolverhampton* and certain other Deaneries therein mentioned, and to any Prebend not residentiary in any Collegiate Church in *England*, or enjoyed by the Holder of any such Deanery, Dignity, Office, or Prebend as such Holder, should, as to all such of the said Deaneries, Dignities, Offices, and Prebends respectively as might be vacant at the passing of the said Act, immediately upon its so passing, and as to all others immediately upon the Vacancies thereof respectively, without any Conveyance or Assurance in the Law other than the Provisions of the same Act, accrue to and be vested absolutely in the said Commissioners and their Successors for the Purposes of such Act; and by the fourthly recited Act it was enacted, that all the Provisions in the said last-recited Act contained relating to Lands, Tithes, or other Hereditaments or Endowments belonging to Prebends not residentiary, should apply also to all Lands, Tithes, and other Hereditaments or Endowments belonging to the Office of Sacrist in any Collegiate Church or enjoyed by the Holder thereof in right of such Office, as fully and effectually as if such Office had been expressly named as subject to such Provisions: And whereas by the said thirdly-recited Act it was enacted, that out of the Endowments, of whatsoever Kind, belonging to the said Collegiate Church of *Wolverhampton*, better Provision should be made by the Authority therein mentioned for the Cure of Souls in the Districts or Places with which the said Church is connected: And whereas under the Provisions of the said thirdly and fourthly herein-before recited Acts the said Deanery of *Wolverhampton*, on the Death of the Honourable and Very Reverend *Henry Lewis Hobart* Doctor of Divinity, the late Dean thereof, which happened on the Eighth Day of *May* One thousand eight hundred and forty-six, became suppressed: And whereas the Reverend *George Oliver* Doctor of Divinity, the late Sacrist and Perpetual Curate of the said Collegiate Church, vacated the said Offices by resigning the same on the Tenth Day of *April* One thousand eight hundred and forty-seven, and no Successor hath been appointed to the said Office of Sacrist, but the Reverend *John Osmond Dakeyne* Master of Arts hath been instituted to and is now the Perpetual Curate of the said

Perpetual

Perpetual Curacy of *Saint Peter's Wolverhampton* aforesaid: And whereas by an Act passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act for establishing a general Cemetery at* Wolverhampton *in the County of* Stafford, *and for making certain direct Roads and Approaches to the said Cemetery from the Town of* Wolverhampton *and the Neighbourhood thereof*, it was amongst other things enacted, that the Incumbents or officiating Ministers for the Time being of the said Church of *Saint Peter* and the Chapels of *Saint John* and *Saint George* in *Wolverhampton* aforesaid should and they were thereby required to officiate as Ministers or Chaplains in the Performance of the Burial Service at the said Cemetery over the Bodies of Persons dying within the respective Ecclesiastical Districts of the said Churches or Chapels, and brought thence for Interment within the consecrated Portion of the said Cemetery, and that for the Performance of such Burial Service each of such Incumbents or Officiating Ministers should receive a yearly Salary or Stipend of not less than the Sum of Twenty Pounds, over and above all Fees or Sums of Money payable to each such Incumbent or officiating Minister under the Provisions of the now-reciting Act: And whereas the Monies already vested in pursuance of the Provisions contained in the herein-before recited Act called "The *Pelsall* Mining Act," and standing in the Names of the Right Honourable and Most Reverend *William Howley* deceased, late Lord Archbishop of *Canterbury*, the said *Henry Lewis Hobart* deceased, and the said *George Oliver*, in the Books of the Governor and Company of the Bank of *England*, amount to the Sum of Three thousand two hundred and eighty-three Pounds Fifteen Shillings and Eight-pence Three Pounds *per Centum* Consolidated Annuities, in part of the said Sum of Eight thousand Pounds, like Annuities, by the said Act directed to be invested as aforesaid, exclusive of a certain Sum of Three hundred and eighteen Pounds, or thereabouts, now in the Hands of and to be accounted for by the Executors of the said *Henry Lewis Hobart* deceased, and the Monies invested in pursuance of the Provisions contained in the said recited Act called "*Hobart's* Estate Act," and standing in the Names of the "Governors of the Bounty of Queen *Anne* for the perpetual Augmentation of the Maintenance of the Poorer Clergy," in the Books of the Governor and Company of the Bank of *England*, amount to the Sum of Three thousand four hundred and fifty-five Pounds Twelve Shillings and Sixpence Three Pounds *per Centum* Consolidated Bank Annuities: And whereas the Parish of *Wolverhampton* aforesaid is divided into so much of the said Parish as is included in the District of *Ettingshall* and Sixteen other Districts the Names of which said Districts respectively are set forth in the Schedule hereunto annexed: And whereas for the Purposes of Visitation and spiritual Superintendence, One of the said Districts called the District of *Saint Peter's Wolverhampton* hath been assigned to the said Collegiate Church by the Lord Bishop of *Lichfield* the Ordinary of the said Church, under the Provisions of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend and render more effectual an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty, intituled 'An Act to amend the Acts for building and promoting the*

10 & 11 Vict. c. cclxxxv.

1 & 2 W. 4. c. 38.

'*building of additional Churches in populous Parishes*,' but the said Perpetual Curate, in right of his said Perpetual Curacy, is or claims to be entitled to the Perception of Surplice Fees throughout the whole Parish of *Wolverhampton* aforesaid: And whereas the Incumbent of the said Church of *Saint Peter, Wolverhampton*, by virtue of such Incumbency, and under the Provisions of an Act passed in the Session of Parliament held in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, claims the Right of Patronage of the said District Churches or Chapels of *Saint George, Wolverhampton*, and *Saint Mary, Bilston*, which it is expedient and the said Incumbent is willing should be transferred to the Bishop for the Time being of the Diocese in which such District Churches or Chapels are respectively situate: And whereas the present Income of the Perpetual Curate of the Parish of *Wolverhampton* aforesaid consists of the Dividends arising from the said Two several Sums of Three thousand two hundred and eighty-three Pounds Fifteen Shillings and Eight-pence and Three thousand four hundred and fifty-five Pounds Twelve Shillings and Sixpence, and of Surplice Fees arising from the whole Parish of *Wolverhampton* producing about Four hundred Pounds *per Annum*, and sundry small Endowments, which, including the said Sum of Twenty Pounds so payable by the said Cemetery Company, amount to a further Sum of Sixty-one Pounds Sixteen Shillings and Eight-pence, making together a total yearly Income of about Six hundred and sixty-five Pounds Six Shillings and Eight-pence, but which said Income would, upon the Completion of the Investment of Eight thousand Pounds Consolidated Bank Annuities, according to the Provisions of the said Act called the "*Pelsall* Mining Act," amount to about Eight hundred Pounds *per Annum*: And whereas there is no House of Residence nor any Land adapted for the Site of a House of Residence belonging to the said Perpetual Curacy: And whereas the Fabric of the Church of *Saint Peter Wolverhampton* is in a State of great Dilapidation: And whereas it is expedient, and would be greatly conducive to the spiritual Interests of the Parish of *Wolverhampton* aforesaid, and to the better Cure of Souls therein, that new and further Arrangements should be made respecting the Constitution and Endowment of the several Districts in the said Parish of *Wolverhampton*; and the said Commissioners, with the Consent of the Reverend *John* Lord Bishop of *Lichfield*, as Ordinary of the said Parish, and Patron of the said Church of *Saint Peter*, and the said *John Osmond Dakeyne*, as Perpetual Curate of the said Parish, are desirous that the same should be made; and the said Commissioners have proposed certain Arrangements for effecting the Purposes aforesaid to be carried into execution under their Control and Management; but the same cannot be carried into complete Effect 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, That all the Provisions contained in the said Act called "The *Pelsall* Mining Act," for the Investment of One Fourth Part of the Rents to arise as in the said Act mentioned, and

58 G. 3, c. 45.

Monies raised, &c. under Pelsall Mining Act

and for the Application of the Rents, Dividends, and Profits of the Land or Stock directed to be purchased therewith, and also the Provisions contained in the said Act called "The *Hobart*'s Estate Act," respecting the Residue of the Monies to arise from such Sale or Sales as in the said Act mentioned, after Payment of the Costs and Expenses therein specified, are hereby repealed; and the said several Sums of Three thousand two hundred and eighty-three Pounds Fifteen Shillings and Eight-pence and Three thousand four hundred and fifty-five Pounds Twelve Shillings and Sixpence Three Pounds *per Centum* Consolidated Bank Annuities, and Three hundred and eighteen Pounds Sterling, and all other the Sum or Sums of Money and Stock invested or liable to be invested and due as aforesaid under and by virtue of the Provisions contained in the said Acts of Parliament herein-before referred to, and respectively called the "*Pelsall* Mining Act," and "*Hobart*'s Estate Act," and the Interest and Dividends due in respect of the same Sums respectively from the First Day of *May* now last past, shall immediately upon the passing of this Act become and be vested in the said Ecclesiastical Commissioners for *England*, for the Purposes and to be disposed of in the Manner expressed in the said thirdly recited Act of and concerning the Endowments of the said Collegiate Church of *Wolverhampton*, and subject thereto for their said Common Fund, and shall be transferred and paid to the said Commissioners by the said *George Oliver*, the Representatives of the said *Henry Lewis Hobart* deceased, and the Governors of Queen *Anne*'s Bounty respectively, and other the Person or Persons in whose Name or Names the same may be now standing, or who now have or are entitled to the Order and Control or are liable to the Payment of the said several Sums or any Part thereof.

and Hobart's Estate Act vested in Ecclesiastical Commissioners.

II. And be it declared and enacted, That the said Office of Sacrist of the said Collegiate Church of *Wolverhampton* shall be and the same is by this Act abolished, and all the Estates, Rents, Endowments, and other Emoluments (excepting any Rights of Patronage) formerly belonging or appertaining to the said Office in the said Collegiate Church of *Wolverhampton*, subject to any valid existing Lease or Leases thereof, and all other the Funds, Dividends, Fees, Emoluments, and Profits whatsoever belonging thereto, and also a certain Field or Parcel of Land numbered 1221 in the Tithe Commutation Map of the Township of *Wolverhampton* in the said Parish, forming Part of the Endowments of the said Perpetual Curacy, are and shall be vested in the said Commissioners, and shall be held by them and their Successors for the Purposes by the said thirdly-recited Act expressed concerning the Endowments late belonging to the said Collegiate Church of *Wolverhampton*, and subject thereto for their said Common Fund, freed and absolutely discharged of and from all and every the Claims or Demands of the said *John Osmond Dakeyne* and his Successors, Perpetual Curates of *Wolverhampton* aforesaid.

Office of Sacrist of Collegiate Church of Wolverhampton abolished.

III. And be it enacted, That the District of the Parish of *Wolverhampton*, which has been so assigned to the Collegiate Church of *Saint Peter* as aforesaid, shall be and the same is by this Act constituted a Rectory; and the Reverend *John Osmond Dakeyne*, and his Successors, Incumbents of the said Church for the Time being shall

Constitution of the Rectory of Saint Peter's Wolverhampton.

shall henceforth be and be styled Rectors of *Saint Peter's Wolverhampton*, and by that Name and Style shall have and enjoy all the Rights, Privileges, and Emoluments which would have belonged to the Perpetual Curate of *Saint Peter's Wolverhampton* aforesaid for the Time being, save and except so far as the same are otherwise appropriated or disposed of by the said thirdly and fourthly recited Acts or this Act; and the Minister for the Time being of each of the several other Districts of the said Parish of *Wolverhampton*, specified in the Schedule to this Act, and of the District of *Ettingshall* so far as the same is in the said Parish of *Wolverhampton*, shall immediately after the present Minister thereof respectively shall have given his Consent to this present Act (to be testified by Writing under his Hand and to be deposited and kept in the Registry of the Diocese) be entitled to have and receive all the Surplice Fees arising or accruing within the same District, and as to the respective Ministers of the said Districts of *Saint John* and *Saint George*, in addition to the said yearly Stipend of Twenty Pounds apiece payable to them by the said *Wolverhampton* General Cemetery Company, freed and discharged from all Claim in respect thereof by the said Incumbent of *Saint Peter's Wolverhampton*.

Ecclesiastical Commissioners to provide a Rectory House and allow 750*l.* a Year to the Rector.

IV. And be it enacted, That in consideration of the Premises the said Commissioners shall, out of the Endowments late belonging to the said Collegiate Church or the Common Fund vested and to be vested in them by the said thirdly and fourthly recited Acts or this Act, as the said Commissioners shall see fit, and under the Authority provided by the said thirdly recited Act, provide a Sum not exceeding Seven hundred and fifty Pounds for or towards the Purchase of a Site, and a Sum of One thousand five hundred Pounds for or towards the Erection of a suitable Rectory House for the said District of *Saint Peter's*, under the Sanction and Control of the said Commissioners, and to be conveyed to and vested in the Rector of *Saint Peter's* and his Successors Rectors of the said Rectory for ever; and the said Commissioners shall also out of such Endowments or Common Fund as aforesaid pay and allow to the said *John Osmond Dakeyne* and his Successors Rectors for the Time being of *Saint Peter's Wolverhampton* an annual Sum of Six hundred Pounds, to be payable and paid half-yearly on the First Day of *November* and the First Day of *May* in each and every Year, the first Payment to be made on the First Day of *November* One thousand eight hundred and forty-eight, as and for an additional Endowment of the said Rectory over and above the Fees to arise within the said District of *Saint Peter's*, and the said yearly Sum of Twenty Pounds payable from the said *Wolverhampton* General Cemetery Company, and all other Endowments belonging to the said Rectory: Provided always, that if at the End of Three Years from the said First Day of *May* next before the passing of this Act, it shall appear to the Satisfaction of the said Commissioners that the average annual Income of the said Rectory during those Years, inclusive of the said annual Sum of Six hundred Pounds, shall not have amounted to Seven hundred and fifty Pounds, then and in that Case the said annual Sum of Six hundred Pounds shall be augmented by such Amount as with the said annual average Income during such Three Years, will make up the said annual Sum of Seven hundred and fifty

fifty Pounds, and such augmented annual Sum shall thenceforth and for ever thereafter be payable to the Rector for the Time being of the said Rectory by the said Commissioners, out of the said Endowments of the said Collegiate Church, or of their Common Fund, as they may see fit, in lieu of the said annual Sum of Six hundred Pounds, and irrespective of any subsequent Variation in the annual Income of the said Rectory; and then and in that Case also the said Commissioners shall at the End of the said Three Years, out of the said Endowments or Common Fund, pay to the said *John Osmond Dakeyne*, or the Incumbent of the said Rectory for the Time being, such an Amonnt as shall make up the Deficiency in the said Income for that Period; and if the said *John Osmond Dakeyne* shall by Death, Resignation, or otherwise have ceased to be Rector of the said Rectory during the said Term of Three Years, then such last-mentioned Amount shall be payable to the said *John Osmond Dakeyne* or his Representatives, and the succeeding Rector, in such Proportions, or wholly to one, exclusively of the other, as under the Circumstances shall to the said Commissioners appear just and proper: Provided also, that in case the said Commissioners shall at any Time or Times hereafter under the Authority provided by the said thirdly-recited Act endow the said Rectory of *Saint Peter's* with any of the Lands or Hereditaments or any Rent-charge or Rent-charges late belonging to the said Collegiate Church of *Wolverhampton* aforesaid the said yearly Sum of Six hundred Pounds, or such augmented annual Sum to be paid in lieu thereof as aforesaid, shall thenceforth and at all Times thereafter be diminished by the net Amount of such Rent-charge or Rent-charges or of the net yearly Rental or Value of the Lands or Hereditaments at the Time or respective Times of such Endowment, such net Amount to be ascertained and defined by the Surveyor for the Time being of the said Commissioners by Certificate under his Hand to be deposited and kept in the Registry of the Diocese.

As to Performance of Burial Service at the General Cemetery.

V. And be it enacted, That the aforesaid Provision contained in the said fifthly-recited Act requiring the Incumbents or Officiating Ministers for the Time being of the said Collegiate Church of *Saint Peter* and the said Chapel of *Saint John* and *Saint George* in *Wolverhampton* aforesaid respectively to officiate as Minister or Chaplain in the Performance of the Burial Service at the said Cemetery is hereby repealed, except so far as regards the Burial of Persons dying within their respective Parishes or Districts; and the Incumbents or Officiating Ministers of the several other Ecclesiastical Parishes or Districts in *Wolverhampton* aforesaid shall and they are hereby required to officiate as Ministers or Chaplains in the Performance of the Burial Service at the said Cemetery over the dead Bodies of Persons dying within their respective Parishes or Districts, in like Manner and subject to the like Qualifications as the Incumbents or Officiating Ministers of *Saint Peter*, *Saint John*, and *Saint George* are by the said last-mentioned Act required to perform such Service, and which they are by this Act required still to perform in the Case of Persons dying in their respective Districts; and such Incumbents or Officiating Ministers respectively shall be entitled to the like Fees for the Performance of such Burials as are thereby made payable to the Officiating Ministers for Interments: Provided nevertheless, that nothing in this Act con-

tained shall be construed to deprive the said Rector of *Saint Peter* or the respective Incumbents or Officiating Ministers of *Saint Peter*, *Saint John*, and *Saint George* for the Time being of his or their Right to receive the yearly Sum or Stipend of Twenty Pounds apiece, by the said Act made payable to them by the said Company, over and above the Burial Fees thereby made payable, but the same yearly Sums or Stipends shall continue payable to them in like Manner as if this Act had not been passed: Provided always, that this present Clause shall not take effect in any such Parish or District unless or until the *Wolverhampton* General Cemetery Company shall consent thereto by Writing under their Common Seal, to be deposited and kept in the Registry of the said Diocese.

Rector to employ One or more Curates to officiate at Saint Peter's.

VI. And be it enacted, That the said *John Osmond Dakeyne*, and his Successors Rectors of the said Rectory for the Time being shall at all Times hereafter retain and employ One or more Curate or Curates to assist in the accustomed Ordinances and Services to be duly performed in the said Church of *Saint Peter*, and in the Cure of Souls in the said District, and that such Curate or Curates shall be nominated by the Rector for the Time being, under and subject to the Orders and Regulations as to Licence and Duties and otherwise of the Bishop or Ordinary of the Diocese for the Time being and all other usual Laws and Regulations applicable to Stipendiary Curates: Provided always, that in case such Rector for the Time being shall neglect or fail to nominate a Spiritual Person to supply any Vacancy occasioned by the Death, Resignation, or Revocation of the Licence of any such Curate as aforesaid within the Space of Fifty Days after he shall have had Notice of such Vacancy, it shall be lawful for the Bishop of the Diocese to license a Curate or Curates for such Parish, and every Curate so licensed shall be entitled to have and receive all Stipends, Endowments, and other Emoluments belonging to or provided for such Curate as aforesaid from the Period of such Death, Resignation, or Revocation of Licence, in such and the same Manner as a Curate or Curates appointed and licensed to a Living under Sequestration is or are entitled to have, hold, and enjoy the same.

Bishop to appoint a Curate in case of Neglect of Rector.

Ecclesiastical Commissioners may contribute out of Estates towards Repair of Saint Peter's Church.

VII. And be it enacted, That it shall and may be lawful to and for the said Commissioners, under the Authority aforesaid, to allow and contribute at any Time or Times hereafter, out of such Estates and Property or Common Fund as aforesaid, such Sum or Sums of Money as shall be deemed by them the said Commissioners reasonable and necessary towards the Costs, Charges, and Expenses to be incurred in the necessary Reparation of the Church of *Saint Peter's Wolverhampton* aforesaid, but without Prejudice nevertheless to the Liability (if any) of the said Commissioners or the Liability of their Lessees to maintain in good and substantial Repair the Chancel of or belonging to the said Church.

Right of Patronage of Saint George Wolver-

VIII. And be it enacted, That the Advowson, Right of Patronage to and of Nomination, Presentation, or Appointment of the Spiritual Persons to be Incumbents of the said District Churches or Chapels called *Saint George Wolverhampton* and *Saint Mary Bilston* respectively,

tively, so far as the same was heretofore in any way vested in the Incumbent for the Time being of *Saint Peter's Wolverhampton* aforesaid, shall no longer be exercised by the said Perpetual Curate or the Rector of *Saint Peter's Wolverhampton* aforesaid, but that the Advowson, Right of Patronage to and of Nomination, Presentation, or Appointment of the Spiritual Persons to be from Time to Time Incumbents of the said District Churches or Chapels of *Saint George Wolverhampton* and *Saint Mary Bilston* respectively, shall from henceforth and for ever hereafter become and be transferred to and vested in and shall and may be held, possessed, and exercised by the Bishop for the Time being of the Diocese in which the same District Churches or Chapels are respectively situate. hampton and of Saint Mary Bilston vested in the Bishop.

IX. And be it enacted, That it shall be lawful for the Bishop of the Diocese and he is hereby directed, at such Time and in such Manner as he may see fit, to settle and adjust all Questions not settled by this Act respecting any double Surplice Fees at present payable in any of the Districts of *Wolverhampton* aforesaid, so and in such Manner that One Set of Fees only of such Amount as the said Bishop shall determine shall be payable in any Case or on any Occasion in any of the said Districts. One Set of Fees only to be payable.

X. Provided, and it is hereby enacted, That nothing in this Act contained shall deprive the present Clerk of the Church of *Saint Peter's Wolverhampton* aforesaid of any Fees or Perquisites to which he is by Law or Custom entitled in or out of any of the said Districts, but from and after his Death, Resignation, or Removal all Fees to the Clerk of the Rectory of *Saint Peter's* payable from or out or in respect of any other District shall be and the same are hereby abolished. Saving Rights of Clerk.

XI. And be it enacted, That all the Powers and Authorities vested in Her Majesty in Council, and in the said Ecclesiastical Commissioners for *England*, by the said Two herein thirdly and fourthly recited Acts relating to the said Commissioners, and passed respectively in the Sessions of Parliament held in the Third and Fourth Years and in the Fourth and Fifth Years respectively of Her present Majesty's Reign with reference to the Matters therein respectively contained, and all other the Provisions of the same Acts relating to Schemes and Orders prepared, made, and issued for the Purposes thereof, and also all other the Provisions of the same Acts, so far as they are applicable and not inconsistent with or repugnant to any thing herein contained, shall be extended and shall apply to all Matters contained in and all the Purposes of this Act as fully and effectually as if the said Powers, Authorities, and other Provisions were repeated herein. Powers vested in Her Majesty in Council and Ecclesiastical Commissioners by thirdly and fourthly recited Acts extended to this Act.

XII. And be it enacted, That, by such Authority as is provided by the said last-mentioned Acts, and at such Time or Times and from Time to Time, as by such Authority shall be deemed expedient, it shall be lawful to constitute and declare the several Districts and Parishes mentioned in the Schedule hereunto annexed, or any of them, or any other Districts or Parishes to be hereafter constituted in the As to Constitution of Districts into separate Parishes.

the said Parish of *Wolverhampton*, to be separate Parishes and Vicarages and the Incumbents thereof Vicars, but on such Conditions and with such respective Grants of Money or Augmentation of Income, or without the same, as to them the said Commissioners shall appear expedient and reasonable, and as shall be directed by the like Authority; and that on every such District being constituted a Vicarage the then existing Incumbent shall be the first Vicar thereof, and that every such Vicar shall be a Corporation Sole, and may receive, take, and hold such Lands, Tithes, or other Hereditaments as are vested in him as Incumbent of the District so constituted a Vicarage at the Time of the passing of this Act, or any future Augmentation thereof, in as full, ample, and beneficial a Manner as any other Corporation Sole can receive, hold, and take the same.

Saving Rights of Patronage.

XIII. And be it enacted, That nothing in this Act contained shall be construed to prejudice or affect the Right of Patronage or of Nomination, Presentation, or Appointment of the Rector of the said Rectory of *Saint Peter's*, or of any of the Incumbents or Ministers of the Churches or Chapels of the several other Districts in *Wolverhampton* aforesaid, except with respect to the Church or Chapel of *Saint George Wolverhampton*, and *Saint Mary Bilston*, so far as the Right of Patronage or Presentation is expressly transferred by this Act.

Altering Boundaries.

XIV. And be it enacted, That it shall be lawful, by the like Authority, and with the Consent of the Bishop of the Diocese for the Time being, at any Time or Times within Five Years from and after the passing of this Act, as to all Districts and new Parishes now existing in the said Parish of *Wolverhampton*, and as to all other Districts or new Parishes to be hereafter assigned or constituted in the said Parish within Five Years from the Date of the Licence of the Minister or Perpetual Curate first licensed to any such District or new Parish, to alter the Boundaries of such Districts or new Parishes; provided always, that the Scheme for making any such Alteration shall be subject to all the Provisions contained in an Act passed in the Session of Parliament held in the Sixth and Seventh Years of Her present Majesty's Reign, intituled *An Act to make better Provision for the Spiritual Care of populous Parishes*, and in another Act passed in the Session of Parliament held in the Seventh and Eighth Years of Her present Majesty's Reign, intituled *An Act to explain and amend an Act for making better Provision for the Spiritual Care of populous Parishes*, relating to Schemes for constituting Districts thereunder, and that any Portion of any such District or new Parish which, by any such Alteration as aforesaid, shall become detached or excluded therefrom, shall to all Intents and Purposes again belong to and form Part of the Parish or District out of which such Portion was taken, upon such District or new Parish being originally constituted, or to and of any new District, as shall be determined by the like Authority.

6 & 7 Vict. c. 37.

7 & 8 Vict. c. 94.

Nothing herein to affect the Poor Laws

XV. Provided also, and be it enacted, That nothing herein contained shall affect or in any Manner be construed to affect the Laws relating to the Relief, Maintenance, Settlement, or Management of the

the Poor, nor any Municipal or Parliamentary Laws or Regulations, nor prejudice or affect any Rights, Trusts, or Privileges incident or relating to any Free School or any Almshouses or Hospitals, nor any Rights of Sepulture in any existing Churchyard, Burial Grounds, Vaults, and Catacombs, within the Limits of the said existing Parish of *Wolverhampton*, nor any Offices, Trusts, Rights, Privileges, or Capacities whatsoever, which the Parishioners for the Time being of the said Parish are, in respect of their being such Parishioners, eligible or entitled to or capable of exercising or enjoying.

or Municipal Regulations, &c.

XVI. Provided also, and be it enacted, That nothing herein contained shall alter or affect any Law, Statute, or Custom relating to the making, levying, or applying Church or Chapel Rates within the Limits of the Parish of *Wolverhampton* aforesaid, or to the Election or Duties of Churchwardens or Chapelwardens for the Parish of *Wolverhampton* aforesaid, or for any Church or Chapel within the existing Limits thereof, so far as relates to such making, levying, or applying, nor increase or diminish any Liability of any Inhabitant of the said existing Parish of *Wolverhampton* in respect of any Church or Chapel Rates.

Not to affect Church Rates, &c.

XVII. And be it enacted, That the Expenses of carrying this Act into execution shall be borne and paid by the said Commissioners out of the Estates, Property, or Endowment late belonging to the said Collegiate Church of *Saint Peter*, *Wolverhampton*, or the Common Fund aforesaid.

Expenses of Act, how to be paid.

SCHEDULE.

Name of Church or District.	Estimated Amount of Population.	Accommodation in Churches.	Incumbents.	Patrons.	Residence or no Residence.
Wolverhampton: St. Peter's - under 1 & 2 W. 4. c. 38.	9,000	1,600, of which 559 free	Rev. J. O. Dakeyne	The Bishop -	No Residence.
St. George - under 58 G. 3. c. 45. s 21	7,000	2,300, of which 1,332 free.	Rev. J. B. Clare -	Ditto -	No Residence.
St. James - under 1 & 2 W. 4. c. 38.	5,000	1,200, of which 400 free	Rev. T. Bromley -	Five Trustees -	Residence.
St. Mark's - under 6 & 7 Vict. c. 37.	3,600	Church not completed	Rev. A. B. Gould -	Crown and Bishop.	No Residence.
St Mathew's - under 6 & 7 Vict. c. 37.	3,400	No Church - -	Rev. A. P. Luscombe,	Ditto -	No Residence.
St. John's - under Local Act, 28 G. 2.	8,000	1,660, of which 260 free	Rev. H. Pountney	The Earl of Stamford.	Residence.
St. Paul's - under 1 & 2 W. 4. c. 38.	4,000	1,400, of which between 500 and 600 free.	Rev. W. Dalton -	Rev. Mr. and Mrs. Dalton.	Residence now building.
St. Mary's - under 1 & 2 W. 4. c 38.	7,000	1,000, of which 443 free	Rev. G. Fraser -	Miss Hinkes -	Residence.
Willenhall -	6,000	620 private Property.	Rev. G. H. Fisher	Inhabitants.	—
Willenhall: Trinity - under 6 & 7 Vict. c. 37.	4,000	No Church - -	Rev. Jas. Lecky -	Crown and Bishop.	No Residence.
St. Stephen's - under 6 & 7 Vict. c. 37.	3,000	No Church -	Rev. W. Fletcher -	Ditto -	No Residence.
Bilston: St. Leonard's -	5,500	2,200, of which 750 free	Rev. J. H. Fletcher	Inhabitants -	Residence.
St. Mary - under 59 G. 3. c. 134. s. 16.	8,060	1,500, of which 900 free	Rev. J. B. Owen -	Perpetual Curate of Wolverhampton.	No Residence.
St. Luke - under 6 & 7 Vict. c. 37.	4,400	No Church - -	Rev. R. J. Heafield	Crown and Bishop.	No Residence.
Pelsall -	1,200	632, of which 484 free	Rev. W^{m} Jesse -	The Bishop -	No Residence.
Wednesfield -	7,000	864, of which 360 free	Rev. L. A. Parker	John Paget, Esq.	No Residence.

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