



ANNO SECUNDO

VICTORIÆ REGINÆ.

Cap. xi.

An Act to enable the *Rhymney* Iron Company to erect and endow a Church in the Parish of *Bedwelty* in the County of *Monmouth*.

[14th May 1839.]

WHEREAS certain Persons are associated together under the Title of the *Rhymney* Iron Company for the Purpose of carrying on the Business of Iron Masters at the *Rhymney* Iron Works in the Counties of *Monmouth*, *Brecon*, and *Glamorgan*, and have raised amongst themselves a large Capital for the Purposes of their Association: And whereas the said Company have purchased out of their said Capital and are the Proprietors of certain Freehold Estates called *Rhymney* Estates, situate in the Parish of *Bedwelty* in the said County of *Monmouth*, and have also purchased or become possessed of sundry Leasehold Lands, Mines, and Works in the Parish of *Llangunider* in the said County of *Brecon*, and in the neighbouring Parish of *Gellygare* in the said County of *Glamorgan*: And whereas a great Number of Persons are employed by the said Company in and about the said Works, which are in active Operation, and there has consequently been located in the Neighbourhood thereof a rapidly increasing Population, already estimated to amount to Eight thousand Souls, and nearly the whole of such Population resides on the Freehold Property of the said Company in the said Parish of *Bedwelty*, at a Distance of nearly Five Miles from the Parish Church, and there is

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no other Church or Chapel for the Celebration of Divine Worship according to the Rites of the Church of *England* within the said Parish, or except at a considerable Distance from the said Works: And whereas the said Parish of *Bedwelty* is within the Diocese of *Llandaff* and Archdeaconry of *Monmouth*: And whereas the Directors and the Body of Proprietors of the said Company are desirous of appropriating and settling sufficient Portions of their said Freehold Lands at *Rhymney* and in the Parish of *Bedwelty* aforesaid for the Purpose of building thereon and providing a Church and Cemetery for the Use of the Inhabitants of the Neighbourhood, or of the District to be assigned thereto as herein-after provided, and a House and Garden for the Minister of the same Church, and to provide out of the Funds of the said Company, and by charging their said Freehold Estates, or a sufficient Part thereof, in manner herein-after expressed, sufficient Endowments for the said Church and the Minister thereof: And whereas several Sums have been voluntarily subscribed by Individuals towards the building of such Church and House, and it is expected that Sums will be subscribed sufficient to complete the building of the same, and the fitting up of the said Church: And whereas it would be greatly for the Benefit and Advantage of the said Company, and of the Persons employed and to be employed in and about their said Works, and of the Inhabitants of the Neighbourhood thereof, that the said proposed Arrangements should be carried into effect; but the same cannot be done without the Aid and 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 from and after the passing of this Act the Directors for the Time being of the said Company, or a Majority of them authorized according to the Provisions of the Deed of Settlement of the said Company to exercise the Powers of the Directors thereof, shall be and they are hereby empowered, by any Writing under their Hands and Seals executed by them at any Meeting of the said Directors, and registered in the Registry of the Diocese of *Llandaff*, to appoint any Five Persons being respectively professed Members of the Church of *England*, who may either be or not be Members of the Board of Directors, and the Survivors and Survivor of such Persons, to be Trustees for the Purposes of this Act; and so from Time to Time, so often as any Trustees or Trustee hereof shall have died, refused, declined, or become disqualified or incapable to act in the Trusts hereof, or have required to be discharged from such Trusts, to appoint new Trustees or a new Trustee, being respectively qualified as aforesaid, to supply the Vacancies or Vacancy in the Trust which shall have occurred by any of the Means aforesaid, so that the total Number of such Trustees shall not exceed Five at the same Time, and to appropriate and vest in the said Trustees or Trustee for the Time being for the Purposes herein-after declared any such Plot or Plots of Ground belonging to the said Freehold Estates of the said Company in the Parish of *Bedwelty* aforesaid, and not exceeding altogether in Quantity Two Acres, as in the Judgment of the said Directors shall be necessary or proper for the Site of a Church to be built there, with a Cemetery to be annexed thereto, and

The Directors of the Company may appoint Trustees, and appropriate a Plot or Plots of their Freehold Ground in *Bedwelty* for a Site of a Church and Cemetery.

also for the Site of a House to be built for the intended Minister of the said Church, with proper Offices and Conveniences and a Garden to be annexed thereto, and to effect such Appropriation by any Writing under the Hands and Seals of the Directors making the same, executed by them and registered as aforesaid, in which the said Plot or Plots of Ground shall be ascertained by specific Description, and that such Appropriation made in manner aforesaid shall operate to vest the Plot or Plots of Ground which shall be the Subject thereof in such Trustees or Trustee for an Estate of Fee Simple.

II. And be it enacted, That from and after the passing of this Act it shall be lawful for the Directors for the Time being of the said Company, or a Majority of them authorized as aforesaid to exercise their Powers, and for any Persons having the Custody or Control of the Funds of the said Company by their Direction, to provide thereout any Sum or Sums of Money not exceeding One thousand four hundred Pounds Sterling, and to invest the same in the Names or Name of the Trustees or Trustee hereof for the Time being in some of the permanent Public Funds of *Great Britain*, in order to the Application thereof or of the Dividends arising therefrom to the Purposes hereinafter declared.

The Directors may invest 1,400*l.* for an Endowment.

III. And be it further enacted, That when and so soon as a Church shall have been built on the said intended Site, and shall have been furnished and rendered fit for the Performance of Divine Service therein, and the Cemetery to be attached thereto shall have been properly inclosed, then the same Church and Cemetery shall be duly consecrated according to the Usages of the Church of *England*, and a District including so much of the *Rhymney* Estates of the said Company as is situate within the said Parish of *Bedwelty*, (and a Specification or Description of the Boundaries of which District shall be registered in the Registry of the Diocese of *Llandaff*) shall be assigned thereto by the Lord Bishop of the same Diocese, and the said Church and District shall thenceforth be a separate Parish for Ecclesiastical Purposes, and independent of the Parish Church of *Bedwelty*, and the said new Church shall be considered in Law as a Benefice Presentative by the Name of the *Rhymney* Church, subject to the Jurisdiction of the Bishop of *Llandaff* and the Archdeacon of *Monmouth*; and the Minister to be presented as herein-after provided shall be styled the Minister thereof, and shall from Time to Time be presented by the Trustees or Trustee for the Time being hereof appointed as aforesaid, or a Majority of such Trustees, by Writing under their or his Hands or Hand, and upon being licensed by the Lord Bishop of *Llandaff* to the Ministry of the said Church shall have the same Rights, Authorities, and Privileges as if instituted and inducted thereto, except so far as is or may be otherwise provided by this Act; and such Minister and his Successors shall and are hereby declared to be a Body Politic and Corporate, and may receive and take such Endowments in Lands or Tithes, or both, or any such Augmentation, as legally may and shall be granted to them respectively; and that from and after the Presentation and licensing of the first of such Ministers the Parsonage House and Garden which shall have been provided for him as aforesaid shall vest legally and equitably in him and

The Church and Cemetery when finished to be consecrated, and a District to be assigned, which shall then form a separate Parish.

Trustees to present the Minister, who is to have the usual Rights of an Incumbent.

and his Successors for ever; and every such Minister, and all Persons presenting or appointing him, and all other Persons, shall respectively be subject to all Jurisdictions and Laws, Ecclesiastical and Common, and all Provisions, Regulations, Penalties, and Forfeitures, contained in any Acts of Parliament and in-force relating thereto respectively; and in case of any Failure or Neglect to present any such Incumbent for the Space of Six Calendar Months after the Avoidance of the said Benefice, such Presentation or Appointment shall thereupon lapse as in Cases of other Benefices Presentative.

Divine Service to be performed, and Marriages solemnized, &c.

IV. And be it further enacted, That the Minister of the said Church shall perform Divine Service or cause the same to be performed therein on every Sabbath Day twice, and on all the principal Fasts and Festivals of the Church of *England*, and administer the Sacrament of the Lord's Supper on *Easter Day* and *Christmas Day*, and oftener if required by the Bishop of the Diocese, and shall preach or cause to be preached Two Sermons, one at the Morning and the other at the Evening Service, on every Sabbath Day, and that such Service shall be deemed sufficient, and such Services or any of them shall be either in *English* or *Welch*, or partly in *English* and partly in *Welch*, as the said Bishop shall direct; and also that it shall be lawful to publish Banns of Matrimony in the said Church, and according to the Laws and Canons in force in this Realm to solemnize Marriages, Christenings, Churchings of Women, and Burials therein, and for the Minister, Clerk, and Sexton respectively to require and receive the like Fees upon the Solemnization of the said Ceremonies or any of them, or upon the Publication of Banns, or upon the making or opening of any Vaults in the said Church or Cemetery respectively, or for Registrations and Certificates, and all such other lawful Fees, as are in the like Cases received at the Parish Church of *Bedwelty* aforesaid: Provided always, that while and so long as the Reverend *John Edwards*, the now Perpetual Curate of the said Parish of *Bedwelty*, shall continue to be such Perpetual Curate, all the Fees hereby authorized to be required and received by the Minister for the Time being of the said intended new Church shall be so required and received for the Use of the said *John Edwards*, and shall be accounted for to him accordingly, except only that out of the Fees payable upon any Marriages solemnized during the same Period in the said intended new Church there shall be retained by the Minister thereof, for his own Use, the Sum of Two Shillings and Sixpence in respect of each such Marriage.

The Freehold Estates of the Company to be charged with a Rent-charge or Payment of a 100*l.* a Year to the Minister of the Church.

V. And be it further enacted, That from and after the Presentation and licensing of the first Minister of the said Church the several Parcels of Land and Hereditaments forming the Freehold Estates of the said Company at *Rhymney* aforesaid shall stand charged with the Payment to such Minister and his Successors for ever of a perpetual yearly Rent-charge or Sum of One hundred Pounds, by equal half-yearly Payments, to be computed from the Date of such first Licence, and to be made without any Deduction whatsoever; and that in case of the Nonpayment of the said Rent, the same shall from Time to Time be recoverable out of the Hereditaments charged therewith by all or any of the Means by which Rents-charge for which any Tithes have

have been or shall be commuted by virtue of the Act passed in the Seventh and Eighth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Commutation of Tithes in England and Wales*, are or shall be recoverable by virtue of the same Act out of any Hereditaments charged therewith.

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VI. And be it further enacted, That upon or as soon as conveniently may be upon the Consecration of the said Church, and afterwards from Time to Time at the usual Periods for choosing Parish Officers, Two fit and proper Persons shall be chosen yearly out of the said new Parish, being Members of the Church of *England*, to act as Churchwardens for the same Parish, one by the Minister thereof, and the other by the Inhabitants of the said Parish in Vestry assembled, and the Persons so chosen shall be duly admitted and sworn, and shall do all Things pertaining to the Office of Churchwardens as to Ecclesiastical Matters in the said Parish; and that the Minister shall appoint from Time to Time as Occasion shall require a Clerk and Sexton for the said Church, and replace the said Officers respectively on their Death, or Refusal, Neglect, or Incapacity to perform their several Offices, and shall assign to them respectively such Salaries as by himself and the Churchwardens and Inhabitants of the said Parish in Vestry assembled for the Time being shall be thought adequate or expedient: Provided always, that nothing herein contained shall render the said Churchwardens liable to perform the Duties of Overseer of the Poor in respect of their said Office of Churchwardens.

Appointment
of Church-
wardens and
other Officers.

VII. And be it further enacted, That in the said new Church there shall be set out and appropriated for the free and gratuitous Use of the Poor of the said District at least one equal Half Part of the Sittings therein; and that there shall also be set out and appropriated therein a Pew capable of containing Six Persons for the free Use of the Minister thereof and his Family, and a second Pew capable of containing Four Persons for the free Use of the Minister's Servants, and a Pew capable of containing Four Persons for the free Use of the Churchwardens, and a Pew capable of containing the like Number of Persons for the free Use of the Directors of the said Company, and that the said Pews shall for ever thereafter be the Pews of the said Minister and Churchwardens and Directors respectively; and that the Residue of the Sittings in the said Church shall from Time to Time, with the Concurrence of the Minister, be appropriated and set out by the said Churchwardens amongst the resident Inhabitants of the said District and their Families and Servants in such Manner and for such Period and for such Rents or Payments, if any, as to the said Churchwardens and Minister shall seem fit.

Half the Sit-
tings to be
free; the rest
to be appor-
tioned.

VIII. And be it enacted, That the Trustees or Trustee in whom the said Sum of One thousand four hundred Pounds, or the Investments thereof, shall from Time to Time be vested, shall pay the Dividends and Income arising therefrom as the same shall become due, from and after the Consecration of the said Church, and also such Dividends or Income, if any, as shall have arisen previously to such Consecration, unto the Churchwardens for the Time being of the said new Parish, or otherwise empower them to receive the same; and that

The annual
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ment and the
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paid to the Minister as additional Stipend.

If the Dividends and Pew Rents are insufficient, a Portion of the Rent-charge to be applied.

Parishioners not to be liable to Bedwelty Church Rates.

Power to the Company to work Mines under the Minister's House and Garden.

If no Church built in Five Years the Investment to revert to the Company, and the Land to be discharged from the Rent-charge.

Saving of Rights.

the said Churchwardens shall from Time to Time apply all such Dividends and Income, and also the Rents, if any, which shall be received for the Pews in the said Church, in or towards the Discharge of such Expences as they shall have incurred or be required to incur in or for sustaining the Fabric of the said Church, and for the necessary Repairs thereof, and of the Cemetery to the same, or for or connected with the Care and Preservation of the said Church or the Services thereof, including the Salaries of the Clerk and Sexton; and the Expences incident to the Performance of Divine Service; and if any Residue shall remain after answering the Purposes aforesaid, the same shall be paid to the said Minister to and for his own Use, by way of Stipend, in addition to the said yearly Rent-charge of One hundred Pounds a Year herein-before limited to the said Minister; and if the said Dividends, Income, and Rents shall be insufficient for the Purposes aforesaid, then and in such Case a Portion of the said Rent-charge, but not exceeding the Sum of Forty Pounds for any One Year, shall be from Time to Time provided by the said Minister for answering such Deficiency.

IX. And be it further enacted, That after the Constitution of the said new Parish the Inhabitants or Proprietors thereof shall not as such be subject to any Rates for the Repair of the Church of *Bedwelty*.

X. And be it further enacted, That, notwithstanding any such Appropriation as is hereby authorized to be made of the Land of the said Company for the Use of the Minister of the said intended Church, it shall be lawful for them, by themselves, their Lessees, Workmen, and others, to search for, work, and extract any Minerals under or from the same Land, except under such Part thereof as shall form the Site of the said Church and Cemetery, doing thereby no Damage to the Surface thereof, and occasioning no Inconvenience or Insecurity whatsoever to the said Minister or to any Buildings thereon.

XI. Provided always, and be it further enacted, That if no Church shall be erected within the Period of Five Years next after the passing of this Act to which or to the Minister whereof the Appropriations and Endowment hereby authorized to be made shall be applicable or available, then and in such Case all and the said Appropriations and Endowment shall at the Expiration of the last-mentioned Period revert to and become the absolute Property of the said Company, and the said Lands and Hereditaments shall be wholly discharged from the said Rent-charge; and also that for all Things which shall be done under the Authority of this Act the same shall be a full and sufficient Indemnity to the Parties by whom the same respectively shall be so done.

XII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all Persons and Corporations, all such Estates, Rights, Titles, and Interests as they respectively could or might have held, enjoyed, or claimed if this Act had not been passed, except in respect of the Matters and Things expressly concluded, provided for, or authorized by this Act.

XIII. And

XIII. And be it further enacted, That this Act shall be deemed Public Act. and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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