



ANNO QUADRAGESIMO QUINTO

GEORGIUM III. REGIS.

Cap. 91.

An Act for dividing, and selling or disposing of the Common Lands and Waste Grounds, in the Manor, Barony, Town and Township of *Stockport* in the County Palatine of *Chester*, and for applying the Money to arise thereby for the Benefit of the Poor of the said Town. [27th June 1805.]

WHEREAS there are within the Manor, Barony, Town and Township of *Stockport* in the County Palatine of *Chester*, several Common Lands and Waste Grounds, called *The Stockport Great Moor, Stockport Little Moor, Petty Carr Green, Cale Green, Daub Bank, and Shaw Heath*, and several other Plots, Pieces, or Parcels of Common Land and Waste Ground, lying dispersed in small Parcels, and adjoining or near to the publick Highways and other Places within the said Manor, Barony, Town and Township of *Stockport* aforesaid, and containing together One hundred and twenty-five Acres Two Roods and Twenty-five Perches of Land, of the Statute Measure, or thereabouts, to the Herbage or Pasturage whereof the Owners of certain Houses and Estates within the said Manor, Barony, Town and Township of *Stockport* aforesaid, are entitled by virtue of their Freeholds: And whereas the Right Honourable *Thomas James Viscount Bulkeley*, and *Elizabeth Harriett Viscountess Bulkeley*, his Wife, are the present Lord and
[Loc. & Per.] 18 L Lady

Lady of the Manor and Barony of *Stockport* aforesaid, and as such are entitled to the Soil of the said Commons and Waste Grounds, and to the Royalties within the said Manor and Barony, and are also entitled to hold, by their Steward, a Court Leet and Court Baron, and View of Frankpledge, at which the Mayor and Constables, and other Officers within the said Manor and Barony and Town of *Stockport*, are annually elected to their several Offices: And whereas the said *Thomas James* Viscount *Bulkeley*, and *Elizabeth Harriett* Viscountess *Bulkeley*, his Wife, are Patrons of the Rectory and Parish Church of *Stockport* aforesaid: And whereas *Charles Prefect* Clerk is the present Rector of the said Rectory and Parish Church, and as such is entitled to the Glebe Lands within the said Manor, and by virtue thereof to a Right of Common upon the said Commons or Waste Grounds: And whereas the said *Thomas James* Viscount *Bulkeley*, and *Elizabeth Harriett* Viscountess *Bulkeley*, his Wife, and *John Arden*, *William Egerton*, *William Radcliffe*, *John Mitchell*, *John Lingard*, *Robert Bancroft*, and divers other Persons, are also entitled to a Right of Common upon the said Commons and Waste Grounds: And whereas an Act was passed in the Forty-first Year of the Reign of His present Majesty, intituled, *An Act for consolidating in One Act certain Provisions usually inserted in Acts of Inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts*: And whereas the said Common Lands and Waste Grounds, in their present State, are of little or no Use or Advantage to the Persons entitled to the Herbage or Pasturage thereof, but are capable of great Improvement, and if the same were inclosed, divided, allotted, and sold for a Sum of Money in Gross or on a perpetual annual Chief Rent, and the Money arising by the Sale thereof or yearly Rent thereof applied for the Benefit of the said Town of *Stockport*, and in defraying the Expences of erecting and building a Poor House or House of Industry, within and for the Use of the Poor of and belonging to the said Township of *Stockport*, and in Aid of the Poor Rates thereof, it would be of great Utility and Benefit, as well to the said Lord and Lady of the said Manor and Barony of *Stockport* aforesaid, as also to the several Persons entitled to such Right of Herbage and Pasturage of the said Common Lands and Waste Grounds: But such Division, Allotment, and Sale, cannot be effected and established without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Common Lands and Waste Grounds shall be set out, divided, and allotted as soon as conveniently may be after the passing of this Act, and that the same shall be sold and disposed of either for a Sum or Sums of Money in Gross, or subject to the Payment of One or more annual Rent or Rents, and the Purchase Money, and also the said yearly Rents, until the same shall be sold and disposed of, shall be applied and appropriated to and for the several Uses, Intents, and Purposes herein-after mentioned; and that *Matthew Ellison* of *Glossop*, in the County of *Derby*, Gentleman, and *Nathaniel Wright* of *Poynton*, in the said County Palatine of *Chester*, Gentleman, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Commissioners for the special Purpose of valuing, setting out, allotting, selling, and disposing of the said Common Lands and Waste Grounds, and for putting

Commission-
ers.

ting this Act in Execution, subject to the Rules, Orders, and Directions herein after particularly mentioned, and subject also (except where the same are hereby varied or altered) to such Rules, Orders, and Regulations as are mentioned and contained in the said recited Act.

II. And be it further enacted, That in case the said Commissioners shall at any Time or Times differ in Opinion respecting any Matter or Thing to be done by virtue or in pursuance of this or the said recited Act, the same shall be determined, as between the said Commissioners, by a Third Person (not interested in the Premises) to be named and appointed by the Trustees under this Act, or the major Part of such of them as shall be assembled at a publick Meeting to be holden at *Stockport* aforesaid, of which Meeting such Notice shall be given as herein-after is mentioned for the Election of a new Commissioner; and in case of the Death or Incapacity to act of such Umpire, another indifferent Person shall be appointed in Manner aforesaid, and so from Time to Time as often as any such Umpire shall die, refuse, or become incapable to act; and the Determination of such Umpire, shall be conclusive upon, and be adopted by the said Commissioners, and comprehended in their Award.

For appointing an Umpire in case the Commissioners shall differ in Opinion.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as an Umpire in the Execution of this Act, until he shall have taken and subscribed the Oath by the said recited Act directed to be taken by Commissioners for executing Acts of Inclosure, which Oath the said Commissioners or either of them, are and is hereby empowered and required to administer; and the said Oath so to be taken and subscribed by such Umpire, and also his Appointment, shall be annexed to and enrolled with the Award of the said Commissioners.

Umpire to take an Oath.

IV. And be it further enacted, That out of the Money which shall be raised by virtue of this Act, there shall be paid to each of the said Commissioners and Umpire, and their Clerk, who shall act in the Execution of this Act, as a Recompence for his Pains and Trouble, the Sum of Three Pounds and Three Shillings, and no more, for each Day he shall attend in the Execution of this Act, and in travelling to and from their Meetings; and that at all their Meetings the said Commissioners, Umpire, and Clerk, shall pay and defray their own Charges and Expences.

Allowances to Commissioners, Umpire, and Clerk.

V. And be it further enacted, That the Lord or Lords, Lady or Ladies of the Manor and Barony of *Stockport* aforesaid for the Time being, and the Rector of the Rectory and Parish Church of *Stockport* aforesaid for the Time being, and the Curate of *Saint Peter's* Church in *Stockport* aforesaid for the Time being, and the Mayor of *Stockport* for the Time being, and all other Persons, whether resident in the said Town and Township of *Stockport* aforesaid or not, who shall be seised of a Freehold Estate in the said Township of *Stockport*, of the yearly Value of Fifty Pounds, and all such other Persons as shall be or shall act as Guardians or Trustees for Minors, or shall be Attornies legally appointed by any Person or Persons so seised of or entitled unto a Freehold Estate within the said Town and Township of *Stockport* aforesaid, of the yearly Value of Fifty Pounds, shall be Trustees for putting this Act in Execution.

Trustees,

VI. And

Trustees to
take an Oath
before they
act.

VI. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of any of the Powers given by this Act (except the Power of signing and giving Notice of the First Meeting of the said Trustees, and of administering the Oath herein-after mentioned) until he shall have taken and subscribed an Oath to the following Effect; that is to say:

Oath.

‘ I do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgement, execute and perform the several Trusts, Powers, and Authorities vested and reposed in me as a Trustee, by virtue of an Act passed in the Forty-fifth Year of the Reign of His Majesty King *George* the Third, intituled, *An Act* [here insert the Title of this Act] without Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever.

‘ So help me GOD.’

Which Oath it shall be lawful for any One of the said Trustees to administer, and he is hereby required to administer the same to any other of the said Trustees; and the said Oath so taken and subscribed by each Trustee shall be written on Parchment, and deposited at the same Time and Place as the Award by the said recited Act or this Act, directed to be made by the said Commissioners, is by this Act directed to be deposited; and a Copy of the Enrolment thereof shall be admitted as legal Evidence.

For appoint-
ing new
Commission-
ers.

VII. And be it further enacted, That if either of the Commissioners herein-before named or to be appointed by virtue of this Act, shall die or refuse to act, or be rendered incapable of acting by Sickness or any other Cause, in the Execution of the Powers and Authorities hereby vested in him or them, before the Execution of the Award of the said Commissioners, then and in every such Case the remaining Commissioner shall from Time to Time, and he is hereby required, by Writing under his Hand, within Twenty Days next after such Death, Refusal, or Incapacity of any such Commissioner shall be known to him, or as soon after as the same can be done, to summon a Meeting of Trustees to appoint another Person (not interested in the said intended Division, and Allotment, in any Respect) to be a Commissioner in the Room and Place of such Commissioner so dying, refusing, or becoming incapable to act, of which Meeting Twenty-one Days Notice at the least shall be given from the Time of summoning thereof, and the major Part of the Trustees assembled at such Meeting shall elect, choose, and appoint another Commissioner, who, having taken and subscribed the Oath directed by the said recited Act to be taken and subscribed, shall have the same Powers and Authorities, by virtue of the said recited Act and this Act, as the Commissioner in whose place he shall succeed or be appointed was invested with.

Qualification
of future
Trustees.

VIII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for the Purposes of this Act, unless he shall be qualified to act as such in Manner herein-before mentioned; and if any Person not so qualified shall presume to act as such, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in His Majesty's Court of Session for the County Palatine of *Chester*.

or in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Protector than that such Person hath acted as a Trustee in the Execution of this Act.

IX. And be it further enacted, That the said Commissioners shall and they are hereby required to give Notice in Writing of the Time and Place of their First and every other Meeting for putting this and the said recited Act in Execution, such Notice to be affixed upon the Door of the Parish Church of *Stockport* aforesaid, and inserted in One or more of the publick Newspapers then published or circulated in *Manchester* in the County Palatine of *Lancaster*, Eight Days at least before every such Meeting (Meetings by Adjournment only excepted); and the said Commissioners shall and may adjourn themselves from Time to Time, as they shall see Occasion, for the further Execution of this Act; and if only One Commissioner shall be present at any Meeting, it shall be lawful for him to adjourn such Meeting from Time to Time, until the other Commissioner shall be present; and the Commissioner making such Adjournment is hereby required forthwith to give Notice thereof to the absent Commissioner: Provided always, that no such Adjournment as last mentioned shall be made for a longer Space of Time than Twenty-one Days; and that all the said Meetings shall be held in the Town of *Stockport* aforesaid, and not elsewhere.

Notice of Meetings of Commissioners.

X. And be it further enacted, That all other Notices necessary or requisite to be given by the said Commissioners, shall be so given by Advertisement, to be inserted in some Newspaper printed or circulated in the said Town of *Manchester*.

Other Notices how to be given.

XI. And be it further enacted, That it shall be lawful for the said Commissioners to enquire and determine what Encroachments have been made upon or from the said Common Lands or Waste Grounds by any Person or Persons whomsoever; and that all Encroachments taken in or made upon, from, or out of any Part of the said Common Lands or Waste Grounds, within Twenty Years next before the passing of this Act (save and except certain Plots and Pieces thereof heretofore sold and conveyed, or contracted to be sold and conveyed by *Sir George Warren*, late of *Poynton*, in the said County Palatine of *Chester*, Knight of the Most Honourable Order of the Bath, and late Lord of the said Manor and Barony of *Stockport* aforesaid, deceased, alone or by him, with the Consent of the Burgesses of the said Manor and Barony, and by the said *Thomas James Viscount Bulkeley*, and *Elizabeth Harriett Viscountess Bulkeley* his Wife, with such Consent as aforesaid, unto any Person or Persons, reserving thereout certain yearly Chief Rents payable unto the said *Sir George Warren*, and the said *Thomas James Viscount Bulkeley*, and *Elizabeth Harriett Viscountess Bulkeley* his Wife, and their respective Heirs and Assigns, and unto the Poor, and in Aid of the Poor Rates within the said Township of *Stockport* aforesaid, all which said Sales and Contracts are hereby confirmed) shall be deemed Part and Parcel of the said Commons and Waste Grounds, from which the same was or were respectively

Encroachments made within 20 Years last to be deemed Part of Common Lands, except, &c.

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taken

taken by any Person or Persons whomsoever, having or not having Right of Common, and shall be deemed and considered Part of the said Common Lands and Waste Grounds to be divided, allotted, and disposed of, as in this Act mentioned.

Power to
stop up
Roads.

XII. And be it further enacted, That the said Commissioners shall and may divert, stop up, discontinue, alter, or change any old publick or private Road or Footway leading into, through, over, or upon the Lands and Grounds hereby directed to be divided, allotted, inclosed, and sold, or otherwise disposed of, which to them shall appear useles or unnecessary: Provided always, that such Road or Way shall not be diverted, turned, stopped up, or discontinued without such Concurrence and Order, and subject to such Appeal as are mentioned or referred to in and by the said recited Act.

Old Roads
not to be shut
up till new
ones are
made.

XIII. And be it further enacted, That none of the present publick Roads over the Common Lands and Waste Grounds to be divided, allotted, and sold, or otherwise disposed of as aforesaid, shall be shut up or discontinued, until the said Commissioners shall have caused the publick Roads to be set out, and until the same shall be properly formed, and made safe and convenient for Horses, Cattle, and Carriages.

Allotments
for publick
Watering
Place, and
Stone and
Gravel Pits.

XIV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to assign, set out, and allot unto the Surveyor of the Highways of the said Township of *Stockport*, so much and such Parcel or Parcels of the said Waste Lands and Common Grounds hereby directed to be divided and allotted, as they the said Commissioners shall think necessary, as and for publick Watering Places for Cattle, and as and for publick Sand, Stone, and Gravel Pits, for getting Sand, Stone, Gravel, and other Materials for repairing the publick Roads and Ways within the Manor and Barony of *Stockport* aforesaid, with convenient Roads to and from the same respectively; and the Herbage of such Parcel or Parcels of Grounds so to be set out as aforesaid, and until broken up for the Purposes aforesaid, shall be deemed the Property of the Lord or Lady of the said Manor and Barony of *Stockport* aforesaid for the Time being.

Allotments
for Poor
Houses.

XV. And be it further enacted, That after the Highways and Roads by the said recited Act, and the several Allotments herein before directed to be made, shall be set out as aforesaid, the said Commissioners shall and they are hereby authorized and empowered to set out and allot a certain Part of the said Common Lands and Waste Grounds, not exceeding Two Statute Acres of Land, for a Poor House or House of Industry, and other Conveniences to be erected thereon for the Use of the Poor of the said Township of *Stockport* aforesaid, and also to allot and set out the Residue and Remainder of all the said Common Lands and Waste Grounds within the said Manor and Barony of *Stockport* aforesaid, in such Proportions, Lots, and Quantities, as they the said Commissioners, or either of them, shall think fit, not exceeding Four Statute Acres in any One Lot; and after the same shall be so as aforesaid allotted and set out, that then it shall be lawful for the said Commissioners, within Two Years next after the passing of this Act, or as soon after as conveniently may be, first giving Six Weeks Notice thereof in Writing on the Door of the said

Parish

Parish Church of *Stockport* aforesaid, and advertising the same in Two of the *Manchester* Newspapers (at least Three Times) to sell by publick Auction the said several Lots, one by one, either in Fee or for the Term of Five thousand Years, commencing from the Day of the Date of such Lease, either for a Sum of Money in gross, or for the best annual Rent, clear of all Lys, Taxes, and other Deductions, that can be reasonably had or gotten for the same respectively (subject to the immediate Payment of Ten Pounds for each and every Acre, and so in proportion for any greater or less Quantity contained in such Allotment); and the said Commissioners shall, under the Authority of this and the said recited Act, and upon Receipt of the Purchase Money, convey or lease such Allotment or Allotments to the Purchaser or Purchasers thereof, either in Fee Simple or for the said Term of Five thousand Years, free from the Claims of the Lord and Lady of the said Manor, and the Land Owners within the same, other than with respect to the Mines and Minerals, which are hereby declared to be excepted, and reserved to the Lord and Lady of the said Manor and Barony of *Stockport* aforesaid for the Time being: Provided always, that there shall be contained in every such Lease or Conveyance so to be made, such Covenants for Payment of the Rent (in case the same shall be sold, subject to an annual Rent) by the Purchasers respectively to the said Trustees, or to such Person or Persons as shall be by them from Time to Time authorized to collect and receive the same, and Power of Re-entry, by the said Trustees entitled to receive the said Rent, on Non-payment of the same or any Part thereof; and that the said several Purchasers shall execute a Counterpart of their said several Leases or Conveyances respectively; and such Leases or Conveyances shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever.

XVI. And whereas several small Parts and Parcels of the said Common Lands and Waste Grounds herein-before directed to be divided, allotted, and sold, or otherwise disposed of as aforesaid, adjoin or lie contiguous to and are bounded by ancient Freehold Lands and Hereditaments, the Property of divers Persons, and such Parts and Parcels of the said Common Lands and Waste Grounds, from their Nature and Situation, are best calculated and adapted to be added to and occupied with such ancient Freehold Lands and Hereditaments; be it therefore further enacted, That in every Case where it shall happen that any small Parts or Parcels of the said Common Lands or Waste Grounds shall adjoin or lie contiguous to, and be bounded by the ancient Freehold Lands and Hereditaments belonging to any Person or Persons whomsoever, it shall be lawful for the said Commissioners, and they are hereby authorized and required to treat and contract with the several Owners and Proprietors of such Freehold Lands and Hereditaments for the selling to them respectively of such Parts and Parcels of the said Common Lands and Waste Grounds so adjoining or lying contiguous thereto and bounded thereby, in preference and before the same shall be sold as before directed respecting the other Parts of the said Common Lands and Waste Grounds herein-after directed to be allotted and sold, or otherwise disposed of by virtue and under the Authority of this Act; and in case such Owner or Proprietor, or Owners or Proprietors respectively, shall be willing to purchase such Parts and Parcels of such Common Lands and Waste Grounds as aforesaid, the Price or Sum of Money to be paid for the same,

Waste Lands adjoining to ancient Freeholds to be first offered to Sale to the Owners of such ancient Freeholds.

The Price to be fixed by the Commissioners, &c.

same, either by Way of annual Ground Rent or for a valuable Consideration in Money, shall, within the Space of Three Calendar Months next after such Treaty for the Sale and Purchase thereof respectively shall commence and begin, be fixed by the said Commissioners, and by Two other Persons to be named and appointed by and on the Behalf of such Person or Persons as shall be willing to purchase the same; and in case all or any of the said Purchasers shall agree to pay the Price or Prices, or Sum or Sums of Money, either by Way of annual Chief Rent or otherwise, which shall be fixed and ascertained by the said Commissioners, and the said Two other Persons so to be named and appointed as aforesaid, and shall actually pay or tender, or cause to be paid or tendered to the said Commissioners such Price or Prices, at the Day or Time to be appointed by the said Commissioners, and the said Two other Persons so to be named and appointed as aforesaid, it shall be lawful for the said Commissioners, and they are hereby required to release and convey such Parts and Parcels of the said Common Lands and Waste Grounds to such Purchaser or Purchasers thereof respectively, as Freehold in Fee as aforesaid, and a Conveyance thereof made and executed by the said Commissioners, shall be valid and effectual in the Law; and in case all or any of the said Purchasers shall refuse or neglect to pay the said Price or Prices, or Sum or Sums of Money which shall be fixed and ascertained by the said Commissioners, and the said Two other Persons so to be named and appointed as aforesaid, at the Time and Times to be appointed for Payment thereof, as and for the respective Purchase or Consideration Money for such Parts of the said Common Lands and Waste Grounds respectively, then and in every such Case, and not before and not otherwise, it shall be lawful for the said Commissioners, and they are hereby empowered and authorized to issue a Notice in Writing under their Hands to the Sheriff of the said County Palatine of *Ch.ster*, thereby requiring him, and he is hereby authorized, directed, and required accordingly, to impanel, summon, and return, at such Time and Place as shall be expressed in such Notice, Thirty-six substantial and disinterested Persons qualified to serve on Juries, and out of such Persons so to be impanelled, summoned, and returned, the said Commissioners shall at such Time and Place swear or cause to be sworn a Jury of Twelve Persons out of the said Thirty-six Persons, who shall be drawn by the Clerk to, or other Person to be appointed by the said Commissioners, in the same Manner as Juries for Trial of Issues joined in His Majesty's Courts at *Westminster*, by an Act made in the Third Year of the Reign of King *George* the Second, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn, which Twelve Men shall be the Jury for the Purposes aforesaid; and the said Commissioners shall order such Jury to view the Place or Places in question (if there shall be Occasion); and in Default of a sufficient Number of Jurymen, the said Sheriff or his Deputy shall return other honest and indifferent Persons of the Standers-by, or that can be speedily procured to attend that Service, to make up the Number of Twelve; which Persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to appear before the said Commissioners, at such Time and Place as in such Notice or Notices shall be directed and appointed, and to attend there from Day to Day until discharged by the said Commissioners; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Commissioners are hereby empowered to summon or call before

Jurors may be challenged.

before such Jury and examine upon Oath, all Persons who shall be thought necessary or proper to be examined as Witnesses touching the Matters in Question (which Oath the said Commissioners, or either of them, are or is hereby empowered to administer); and the said Commissioners shall have full Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff or his Deputy making Default in the Premises, and on any Person or Persons who shall be summoned and returned on such Jury, and shall not appear, or who shall in any other Manner neglect his or their Duty, contrary to the true Intent and Meaning of this Act, and on any Person or Persons who being required to give Evidence before such Jury, shall refuse or neglect to appear (except for some reasonable Excuse) or appearing shall refuse to be sworn and give Evidence, so that no such Fine shall exceed the Sum of Ten Pounds upon any one Person for any one Offence, which Fine or Fines shall be applied for the Purposes of this Act; and the said Commissioners shall have Power to adjourn such Meetings from Day to Day as Occasion shall require; and such Jury, Witnesses, and Parties shall attend until all the Matters for which they shall be so summoned shall be concluded; and the said Jury upon their Oaths, which Oaths the said Commissioners, or either of them, are hereby empowered to administer, shall enquire of and assess the Value and Price or Prices, either by Way of annual Chief Rent or for a valuable Consideration in Money, to be paid or made for such Premises respectively; which said Verdict or Verdicts, and Determination thereon (Notice in Writing being given to the Person or Persons interested, at least Ten Days before the Time of such Assessment, declaring the Time and Place of the Meeting of the said Commissioners as aforesaid and Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or at his, her, or their usual or last Place or Places of Abode) shall be binding and conclusive to all Intents and Purposes whatsoever, against all Persons whomsoever; and the said Verdict or Verdicts, and all other Proceedings of the said Commissioners as aforesaid, and Juries, to be made, given, and pronounced as aforesaid, shall be fairly written or ingrossed, and kept and entered amongst the Records of the Quarter Sessions, in the Office of the Clerk of the Peace for the said County Palatine of *Chester*; and the said Verdict or Verdicts, and all other Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever; and the same or a true Copy thereof shall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever, and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying for every Copy at the Rate of Two-pence, and no more, for every Seventy-two Words, and so proportionably for any Number of Words.

Penalties on Sheriff, &c.

Jury may assess the Value.

Verdicts to be binding; and recorded in the Office of the Clerk of the Peace

XVII. Provided always, and be it further enacted, That in case the Owners or Proprietors of the said Freehold Lands and Hereditaments that shall adjoin or lie contiguous to, and be bounded by the small Parts and Parcels of the said Common Lands and Waste Grounds, shall not agree, or shall refuse to purchase the same, as herein-before mentioned, any Affidavit to be made, and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such small Parts or Parcels of the said Common Lands and Waste Grounds shall lie, by some Person or Persons no Way interested therein, stating that such Offer was made by or on the Behalf of the said Commissioners, and that such Offer was not then and

What shall be Evidence of such small Parcels of Common Lands adjoining ancient Freeholds, having been offered to the Owners of the Freehold Lands adjoining.

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thereupon

thereupon agreed to, or was refused by the Owners or Proprietors respectively to whom the same was so offered, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

Expences of
Jury and
Witnesses,
how to be de-
trayed.

XVIII. And be it further enacted, That in all Cases where any Verdict shall be given for no more or a less Sum or Recompence than shall have been agreed to be taken by or on the Behalf of the said Commissioners, before the summoning of any such Jury, for or in respect of any Common Lands or Waste Grounds as aforesaid, then all the Expences of such Jury, and the Witnesses attending in consequence thereof, and of taking such Inquest, shall be paid by the said Commissioners out of the Monies to arise by virtue of this Act for the Purpose of selling the said Common Lands and Waste Grounds; but if any Verdict shall be given for a greater Sum than shall have been so previously agreed to be taken by or on the Behalf of the said Commissioners, then and in every such Case such Expences shall be paid by the Person or Persons so contracting for the Purchase of the said Common Lands and Waste Grounds as aforesaid.

On Payment
of Purchase
Money Pre-
mises to be
conveyed.

XIX. And be it further enacted, That upon Payment of such Sum or Sums of Money so assessed and decreed as aforesaid, the said Commissioners shall make or cause to be made, and shall execute good, valid, and legal Conveyances and Assurances in the Law to the said Purchaser or Purchasers, or such Person or Persons as he or they shall nominate and appoint in Trust for him or them, of such Premises, or any Part thereof respectively, or of such Estate or Interest, for which such Sum or Sums of Money shall be so awarded, and shall do all other Acts, Matters, and Things requisite and necessary to make a clear and perfect Title to such Premises; and such Conveyances and Assurances thereof, made and executed by the said Commissioners, shall be valid and effectual in the Law to all Intents and Purposes.

Verdict not
binding unless
Money paid.

XX. Provided always, and be it further enacted, That in case the said Sum or Sums of Money so assessed by the said Jury, and ordered and adjudged to be paid to the said Commissioners, as the Price or Purchase Money of the said Common Lands and Waste Grounds in question, shall not be paid, tendered, or left, according to the true Intent and Meaning of this Act, within Six Calendar Months next after the same shall have been so assessed, ordered, and adjudged, then and in such Case, but not before and not otherwise, it shall be lawful for the said Commissioners, and they are hereby authorized to sell and convey the Fee Simple and Inheritance of all and every the said last-mentioned Parts of the said Common Lands and Waste Grounds, or such Parts thereof as shall not be contracted and agreed for as last before mentioned, for the best Price that can be gotten for the same, either by Way of annual Chief Rent or for a valuable Consideration in Money, at the Discretion of the said Commissioners, to which End the said Commissioners shall cause the said last-mentioned Parts of the said Common Lands and Waste Grounds, or such Parts thereof as shall remain unfold and to be disposed of, to be divided into so many Lots as they shall think most beneficial for the Sale thereof, and shall and may sell the same by Auction to the best Bidder or Bidders, at some or one of their Meetings to be held in pursuance of this

this Act, of which Meeting publick Notice shall be given by the said Commissioners, by Writing to be affixed, on the Church Door of the said Parish of *Stockport*, and to be inserted in Two of the *Manchester* Newspapers Fourteen Days before any such Sale; and the said last-mentioned Parts of the said Common Lands and Waste Grounds so sold, shall be conveyed as Freehold in Fee, to the respective Purchasers thereof; and a Conveyance thereof made, and executed by the said Commissioners, shall be valid and effectual in the Law.

XXI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, and at any Time as they in their Discretion shall think most advisable, to sell and convey all and every the said Rents which shall arise, and be issuing and payable out of and from any Part or Parts of the said Common Lands and Waste Grounds, so to be sold by virtue of this Act as aforesaid, for the best Price that can be gotten for the same, to which End the said Trustees shall cause the said Rents to be divided into so many Lots as they shall think most beneficial for the Sale thereof, and shall or may sell the same by publick Auction to the best Bidder or Bidders, at some or one of their Meetings to be holden in pursuance of this Act, of which Meeting or Meetings for that Purpose publick Notice shall be given by the said Trustees, to be affixed on the Church Door of the said Parish of *Stockport*, and inserted in Two of the *Manchester* Newspapers Fourteen Days before any such Sale shall be made; and the said Rents so sold shall be assigned and conveyed unto the respective Purchasers thereof, their Heirs, Executors, Administrators, and Assigns, for the then Residue of the said Term of Five thousand Years, or in Fee Simple; and a Conveyance or Assignment thereof, made and executed by the said Trustees, shall be valid and effectual in the Law to all Intents and Purposes.

Power for
the Trustees
to sell Chief
Rents.

XXII. And be it further enacted, That all Orders and Proceedings of the said Commissioners shall be entered in a Book or Books to be provided for that Purpose, and shall be signed by them; and such Orders respectively shall and may be read in Evidence, in all Suits or Actions concerning any Thing done or to be done in relation to or in pursuance of the said recited Act or of this Act.

Proceedings
of Commit-
tioners to be
entered in
Books.

XXIII. And be it further enacted, That the said Commissioners shall and they are hereby required to make out and enter in a Book or Books to be kept for that Purpose, a full, particular, and true Account in Writing of all their Charges and Expences, and such other Charges and Expences as shall be due or payable, or as shall have been allowed or paid in pursuance of the Powers of this Act, and to lay the same, together with all Books, Receipts, Vouchers, and Papers relating thereto, before any Five or more of the Trustees, to be nominated and chosen by the major Part of the Trustees present at any Meeting to be held for that Purpose, pursuant to Notice in Writing to be affixed upon the said Church Door of the said Parish of *Stockport* Fourteen Days before the same shall be held; and such of the said Trustees as shall be so nominated and chosen at the same Meeting, shall be and they are hereby authorized and empowered, from Time to Time and at all reasonable Times, to inspect and examine such Accounts of the said Commissioners, and also all other

Commission-
ers to ac-
count.

other Accounts or Bills of Charges of any other Person or Persons employed or acting in the passing or executing of this Act, and all Receipts, Vouchers, Papers, and Writings concerning the same.

The Rights
of the Lord
of the Manor
preserved.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to defeat, lessen, or prejudice, or in any Ways to affect the Benefit, Right, Title, or Interest of the said *Thomas James Viscount Bulkeley*, and *Elizabeth Harriett Viscountess Bulkeley* his Wife, as Lord and Lady of the said Manor and Barony of *Stockport* aforesaid, or of the Lord or Lady of the said Manor and Barony for the Time being, of, in, or to the Seigniories or Royalties wherein the said Common Lands and Waste Grounds hereby directed to be sold are lying and being (other than and except such Interest as is intended to be barred by this Act) or to lessen or defeat any legal Power or Privilege, Franchise or Authority, of the said Lord and Lady, or any of the Juries or Officers of their Court Leet or Court Baron within the said Manor and Barony; but that the said *Thomas James Viscount Bulkeley*, and *Elizabeth Harriett Viscountess Bulkeley* his Wife, and other the Lord or Lady of the said Manor and Barony for the Time being, shall and may, from Time to Time and at all Times hereafter, hold and enjoy all Mines, Rents, Services, Courts, Perquisites and Profits of Courts, Corn Mills, Bakehouses, and Waterpipes, and Markets and Fairs, and all Rivers, Waters, Mines, Minerals, and other Manerial Rights to the said Manor and Barony, Scigniories or Royalties, incident, dependant, belonging, or appertaining, and the said Lord and Lady, or other the Lord and Lady, Juries and Officers respectively, shall and may exercise and enjoy all and every such Powers, Privileges, Franchises, and Authorities, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as they have heretofore used to do, and of Right could or might have done in case this Act had not been made.

Trustees to
meet.

XXV. And be it further enacted, That the said Trustees, or any five or more of them, shall meet together at the House of *John Sharw*, known by the Sign of *The Crown and Anchor*, in *Stockport* aforesaid, on the Third *Wednesday* next after the Time appointed for selling the said Common Lands and Waste Grounds, and shall proceed to put this Act in Execution, and shall then, and from Time to Time then afterwards, adjourn themselves to and meet at such Time at the same Place, or at any other convenient Place within the said Town of *Stockport*, as the said Trustees, or any five or more of them present at any such Meeting, shall from Time to Time appoint; and if there shall not appear at any of the said Meetings a sufficient Number of Trustees to act or to adjourn to another Day, or if they shall omit or neglect to adjourn, or if there shall be any particular Occasion to hold a Meeting before the Time of Meeting pursuant to any Adjournment, then and in every such Case any five or more of the said Trustees, or their Clerk, shall and may appoint a Meeting to be holden at such Time or Place as they shall think proper: Provided always, that no Meeting of the said Trustees, to be held pursuant to this Act, subsequent to such First Meeting as aforesaid, shall be held unless Notice thereof, signed by Two or more of the said Trustees, or by their Clerk, shall be affixed to the Door of the said Parish Church of *Stockport* aforesaid, at least Six Days before the holding thereof;

thereof; and the said Trustees shall at all their said Meetings pay their own Expences; and that Two Half-yearly Meetings shall be held, One on the First *Wednesday* in the Month of *January*, and the other on the First *Wednesday* in the Month of *July*, for the Purpose of settling the Rents and Accounts respectively.

Trustees to pay their own Expences.

XXVI. And be it further enacted, That no Act, Order, or Proceeding of the said Trustees or any of them, shall be valid unless made or done at some Meeting to be held pursuant to this Act (except as herein is particularly directed) and that all Powers and Authorities, Acts and Proceedings, by this Act granted to and vested in the said Trustees, or authorized or directed to be done or transacted by them, shall and may be done and transacted by the major Part of them present at their respective Meetings, to be holden in pursuance of this Act, the whole Number present not being less than Five, and that all Orders and Proceedings of the Trustees present at such Meetings shall be as valid and effectual, as if all the Trustees had been present at such Meeting and concurred therein; and that at every such Meeting such one of the Trustees present, as the major Part of them then attending shall by Ballot or otherwise appoint, shall be the Chairman of such Meeting, and if upon any Question there shall be an Equality of Voices of the Trustees assembled, the Chairman shall have another and the casting Vote.

No Order valid, unless made at a publick Meeting.

Chairman of Meetings to be chosen.

XXVII. And be it further enacted, That the Clerk or Clerks to the said Trustees, to be by them appointed as herein-after mentioned, shall cause fair and regular Entries to be made in a Book or Books to be kept for that Purpose, of all Acts, Orders, and Proceedings of the said Trustees relative to the Execution of this Act, and the Trustees present at such Meeting, or their Clerk by their Order, shall always subscribe their Names or his Name at the End of the Proceedings; and all Entries in such Books, being signed as aforesaid, shall be deemed original Entries, and shall be read in Evidence in all Courts and upon all Occasions whatsoever; and every such Book shall be lodged with the Clerk to the said Trustees, and at any of their Meetings, and at all other reasonable and convenient Times, under the Direction of the said Trustees, be open to the Inspection of all and every the said Trustees.

Books to be kept.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, by any Writing under their Hands, to elect and appoint a Treasurer or Clerk, or Collector or Collectors, Receiver or Receivers, of the Rents and Monies to be collected and received by virtue of this Act, and a Surveyor or Surveyors, and such other Officers and Persons as they shall think proper, and from Time to Time to remove and displace all or any of such Officers or Persons as they shall see Occasion, and to choose and appoint others in the Room or Place of each of them as shall be so removed, or shall die or resign their Offices, Notice of such Removal, Death, or Resignation, and of the Time and Place of Meeting for the Purpose of filling up the Vacancy or Vacancies thereby occasioned, being first affixed on the Door of the Parish Church of *Stockport* aforesaid, previous to such intended Meeting; and also, by and out of the Monies to be raised or received by virtue of this Act, to pay such Wages and Salaries, and make such Allowances to the said Officers, and to all other Persons to be employed, in or about the Execution

Trustees to appoint Officers, &c.

of this Act, as they the said Trustees shall think reasonable and proper; and the said Trustees shall and they are hereby directed and required to take such Security or Securities from every such Treasurer, Collector, and other Officers, for the faithful Execution of their respective Offices as the said Trustees may think proper; and every such Officer and Person so to be appointed as aforesaid, shall, at such Time or Times and in such Manner as the said Trustees shall direct, deliver to the said Trustees, or to such Person as they shall appoint to receive the same, a true and perfect Account in Writing, signed by them, of all Money which shall have been by such Officers respectively received by virtue and for the Purposes of this Act, and how much thereof hath been laid out and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Trustees, or to such Person or Persons as they shall appoint; and every Person so accounting shall upon Oath, if thereunto required by the said Trustees (which Oath any One of the said Trustees is hereby authorized and empowered to administer) verify such their respective Accounts; and if any such Treasurer, Collector, Officer, or other Person, shall not make and render, or shall neglect or refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Trustees, or to such Person as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing, signed by the said Trustees or their Clerk, or given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same; and if Complaint shall be made thereof by or on Behalf of the said Trustees, or by their Clerk, to any one Justice of the Peace of the County or Place wherein such Treasurer, Clerk, Collector, Officer, or Person shall be or reside, such Justice is hereby authorized and required, by Summons under his Hand, to cause such Treasurer, Collector, Clerk, Officer, or Person so refusing or neglecting, to be summoned before him, and upon his appearing or his not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of One credible Witness upon Oath, it shall appear to such Justice that any of the Money that shall have been collected by virtue of this Act, shall be in the Hands of such respective Treasurer, Collector, Clerk, Officer, or Person, such Justice may and he is hereby authorized and required to order the Payment thereof; and upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Collector, Clerk, Officer, or Person, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice, and which he is hereby authorized and empowered to settle and ascertain, rendering the Overplus (if any) to the Party or Parties whose Goods and Chattels shall be so distrained and sold, or leaving the same at the Place where the Distress shall be made; and in case no such Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale as aforesaid, or if it shall in Manner aforesaid appear to any such Justice that any such Treasurer, Collector, Clerk, Officer, or Person, shall refuse or neglect to render and give such Account, or to
verify

verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act, shall be in the Custody or Power of any such Treasurer, Collector, Clerk, Officer, or other Person, and he shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then such Justice shall commit such Treasurer, Collector, Clerk, Officer, or Person, to the Common Gaol or House of Correction, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or shall have compounded with the said Trustees touching the same, and have paid such Composition in such Manner as they shall appoint (which Composition the said Trustees are hereby empowered to make and receive) or until he shall deliver up all such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof as aforesaid; but no Person who shall be committed on Account of his not having sufficient Goods and Chattels as aforesaid, shall be detained in Prison for any longer Time than Six Calendar Months.

XXIX. Provided always, That as often as any Person holding any Office or Place under or by virtue of this Act, shall die, resign his Office, or be incapable of performing his Duty, it shall be lawful for any Three or more of the said Trustees, though not assembled at any Meeting pursuant to this Act, by Writing under their Hands, to appoint another Officer in his Place; and the Person so appointed shall have the same Power to act in the Execution of this Act as the Person in whose Place he shall be appointed was vested with, until the said Trustees shall, at a Meeting to be held in pursuance of this Act, appoint another Officer in the Room of him so dying, resigning, or being incapable of performing his Duty as aforesaid; any Thing herein contained to the contrary notwithstanding.

For appointing temporary Officers.

XXX. And, for enabling the said Trustees more effectually to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered from Time to Time, when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the Whole the Sum of Four thousand Pounds, upon the Credit of the Rents to be reserved on all and every or any Conveyance, Grant, or Demise to be made of the said Commons or Waste Lands under the Authority of this Act, and by any Writing or Writings under their respective Hands and Seals to mortgage, demise, grant, or assign over the said Rents, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or his or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following; that is to say,

Trustees to borrow Money, and mortgage the Rents, &c. for Security.

BY virtue of an Act, passed in the Forty-fifth Year of the Reign of King George the Third, intituled, *An Act* [here insert the Title of this Act] We of the Trustees appointed by and in pursuance of the said Act, in Consideration of the Sum of advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do grant, bargain, sell, and demise unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rents

Form of Mortgage.

‘ Rents granted or arising by virtue of the said Act, as the said Sum of
 ‘ doth or shall bear to the whole Sum which may at any
 ‘ Time be borrowed, or become due and owing, or charged upon the
 ‘ Credit of the said Act, to be had and holden from this
 ‘ Day of _____ in the Year of our Lord One thousand eight
 ‘ hundred and _____ and until the said Sum of
 ‘ with Interest at _____ per Centum per Annum for the same,
 ‘ shall be repaid and satisfied.’

And all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in Proportion to the Sums therein respectively mentioned, Creditors on the said Rents equally one with another, without any Preference with respect to the Priority of advancing such Money, or the Dates of any such Mortgages or Assignments.

Money may
be raised by
Annuities.

XXXI. And be it further enacted, That in case the said Trustees shall think it advisable or more advantageous to raise all or any Part of the Money authorized to be borrowed under this Act, by the granting of Annuities for Lives instead of by Mortgages or Assignments as aforesaid, or a Part thereof by Annuities, and the other Part by Mortgages or Assignments, it shall be lawful for the said Trustees, and they are hereby authorized and empowered by Writing under their Hands and Seals, to grant Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Trustees any Sum or Sums of Money for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of such Person as shall be nominated by or on the Behalf such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money, so as that no such Annuity do exceed the Rate of Nine Pounds for every One hundred Pounds for a Year; and the Grant of every such Annuity shall be in the Words or to the Effect following; that is to say,

Form of
Grant.

‘ BY virtue of an Act, passed in the Forty-fifth Year of the Reign of
 ‘ King George the Third, intituled, *An Act* [here insert the Title of
 ‘ *this Act*] We _____ of the Trustees appointed by and in
 ‘ pursuance of the said Act, in Consideration of the Sum of
 ‘ Pounds, paid by _____ to _____ the Treasurer ap-
 ‘ pointed in pursuance of the said Act, do hereby grant unto the said
 ‘ _____ his Executors, Administrators, and Assigns, an
 ‘ Annuity or yearly Sum of _____ Pounds, out of the Rents
 ‘ granted or arising by virtue of the said Act, which Annuity or yearly
 ‘ Sum of _____ Pounds shall be paid to the said
 ‘ his Executors, Administrators, or Assigns, at _____ upon the
 ‘ _____ Day of _____ and the _____ Day of _____
 ‘ in every Year, during the natural Life of _____ and the First
 ‘ Payment thereof shall be made upon the _____ Day of _____
 ‘ now next ensuing the Date hereof. In Witness whereof we have here-
 ‘ unto set our Hands and Seals, the _____ Day of _____
 ‘ in the Year of our Lord One thousand eight hundred and _____.’

And every such Grant shall be good, valid, and effectual in the Law; and every Annuity so to be granted as aforesaid, shall be and is hereby charge

charged upon, and shall be payable and paid out of the said Rents arising from the said Common or Waste Lands within the said Township of *Stockport*; and the Purchaser of every such Annuity, his or her Executors, Administrators, or Assigns, shall have, receive, and be entitled to such Annuity out of the said Rents, during the said Term of the natural Life of the Person for whose Life such Annuity shall be purchased; and every such Annuity shall be payable and paid by the Treasurer to the said Trustees, by equal Half-yearly Payments, and the First Payment thereof respectively to be made at the Expiration of Six Calendar Months next after the Date of the respective Securities.

XXXII. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed or raised by Mortgage or Assignment, and for the Annuities granted as aforesaid, and their respective Executors, Administrators, or Assigns, at any Time by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever, which Transfer may be in the Words or to the Effect following; that is to say:

Securities for Money lent, and Annuities, may be transferred.

‘ I being entitled to the Sum of (or an An-
 ‘ nuity of) secured to Executors, Ad-
 ‘ ministrators, and Assigns, by virtue of a Mortgage or Assignment, (or
 ‘ Grant of Annuity,) bearing Date the Day of
 ‘ One thousand eight hundred and under the Hands and Seals of
 ‘ Trustees for the Town of *Stockport*, acting in the Execution of a
 ‘ certain Act, passed in the Forty-fifth Year of the Reign of King *George*
 ‘ the Third, intituled, *An Act [here insert the Title of this Act]* upon
 ‘ the Credit, or arising out of the Rents reserved or made payable by
 ‘ virtue of the said Act, do hereby transfer all my Right and Title in
 ‘ and to the same, and all Interest and other Money now due and owing
 ‘ thereon, unto Executors, Administrators, and Assigns. Dated
 ‘ the Day of One thousand eight hundred and

Form of Transfer.

And Copies of all Mortgages or Assignments, and of Grants of Annuities which shall be made in pursuance of this Act, and Extracts and Memorials of all Transfers thereof, shall be entered in Books to be kept for that Purpose by the Clerk to the said Trustees, which Extracts or Memorials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby transferred, to which Books any Person interested shall at all reasonable Times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer, the said Clerk shall be paid, by the Person or Persons to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and after such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his, her, and their respective Executors, Administrators, or Assigns, to the Benefit of the said Security thereby transferred.

Mortgages and Annuities and Transfers to be entered.

XXXIII. And be it further enacted, That it shall be lawful for the said Trustees, by and out of the Monies to be raised in pursuance of this Act, to lay out and expend any Sum of Money not exceeding in the Whole the Sum of Four thousand Pounds in the erecting, building, and finishing, upon some Part of the said Commons or Waste Lands hereinbefore directed to be allotted and set apart for that Purpose, a good and
 [Loc. & Per.] 18 P commodious

Power to erect a Poor House.

commodious Poor House, Workhouse, and House of Industry, for the Maintenance and Employment of the Poor within the said Town and Township of *Stockport* aforesaid, and to fit up the same with all proper Conveniencies for the Use and Enjoyment thereof, to the greatest Benefit and Advantage of the Inhabitants of the said Town and Township of *Stockport* aforesaid, and of the Poor within the same, and in Aid of the Poor Rates of the said Town and Township; which said Poor House, Workhouse, and House of Industry, and the Plot of Land herein-before directed to be allotted for that Purpose, shall, from and after the allotting, erecting, building, and finishing the same, be vested in the said Trustees and their Successors for the Time being for ever, for the several Uses and Purposes aforesaid.

Trustees may sue and be sued in the Name of their Clerk.

XXXIV. And be it further enacted, That the said Trustees may and shall in all Cases sue and be sued in the Name of their Clerk, and that no Action which may be brought or commenced, or Indictment which may be preferred or prosecuted by or against the said Trustees or any of them, by virtue or on Account of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of such Clerk, or by the Act of such Clerk, without the Consent of the said Trustees, or any Five or more of them; but the Clerk to the said Trustees for the Time being shall always be deemed Plaintiff, Prosecutor, or Defendant in such Action or Indictment, as the Case may be: Provided always, that every such Clerk in whose Name any Action, Indictment, or Suit shall be commenced, preferred, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put unto or become chargeable with by reason of his being the Plaintiff or Defendant therein.

Directing where the Award of the Commissioners shall be deposited,

XXXV. And be it further enacted, That the Award to be made by the said Commissioners, when enrolled in the Manner directed by the said recited Act, shall be deposited in a Box or Chest to be kept at the Poor House within *Stockport* aforesaid, which shall be secured by Three several and different Locks, and that the Lord or Lady for the Time being of the Manor and Barony of *Stockport* aforesaid, the Rector for the Time being of the Parish Church of *Stockport* aforesaid, and the Curate for the Time being of the Church of *Saint Peter* in *Stockport* aforesaid, shall respectively have the Custody or keeping of One of the Keys of the said Chest.

Application of the Mo.

XXXVI. And be it further enacted, That all the Money to arise from or by the Sale of the said Commons or Waste Lands, or by or from the Rents to be reserved on any Conveyance, Grant, or Demise of the said Commons or Waste Lands, under the Authority of this Act, or which may be borrowed on the Credit thereof, or advanced for Antiquities as aforesaid respectively, shall be paid to the Treasurer to the said Trustees, or to such Person or Persons as they shall at any Meeting appoint, and shall be applied and disposed of in the paying and defraying the Costs, Charges, and Expences incident to or in anywise dependant upon the obtaining and passing of this Act, and all the Expences of the said Commissioners (save as aforesaid) and of all other Persons in the Execution of this Act, and in paying and defraying the Costs, Charges, and

and Expences of building, finishing, fixing up, and providing a Poor House or House of Industry for the Maintenance and Employment of the Poor of the said Town and Township of *Stockport* aforesaid, and in paying and defraying all Expences which the said Trustees and their Officers shall necessarily be put unto in carrying this Act into Execution, and in paying the Principal Money and Interest of the Money to be borrowed on Mortgage as aforesaid, and in paying the Annuities to be granted as aforesaid: And that, from and after full Payment, Satisfaction, and Discharge thereof respectively, the Money arising from the Sale of the said Commons and Waste Lands, then remaining in the Hands of the said Trustees or their Treasurer for the Time being, shall be laid out in the Purchase of Land, for the Use and Benefit of the Poor of the said Township of *Stockport*, and such Land shall be vested in the said Trustees for the Time being, by the Name and Style of *The Trustees for the Poor of the Township of Stockport, appointed by an Act passed in the Forty-fifth Year of the Reign of King George the Third*, or such Money shall be laid out in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, and such Stock, when so purchased, shall be vested in the said Trustees for the Use and Benefit of the Poor of the said Township of *Stockport*, and shall be purchased by and be vested in the said Trustees by the Name and Style of *The Trustees for the Poor of the Township of Stockport, appointed by an Act passed in the Forty-fifth Year of the Reign of King George the Third*; and a Receipt signed by the said Trustees, or any Five or more of them for the Time being, shall be a full and sufficient Discharge to the Governor and Company of the Bank of *England*, for Payment of the Dividends annually to arise from such Stock so to be purchased as aforesaid, and the said Governor and Company of the Bank of *England* are hereby required to pay such Dividends accordingly, on the Production to them of the said Receipt; and the Rents arising from such Lands so to be purchased, and the Dividends annually arising from the Stock so to be purchased, and also the Rents then arising from the said Allotments herein-before directed to be sold or demised as aforesaid, shall from thenceforth for ever thereafter, on or before the Twenty-fifth Day of *March* in every Year, be by them paid over to the Overseers of the Poor of the said Town and Township of *Stockport* aforesaid for the Time being, to be by them received, applied, disposed of, and accounted for, in such and the same Manner as the Rates and Assessments for the Relief of the Poor within the said Town and Township of *Stockport* are to be received, applied, disposed of, and accounted for, by any Law or Statute then in force, and to and for no other Use, Intent, or Purpose whatsoever.

XXXVII. And be it further enacted, That if any of the said Proprietors or any other Person or Persons shall advance and lend any Money for defraying the Expences of applying for and obtaining this Act, or carrying the same into Execution, every such Person shall be repaid such Money with lawful Interest for the same, out of the Money which shall be raised by virtue of this Act.

Proprietors
or other Per-
son, advanc-
ing Money
to be repaid
with Interest.

XXXVIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Thing done in pursuance of this or the said recited Act, such Person and Persons shall and may appeal to the Justices of the Peace at any General Quarter Sessions

General
Appeal.

Sessions to be holden in and for the said County Palatine of *Chester*, within Three Calendar Months next after any Order or Determination of the said Commissioners and Trustees respectively, such Appellants first giving or causing to be given Fourteen Days Notice at the least in Writing, of their or his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk to the said Commissioners and Trustees respectively, and within Four Days next after such Notice given, entering into Recognizance before some Justice of the Peace for the said County Palatine of *Chester*, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of the said Justices at such Quarter Sessions, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and the said Justices at such Sessions, or at some Adjournment thereof, upon due Proof of the Notice having been given, and of the entering into Recognizance in Manner herein-before mentioned, shall hear and finally determine the Cause and Matters of every such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of the said Justices at such Sessions or Adjournment shall be final, binding, and conclusive.

The Act to
be printed by
the King's
Printer.

XXXIX. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and a Copy thereof so printed shall be admitted as Evidence thereof by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1805.