



ANNO QUINQUAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 180.

An Act for effecting the Sale of unfettled Freehold Estates, belonging to *Thomas Whitmore Wylde Browne*, an Infant, in Fee Simple, and for investing the Purchase Monies in other real Estates, to be conveyed to the Infant in Fee Simple.

[20th June 1812.]

WHEREAS *Thomas Whitmore Wylde Browne*, an Infant, is seised in Fee Simple of an undivided Moiety of several Messuages, Farms, Lands, Tenements, and Hereditaments, situate at *Coscomb*, in the Parish of *Didbrooke*, in the County of *Gloucester*: And whereas the said *Thomas Whitmore Wylde Browne* is also seised in Fee Simple of a Farm and Lands, situate in the several Parishes of *Saint Martin*, *Saint Swithin*, *Saint Peter*, and *Saint Andrew*, in the County of *Worcester*, and in the County of the City of *Worcester*: And whereas there is a large Mansion House upon the said Lands at *Coscomb*, and there are several Buildings upon the same Lands; and the said Mansion House and other Buildings are now greatly out of Repair, and cannot be properly repaired without considerable Expence, and the same Mansion House and Buildings are continually falling into a greater State of Decay: And whereas the said Lands at *Coscomb* are now held from Year to Year at yearly Rents, amounting together to Five hundred and fifty Pounds, by Tenants who hold from Year to Year at Rents fixed several Years ago, and the present Rents are greatly below the fair annual Value of the same Lands to be let: And whereas by Reason of the Infancy of the said *Thomas Whitmore Wylde Browne*, the said Mansion House and Buildings cannot be properly repaired, neither can any Leases of the said *Thomas*

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Whitmore Wylde Browne's said undivided Moiety be granted at improved Rents: And whereas the said Farm and Lands in the several Parishes of *Saint Martin, Saint Swithin, Saint Peter, and Saint Andrew*, or some or One of them, are near to the City of *Worcester*, and are now let from Year to Year to Tenants at several clear yearly Rents, amounting together to Three hundred and thirty-eight Pounds Seventeen Shillings and Eight-pence: And whereas from the Vicinity of the said Lands in the several Parishes of *Saint Martin, Saint Swithin, Saint Peter, and Saint Andrew*, some or One of them, to the City of *Worcester*, and from the great Increase of Buildings there, and the great Value of Ground for building upon in the said City and the Environs, and from the Situation of the same Lands being convenient for erecting Dwelling Houses and other Buildings for valuable Purposes, it is presumed that the same Lands might be sold to a very great Advantage: And whereas the said *Thomas Whitmore Wylde Browne* is seised in Fee in Reversion expectant on the Death of his Mother, of an Estate situate at *Caughley* in the County of *Salop*, having a large Mansion House thereon, formerly the Residence of his Father: And whereas by an Order of the High Court of Chancery, dated the Thirteenth Day of *May* One thousand eight hundred and eleven, *Mary Ann Browne* Widow, the Mother of the said Infant *Thomas Whitmore* of *Apley*, in the County of *Salop*, Esquire, and *Lancelot Shadwell* the younger of *Lincoln's Inn*, in the County of *Middlesex*, Esquire, were appointed Guardians of the said *Thomas Whitmore Wylde Browne* during his Minority, or until further Order of the said Court: And whereas the said *Thomas Whitmore Wylde Browne* is now of the Age of Eleven Years and upwards: And whereas the said *Mary Ann Browne, Thomas Whitmore, and Lancelot Shadwell* the younger, are well satisfied that it would be for the Benefit and Advantage of the said *Thomas Whitmore Wylde Browne*, that the said undivided Moiety, and the said Lands in the several Parishes of *Saint Martin, Saint Swithin, Saint Peter, and Saint Andrew*, some or One of them, in the County of *Worcester*, and in the County of the City of *Worcester*, should be sold; and that the Monies to arise by the Sale thereof should be invested, under the Direction of the High Court of Chancery, in the Purchase of other Estates, to be conveyed to the said *Thomas Whitmore Wylde Browne* in Fee Simple: But inasmuch as by reason of the Infancy of the said *Thomas Whitmore Wylde Browne*, the said Object cannot be obtained without the Aid and Authority of Parliament; therefore Your Majesty's most dutiful and loyal Subjects, the said *Mary Anne Browne, Thomas Whitmore, and Lancelot Shadwell* the younger, on Behalf of the said *Thomas Whitmore Wylde Browne*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act, all that the undivided Moiety of the said *Thomas Whitmore Wylde Browne* of and in the said several Messuages, Farms, Lands, Tenements, and Hereditaments, situate at *Coscomb* in the Parish of *Didbrooke*, in the County of *Gloucester*, and of and in all Houses, Outhouses, Buildings, Barns, Stables, Orchards, Yards, Gardens, Lands, Meadows, Pastures, Feedings, Woods, Underwoods, Ways, Waters, Watercourses, Commons, Common of Pasture, Profits, Privileges, Easements, and Appurtenances whatsoever to the same Messuages, Farms, Lands, Tenements and Hereditaments, or any of them belonging or in anywise

Estates vested
in Trustees.

anywise appertaining, or with the same or any Part thereof now or at any Time heretofore usually had, held, used, occupied, possessed, and enjoyed or accepted, reputed, deemed, taken or known as Part, Parcel, or Member thereof, or of any Part thereof; and also all and singular the Farm and Lands of the said *Thomas Whitmore Wylde Browne* situate in the several Parishes of *Saint Martin, Saint Swithin, Saint Peter* and *Saint Andrew*, some or One of them, in the County of *Worcester*, and in the County of the City of *Worcester*, together with all Houses, Outhouses, Buildings, Barns, Stables, Orchards, Yards, Gardens, Ways, Waters, Watercourses, Commons, Common of Pasture, Profits, Privileges, Easements and Appurtenances whatsoever to the same Farm and Lands or any of them belonging or in anywise appertaining, or with the same or any Part thereof now or at any Time heretofore usually had, held, used, occupied, possessed and enjoyed, or accepted, reputed, deemed, taken or known as Part, Parcel, or Member thereof, or of any Part thereof; all which Premises are particularly specified and described in the Schedule hereto annexed, shall be vested in and settled upon, and the same are hereby vested in and settled upon *Charles Shadwell* of *Gray's Inn*, in the County of *Middlesex*, Gentleman, and *Valentine Vickers* the younger, of *Cranmere*, near *Bridgnorth*, in the County of *Salop*, Land Agent, their Heirs and Assigns for ever, but upon the Trusts and for the Intents and Purposes herein-after expressed and declared; (that is to say), upon Trust, that they the said *Charles Shadwell* and *Valentine Vickers* the younger, or the Survivor of them, his Heirs or Assigns, do and shall as soon as conveniently may be, sell and dispose of the said Hereditaments and Premises hereby vested and settled as aforesaid, by public Auction or Sale, or private Contract, and together or in Parcels, unto any Person or Persons whomsoever, for the best Price or Prices that can be reasonably had or gotten for the same, and on Payment of the Purchase Money for which the same Premises shall be so respectively sold into the Bank as herein-after mentioned, do and shall convey and assure the same unto or to the Use of the Purchaser or Purchasers thereof, and his, her, or their Heirs and Assigns, or as he, she, or they shall direct or appoint.

II. And be it further enacted, That a sufficient Part of the Monies which shall arise by such Sale or Sales as aforesaid, shall be applied in paying and defraying the Costs and Expences attending or in anywise relating to the applying for and obtaining and passing this Act, and the Costs and Expences attending the Sales hereby directed, and the Execution of the Trusts of this Act; and that all the Residue and Surplus of the said Monies shall be laid out by and with the Approbation of the High Court of Chancery in the Purchase of Manors, Messuages, Lands, Tenements, and Hereditaments of an Estate of Inheritance in Fee Simple in Possession, situate in *England* or *Wales*, whereof not more than One Sixth Part shall be Copyhold; all which Premises so to be purchased shall be conveyed to the Use of the said *Thomas Whitmore Wylde Browne* and his Heirs and Assigns for ever.

III. And be it further enacted, That in the mean Time and until the said Premises hereby authorized to be sold as aforesaid shall be sold by virtue of this Act, the said *Charles Shadwell* and *Valentine Vickers* the younger, and the Survivor of them and his Heirs, shall permit the same to be held and enjoyed, and the Rents, Issues, and Profits thereof to be had, received

Application
of the Pur-
chase Money.

Rents of
Estates sold
to be received
by Thomas
Whitmore
Wylde
Browne.

ceived and taken by the said *Thomas Whitmore Wylde Browne*, his Heirs or Assigns.

Purchasers to pay their Purchase Monies into the Bank.

IV. And be it further enacted, That every Purchaser of the said Premises hereby authorized to be sold, shall pay his or her Purchase Money into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his or her Account there, *ex parte* the Purchaser or Purchasers of the Estate of the said *Thomas Whitmore Wylde Browne*, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the general Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth; which Monies when so paid in, shall be laid out in the Purchase of Navy, or Victualling, or Exchequer Bills, and the Interest arising from the Monies so laid out in the said Navy, Victualling, or Exchequer Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out in the Name of the said Accountant General in the Purchase of other Navy, or Victualling, or Exchequer Bills; all which said Navy, or Victualling, or Exchequer Bills shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or proper Purchases shall be found and approved of as aforesaid, and until the same shall upon a Petition to be preferred to the High Court of Chancery in a summary Way, by or on Behalf of the said *Thomas Whitmore Wylde Browne*, his Heirs or Assigns, be ordered to be sold by the said Accountant General for completing such Purchase or Purchases, in such Manner as the said Court shall think just and direct.

What shall be deemed sufficient Discharges to Purchasers.

V. And be it further enacted, That the Certificate and Certificates of the said Accountant General, together with the Receipt and Receipts of the Cashier of the Bank to be thereto annexed, and therewith filed in the Register Office of the High Court of Chancery, of the Payment into the Bank of *England*, by such Purchaser or Purchasers of his, her, or their Purchase Money, shall from Time to Time be and be deemed and taken to be a good and sufficient Discharge to such Purchaser or Purchasers, and to his, her, and their Heirs and Assigns, for so much or such Parts of the said Purchase Money or Monies for which such Certificate or Certificates and Receipt or Receipts as aforesaid shall be given; and after giving such Certificate or Certificates, and Receipt or Receipts, such Purchaser or Purchasers shall be absolutely acquitted and discharged of and from the same Monies, and shall not be answerable or accountable for any Loss, Misapplication or Non-application thereof or of any Part thereof.

The Court of Chancery empowered to tax the Costs of this Act, &c.

VI. Provided always, and be it further enacted, That it shall be lawful for the High Court of Chancery, and the said Court is hereby required from Time to Time to make an Order for taxing and settling the Costs, Charges and Expences herein-before directed to be paid, and for taxing the Costs of the several Applications to be made to the said Court respecting the Matters aforesaid, and the Costs of taking the said Monies out of the Bank and investing the same in new Purchases as aforesaid, and for Payment of all such Costs, Charges and Expences out of the said Monies, or out of the Monies arising by Sale of the said Navy, Victualling or Exchequer Bills, so to be purchased as aforesaid.

VII. And

VII. And be it further enacted, That in the mean Time and until such Purchases can be had and completed, it shall and may be lawful to and for the High Court of Chancery from Time to Time in a summary Way upon Petition, by or on Behalf of the said *Thomas Whitmore Wylde Browne*, to order the Accountant General of that Court to pay all or any Part of the Interest which shall from Time to Time arise from the Monies to be so laid out in Navy or Victualling or Exchequer Bills as aforesaid, as the same shall become due and payable, unto such Persons or Person as the said Court shall think proper, to be applied for or towards the Maintenance and Education of the said *Thomas Whitmore Wylde Browne* or his Heirs.

Court of Chancery to maintain the said *Thomas Whitmore Wylde Browne* out of the Interest of the Monies.

VIII. And be it further enacted, That if the said *Charles Shadwell* and *Valentine Vicars*, or either of them, or the Trustees or Trustee for the Time being substituted in their or his stead, shall die or desire to relinquish the Trusts hereby in them or him reposed before the same Trusts shall be performed, then and so often it shall and may be lawful to and for the Trustees or Trustee for the Time being, pursuant to an Order of the High Court of Chancery to be made in a summary Way upon the Petition of the said *Thomas Whitmore Wylde Browne*, his Heirs or Assigns, to convey all and singular the said Hereditaments hereby vested in Trustees as aforesaid, or so much thereof as shall remain unsold, unto and to the Use of new Trustees, or to the Use of the continuing Trustee, and of a new Trustee in Fee Simple, upon and to and for such and so many of the Trusts, Intents and Purposes hereby declared of and concerning the said Hereditaments hereby vested and settled as aforesaid, as shall be then existing, undetermined and capable of taking Effect.

For appointing new Trustees.

IX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic or Corporate, his, her, and their Heirs, Executors, Administrators, Successors and Assigns (other than and except the said *Thomas Whitmore Wylde Browne*, his Heirs, Executors, Administrators and Assigns) all such Estate, Right, Title, Interest, Property, Claim and Demand whatsoever, of, in, to or out of the said Hereditaments hereby vested in Trust to be sold as aforesaid, or any Part or Parts thereof, as they, every, or any of them, had before the passing of this Act, or could or might have had or held or enjoyed or been entitled to, if this Act had not been made.

General Saving.

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

Printed Copy to be admitted in Evidence.

The SCHEDULE to which this Act refers.

TENANTS' NAMES.	DESCRIPTION.	Quantity.	Annual Rent.
In the County of Gloucester.			
		A. R. P.	£ s. d.
On Hand	An undivided Mojety of the Mansion House, Offices, walled Garden, Pleasure Ground and Woodlands, situate in the Parish of Didbrooke	24 1 18	
Mrs. Matthews	Also of - - - the Hall Meadows in the said Parish	30 0 38	45 — —
Do.	Also of - - - a Messuage and Farm in Do.	542 1 13	505 — —
Total in the County of Gloucester		596 3 29	550 — —
In the County of Worcester and County of the City of Worcester.			
John Burlingham	Part of a Field called Upper Cornwall's Ground or young Clay Pits, adjoining some Building Land, sold by the late Ralph Browne Wylde Browne, Esq.	2 1 6	14 10 —
Do.	A Strip of Land adjoining the same	0 0 10	— 4 6
Do.	A right of Road reserved for Do. on the sale of other Property, at 7s. 6d. per annum	— — —	— 7 6
Do.	A Piece of Pasture Land called Old Woman's Field	12 1 4	51 6 —
Thomas Burrows	A Pasture Field called Ball's Gardens, or Three Acre Piece	2 3 6	14 10 —
Thomas Smith	Two Pieces of Land called The Hills	12 3 32	31 10 —
Benjamin Fieldhouse	A Messuage and Farm called The Nunnery	146 0 20	233 — —
Total in the County of Worcester and County of the City of Worcester		176 1 38	345 8 —
Deduct Land Tax			6 10 4
			£ 338 17 8

Val. Vickers.