



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 188.

An Act for inclosing Lands in the Manor and Township of *Norbury*, in the Parish of *Stockport*, in the County of *Chester*. [15th June 1811.]

WHEREAS there is within the Manor or Township of *Norbury*, in the Parish of *Stockport*, in the County Palatine of *Chester*, a certain Piece or Parcel of Open, Common, or Waste Land, called *Norbury Moor*; and also certain other Open, Common, or Waste Grounds, containing Forty Acres of Statute Measure, or thereabouts: And whereas *Richard Legh* of *Adlington*, in the said County Palatine of *Chester*, Esquire, and the Reverend *George Heron* of *Daresbury*, in the said County of *Chester*, as Devisees in Trust and Executors named and appointed in and by the last Will and Testament of *Thomas Peter Legh*, late of *Lyme*, in the said County of *Chester*, Esquire, deceased, are Lords of the said Manor of *Norbury*: And whereas the said *Richard Legh* and *George Heron* (as such Devisees in Trust) and *George Barton*, are Owners and Proprietors of all and every the Lands, Tenements, and Hereditaments, within the said Manor or Township of *Norbury*; and as such they and certain Leaseholders for Life or Lives within the same Manor or Township are entitled to Right of Common and other Rights in, over, and upon the said Commons and Waste Grounds: And whereas the said Open, Common, and Waste Grounds, in their present State, are of little or no Value, but if the same were divided and allotted amongst the several Persons interested therein, and such Allotments inclosed, great Benefit and Advantage would arise therefrom to the several Persons interested in the same; but the Division, Allotment, and Inclosure cannot be established and rendered effectual without the Aid and Authority of Parliament: And whereas an Act was passed in the Forty-first Year of the Reign of His present Majesty, intituled,

Owners of Lands.

Advantages of Inclosure.

41 G. 3. re-cited.

[*Loc. & Per.*]

An

Commissioners.

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: 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 several Open, Common, and Waste Grounds shall be set out, divided, and allotted, as soon as conveniently may be after the passing of this Act, and that David Claughton of Newton, in the County of Lancaster, and James Stelfox of Crowley Lodge, in the said County of Chester, Gentlemen, and their Successors, to be appointed in Manner herein-after mentioned, shall be and they are hereby appointed Commissioners for setting out, dividing, and allotting the said several Open Commons and Waste Grounds, and for putting this Act into Execution, subject to the Rules, Orders, Regulations, and Directions contained in the said recited Act, except in such Cases where the same are hereby varied or altered.

If Commissioners differ, an Umpire to be chosen.

II. And be it further enacted, That if any Difference in Opinion or Dispute shall arise between the said Commissioners, touching or concerning any Act, Matter, or Thing whatsoever, which by virtue of this Act the said Commissioners are authorized and empowered to settle, determine, and ascertain, then and in every such Case the said Commissioners are hereby required from Time to Time within Thirty Days next after such Difference in Opinion shall arise, by Writing under their Hands and Seals to appoint some fit and proper Person, not interested in the said Division, Allotment, and Inclosure, to be an Umpire to enquire into, and he is hereby authorized and required within the Space of Fourteen Days next after Notice of such Appointment, to enquire into, settle, ascertain, and determine all such Differences in Opinion, or other Disputes which shall so have arisen between the said Commissioners; and in case the Person so to be nominated shall die, or refuse to act in the Execution of the several Powers hereby reposed in him, it shall be lawful for the said Commissioners from Time to Time, by Writing under their Hands to appoint some other fit and proper Person, not interested in the said Inclosure, in the Room and Stead of the Umpire who may have been so nominated, and who may die or refuse to act; and such Person so to be appointed as last mentioned shall have the like Powers and Authorities by virtue of this Act in every respect as the Person who may have been before appointed, and who may die or refuse to act, was and is hereby invested with.

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, or the said recited Act, until he shall have taken and subscribed an Oath, in the Form or to the Effect following; that is to say,

Oath.

‘ I DO swear, that I will faithfully, impartially, and honestly, according
 ‘ to the best of my Skill and Judgment, execute and perform the several
 ‘ Trusts, Powers, and Authorities, vested and reposed in me as an Umpire,
 ‘ by virtue of an Act passed in the Fifty-first Year of the Reign of
 ‘ King George the Third, intituled, *An Act for inclosing Lands in the Manor
 ‘ or Township of Norbury, in the Parish of Stockport, in the County of
 ‘ Chester, according to Equity and good Conscience, and without Favour*
 ‘ or

‘ or Affection, Prejudice, or Partiality, to any Person or Persons whom-
 ‘ soever. ‘ So help me GOD.’

IV. And be it further enacted, That in case the said *David Claughton* and *James Stelfox*, or any Commissioner to be appointed in Manner herein-after mentioned, shall die, refuse to act, or become incapable of acting as a Commissioner in the Execution of this Act, then and in such Case a new Commissioner, not interested in the said intended Division, Allotment, and Inclosure, shall be appointed in the Place and Stead of any such Commissioner so dying, refusing to act, or becoming incapable of acting as aforesaid, by a Majority in Value (such Value to be ascertained by the Land-Tax Assessment) of the several Persons interested in the Lands and Grounds hereby intended to be divided, allotted, or inclosed, who shall be present at a Meeting to be held for that Purpose, as herein-after is mentioned, and that every such new Commissioner being so appointed, shall have the same Powers and Authorities by virtue of this Act as the Commissioner whom he shall so succeed, had or was invested with: Provided always, that Notice be given by a Writing to be affixed on the Principal Outer Door of the Chapel of *Norbury*, in the said Parish of *Stockport*, appointing a Time and Place of Meeting to chuse such Commissioner, Twenty-one Days at least before such Meeting.

For appoint-
 ing new Com-
 missioners.

V. And be it further enacted, That the said Commissioners shall and they are hereby required to cause Notice to be inserted in One of the *Manchester* Weekly Newspapers, or in some other Newspaper circulated in the said County Palatine of *Chester*, and to be repeated Once at least in the same Paper, and also upon the Principal Outer Door of the Chapel of *Norbury* aforesaid, of the Time and Place of their First Meeting, which shall be in some convenient Place within the said Township of *Norbury*, and not elsewhere, to put this Act into Execution, such Notices to be at least Thirty Days before such Day of Meeting; and it shall be signified by such Notice that all Persons, Bodies Politic or Corporate, having or claiming a Right of Common in or upon the several Open Commons and Waste Grounds hereby intended to be divided, allotted, and inclosed, are required by themselves, their Agents or Tenants respectively, to give and deliver to the said Commissioners at such Time and Place, a full, true, and particular Account in Writing of the Messuages, Tenements, Lands, and Hereditaments for which he, she, or they respectively claim a Right of Common upon the said Open, Common, or Waste Grounds, and who is in Possession thereof, and what is the Quantity thereof; and it shall be signified also by the said Notice, that all Persons neglecting to deliver in such Claims at the First, Second, or Third Meeting of such Commissioners, will, in pursuance of the Directions of the said recited Act, be excluded and debarred of and from all Right, Title, Claim, and Interest, of, in, or to the said Open, Common, or Waste Grounds, or any Part thereof, and from all Benefit and Advantage to arise by such Division, Allotment and Inclosure thereof by virtue of this Act, or the said Notice shall be to that or to the like Effect.

Notice to be
 given of the
 Commission-
 ers first Meet-
 ing to receive
 Claims.

VI. And be it further enacted, That the said Commissioners shall and may appoint such Time and Place within the said Township of *Norbury* for their Second and Third Meetings as they shall think proper, so that a Notice or Notices in Writing of such Second and Third Meetings respectively

Notice to be
 given of the
 Second and
 Third Meet-
 ings.

be

be by them in like Manner advertised, and given at least Fourteen Days before such Second and Third Meetings respectively, and all subsequent Meetings of the said Commissioners shall be appointed at such Time and Times, Place and Places, and in such Manner as they shall from Time to Time direct, and all Meetings of the said Commissioners to be held in pursuance of this Act, shall be held in the said Township of *Norbury* and not elsewhere.

Other Notices
how to be
given.

VII. And be it further enacted, That all other Notices necessary or requisite to be made and given by the said Commissioners, shall be so made and given by Advertisement to be inserted in One of the said *Manchester* Newspapers, or in some other Newspaper circulated in the said County Palatine of *Chester*.

Commission-
ers to deter-
mine Disputes.

VIII. And be it further enacted, That if any Dispute or Difference shall arise between any of the Parties interested or claiming to be interested in the Lands and Grounds to be divided, allotted, and inclosed in pursuance of this Act, or any Part thereof, touching or concerning the several Rights and Interests which they or any of them shall have or claim to have in, over, upon, or out of the said Lands and Grounds, or any Part thereof, or touching or concerning any Matter or Thing relating to the said Division, Allotment, and Inclosure, it shall be lawful for the said Commissioners and they are hereby authorized to examine into, hear, and determine the same: Provided always, that nothing in this Act contained shall authorize the said Commissioners to determine the Title to any Messuage, Lands, Tenements, or Hereditaments whatsoever.

Persons in
Possession not
to be molested
without due
Course of
Law.

IX. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Commissioners to determine any Right between Parties contrary to the Possession of such Parties (except in Cases of Encroachments made within the Period of Forty Years, as hereinafter mentioned), but in case the said Commissioners shall be of Opinion against the Right of the Person or Persons so in Possession, they shall forbear to make any Determination thereupon until the Possession shall have been given up by such Person or Persons, or recovered from such Person or Persons by Ejectment or other due Course of Law.

Commission-
ers may
award Costs.

X. And be it further enacted, That in case the said Commissioners shall, on the Hearing and Determination of any Claim or Claims, Objection or Objections to be delivered to them in pursuance of this or the said recited Act, or on the hearing of any such Dispute or Difference as aforesaid, see Cause to award any Costs, it shall be lawful for them and they are hereby empowered, on Application made to them for that Purpose, to settle, assess, and award such Costs and Charges as they shall think reasonable, to be paid to the Party or Parties in whose Favour any Determination of the said Commissioners or their Umpire shall be made, by the Person or Persons against whom any such Determination shall be made; and in case the Person or Persons who shall be liable to pay such Costs and Charges shall neglect or refuse to pay the same on Demand, then and in such Case it shall be lawful for the said Commissioners and they are hereby required and authorized, by Warrant under their Hands directed to any Person or Persons whomsoever, to cause such Costs and Charges to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting

or

or refusing to pay the same, rendering on Demand the Overplus (if any) after deducting the Costs and Expences attending such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

XI. Provided always, and be it further enacted, That in case any Person or Persons interested or claiming to be interested in the said Division and Inclosure, shall be dissatisfied with any Determination of the said Commissioners or their Umpire, touching or concerning any Claim or Claims of any Right of Common or other Rights or Interests in, over, upon, or out of the Lands and Grounds intended to be divided, allotted, and inclosed in pursuance of this Act, or any Part thereof, it shall be lawful for the Person or Persons so dissatisfied to proceed to a Trial at Law of the Matter so determined by the said Commissioners or their Umpire, at the First or Second Great Sessions or Assizes to be holden for the said County Palatine of *Chester*, next after the Determination of the said Commissioners or their Umpire, and for that Purpose the Person or Persons who shall be dissatisfied with such Determination, shall cause an Action to be brought upon a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, within Three Calendar Months next after the Determination of the said Commissioners or their Umpire; and the Defendant or Defendants in such Action or Actions shall and he, she, or they is and are hereby required to name an Attorney or Attornies who shall appear thereto, or file Common Bail, and accept One or more Issue, or Issues whereby such Claim or Claims, and the Rights thereby insisted on, may be tried and determined; (such Issue or Issues to be settled by the proper Officer of the Court in which the said Action or Actions shall be commenced, in case the Parties shall differ about the same), and the Verdict or Verdicts which shall be given in such Action or Actions shall be final, binding, and conclusive upon all and every Person and Persons whomsoever, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, and order a new Trial to be had thereon, which it shall be lawful for the Court to do, as is usual in other Cases; and that after such Verdict or Verdicts shall be obtained, and not set aside by the Court, the said Commissioners shall and they are hereby required to act in conformity thereto, and to allow or disallow the Claim or Claims thereby determined, according to the Event of such Trial or Trials: Provided always, that if the Determination of the said Commissioners touching such Claim or Claims to such Rights of Common or other Rights or Interest over, upon, or out of the said Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, shall not be objected to, or being so objected to, in case the Party or Parties objecting shall not cause such Action at Law to be brought and proceeded in within Three Calendar Months as aforesaid, then the Determination of the said Commissioners shall be binding, final, and conclusive upon all Parties whomsoever.

Parties may try their Rights by an Issue at Law.

XII. And be it further enacted, That if any of the Parties in any Action to be brought in pursuance of this or the said recited Act, shall die pending the same, such Action shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened.

Proceedings not to abate by Death of Parties.

XIII. Provided always, and be it further enacted, That if any Person or Persons in whose Favour any such Determination as aforesaid shall have

In case of Death of Parties before

[Loc. & Per.]

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been

Action brought, the same to be carried on and defended in their Names.

been made, and against whom any such Action or Actions might have been brought, if living, shall die before any such Action or Actions shall have been brought, and before the Expiration of the Time herein-before limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Bodies Politic or Corporate, who might have brought such Action or Actions against the Person or Persons so dying, to bring the same within the Time so limited as aforesaid, against such Person or Persons as if actually living, and to serve the Clerk or Clerks of the said Commissioners with Process for commencing such Action or Actions in the same Manner as the Party or Parties might have been served therewith if living, and it shall thereupon be incumbent on the Heir or Heirs, or other Person or Persons who shall claim the Benefit of such Determination as aforesaid, to appear and defend such Action or Actions in the Name or Names of the Person or Persons so dead, and Proceedings shall be had therein in the same Manner as if such Person or Persons had been actually living, and the Rights of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

Encroachments.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby required to enquire and determine what Encroachments have been made upon or from such Common and Waste Lands or Grounds in *Norbury* aforesaid, 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 and Waste Lands or Grounds within Forty Years previous to the passing of this Act, shall be deemed Part and Parcel of the said Commons and Waste Lands; and in case any Dispute shall happen or arise touching what Part or Parts of the same Commons and Waste Lands shall and may be deemed Encroachments, such Disputes shall be enquired into, heard, and determined by the said Commissioners, whose Determination shall be made a Part of and inserted in the Book containing the Proceedings under this Act, or in the Award to be made in pursuance thereof.

Power to stop up all old Roads.

XV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered by and with the Concurrence and Order of Two Justices of the Peace acting for the said County Palatine of *Chester*, in the Division in which the said Township is situate, and not interested in the Repair of such Road, subject to such Appeal, in such Manner and under such Forms and Restrictions as are mentioned and contained in the said recited Acts, to stop up any old or accustomed Road passing or leading through any Part of the ancient Inclosed Lands in the said Township, if the said Commissioners shall be of Opinion that the same is no longer necessary.

Allotment to the Lord of the Manor after setting out the necessary Roads.

XVI. And be it further enacted, That the said Commissioners shall and they are hereby required, after setting out the necessary and proper Roads pursuant to the said recited Act, to set out and allot unto the said *Richard Legh* and *George Heron*, their Heirs and Assigns as Devisees in Trust of the said *Thomas Peter Legh*, One-fifteenth Part of the said Common and Waste Lands and Grounds hereby directed to be divided, allotted, and inclosed as aforesaid, in lieu of and as a Compensation for all the Rights of them the said *Richard Legh* and *George Heron*, as Devisees in Trust as aforesaid, of, in, or to the Soil of the said Common and Waste Lands of the said Manor

Manor of *Norbury* aforesaid, in respect of their being Lords of the Manor.

XVII. And be it further enacted, That the said Commissioners shall, after setting out the proper and necessary Roads and Ways pursuant to the said recited Act, and making such Allotment to the said *Richard Legh* and *George Heron* as aforesaid, and they are hereby authorized and required to set out, divide, and allot the said Common and Waste Lands or Grounds, or the Residue thereof, unto or between and amongst the said *Richard Legh*, and *George Heron*, and *George Barton*, and such other Person or Persons as is or are entitled to Right of Common in, over, or upon such Common or Waste Lands or Grounds, in Proportion to his, her, or their ancient Inclosed Lands or Estates within the said Manor or Township of *Norbury*, Quantity, Quality, and Value being considered: Provided always, nevertheless, that any such Allotment or Allotments so to be made as aforesaid shall be made and set out from and out of such of the said Common or Waste Lands or Grounds as are next adjoining or most convenient and near to such ancient Lands or Estates in Right whereof such Allotment or Allotments shall be so respectively made and set out as aforesaid.

Allotment of
the Residue.

XVIII. Provided always, and be it further enacted, That inasmuch as divers Persons hold and enjoy certain Messuages, Lands, or Tenements within the said Manor or Township of *Norbury*, by virtue of Leases granted thereof respectively by the said *Thomas Peter Legh*, or some of his Ancestors, for the Term of One or more Life or Lives mentioned in such Leases, or for Years determinable on the Death of such Person or Persons so named or mentioned therein, and may in some Instances claim or be entitled to a Right of Common in and upon the said Common or Waste Lands or Grounds during the Continuance of their respective Lease or Leases or other Interests, it shall and may be lawful to and for the said Commissioners and they are hereby directed and required to make and set out One general Allotment in respect of all such Leasehold Messuages, Lands, Tenements, or Hereditaments in Proportion thereto, in Manner aforesaid; such Allotment to be held and enjoyed by the said *Richard Legh* and *George Heron*, as Devisees in Trust of the said *Thomas Peter Legh*, as aforesaid; but subject nevertheless to and charged and chargeable with such Annual Rent or Sum, to be paid by the said *Richard Legh* and *George Heron*, (or such Devisees in Trust) to each and every such Leaseholder as is or may be entitled to a Right of Common during the Existence of his, her, or their Lease or respective Leases as aforesaid, as the said Commissioners shall by their Award order and direct.

Allotments
respect of
Leasehold
Estates during
the Continu-
ance of the
Leases.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners to set out, allot, and award any of the Lands or Grounds hereby directed to be divided and allotted; or any other Lands, Tenements, or Hereditaments whatsoever in *Norbury* aforesaid, in lieu of and in Exchange for any other Lands, Tenements, or Hereditaments whatsoever within *Norbury* aforesaid, or within any adjoining Parish, Hamlet, Township, or Place, provided that every such Exchange be ascertained, specified, and declared in, and by the Award of the said Commissioners, and be made with the Consent of the Owner or Owners, Proprietor or Proprietors of the said Lands, Tenements, or Hereditaments which shall be so exchanged, whether such Owner or Owners, Proprietor or Proprietors shall be a Body

Exchanges.

or Bodies Politic, Corporate, or Collegiate, or a Tenant or Tenants in Fee Simple, or for Life or Lives, or in Fee Tail General or Special, or by the Courtesy of *England*, or for Years determinable, or any Life or Lives, or with the Consent of the Guardians, Trustees, Feoffees for charitable or other Uses, Husbands, Committees, or Attornies of or acting for any such Proprietors or Owners as aforesaid, who at the Time of making such Exchange or Exchanges shall be respectively Infants, Females Coverts, Lunatics, or under any other legal Disability, or who shall be beyond the Seas, or otherwise disabled to act for themselves, himself, or herself, such Consent to be testified in Writing under the Common Seal of the Body or Bodies Politic, Corporate, or Collegiate, and under the Hands of the other consenting Parties respectively; and all and every Exchange and Exchanges so to be made shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever: Provided nevertheless, that no Exchange shall be made of any Lands, Tenements, or Hereditaments held in Right of any Church, Chapel, or other Ecclesiastical Benefice, without the Consent, testified as aforesaid, of the Patron thereof, and of the Lord Bishop of the Diocese in which such Lands, Tenements, or Hereditaments so to be exchanged shall lie and be situate.

Exchanges.

XX. And be it further enacted, That all Costs, Charges, and Expences attending the making and completing of any Sales, Exchanges, or Partitions to be made under or by virtue of this Act or the said recited Act, shall be paid, borne, and defrayed by the several Persons making such Sales, Exchanges, or Partitions; in such Manner and in such Shares and Proportions as the said Commissioners shall by their said Award, or any other Writing under their Hands, order and direct, and shall be recovered in the same Manner as the Expences of obtaining and carrying this Act into Execution.

Expences of the Act, how to be paid.

XXI. And be it further enacted, That all such Charges and Expences incident to and attending the applying for, obtaining, and passing this Act, and of measuring, planning, dividing, and allotting the said Common and Waste Lands or Grounds, and of preparing, executing, and depositing the Award of the said Commissioners, and all other their necessary Charges and Expences, and of every Person employed by them in and about the Execution of this Act or the said recited Act, or in anywise incident or relating thereto, shall be paid by the Proprietors of Lands or Grounds to whom such Allotment or Allotments shall be made as aforesaid, in Proportion and according to his, her, or their Allotment or Allotments respectively.

Wills and Settlements not to be affected.

XXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to revoke, make void, alter, or annul any Will or Settlement, or to prejudice any Person or Persons having any Right or Claim of Dower, Jointure, Portion, Debts, Rents, or Incumbrances out of, upon, or affecting any of the Messuages, Cottages, Buildings, Lands, or Grounds to be divided, allotted, inclosed or exchanged in pursuance of this or the said recited Act, or any Part or Parts thereof respectively; but that the respective Persons to whom any Lands or Hereditaments shall be allotted or given in Exchange by virtue of this or the said recited Act, shall be seised thereof to such and the same Uses, and for such and the same Estates, and subject to such and the same Wills, Jointures, Rents, Charges, and Incumbrances, and no other, as the Messuages,

suages, Cottages, Buildings, Lands, Grounds; and Hereditaments whereof such Person was seized or possessed at or immediately before the Execution of the Award of the said Commissioners, or for which or in respect whereof such Allotments or Exchanges shall be made, would have been subject to, charged with, or affected by, in case this Act had not been made.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to borrow and take up at Interest from any Person or Persons willing to advance and lend the same, such Sum and Sums of Money as shall from Time to Time be necessary for defraying the Charges and Expences of passing this Act, and the Expences of executing the same and the said recited Act; and that if any Person or Persons shall, in the mean Time, advance any Money for the Purposes aforesaid, such Person or Persons shall be repaid the same, with Interest at the Rate of Five Pounds *per Centum per Annum*, out of the Monies so to be borrowed and taken up at Interest as aforesaid, or to be raised as herein-after mentioned.

Commissioners may borrow Money to pay Expences, and Money advanced to be repaid with Interest.

XXIV. Provided always, and be it further enacted, That all the Costs, Charges, and Expences attending the making and completing of any Exchanges and Partitions shall be paid, borne, and defrayed by the several Persons making such Exchanges and Partitions in such Manner and in such Proportions as the said Commissioners shall by their Award order and direct.

Expences of Exchanges and Partitions by whom to be paid.

XXV. And be it further enacted, That each of the said Commissioners, or such other Commissioners to be appointed as aforesaid, who shall act in the Execution of the Powers and Authorities hereby vested in him, shall be paid the Sum of Two Pounds Twelve Shillings and Sixpence, and no more, for each Day he shall be employed therein (Days of travelling to and from Home included) the same to be in full Satisfaction for all the Trouble and Expences which they shall be put to in executing the Powers and Authorities aforesaid; and every Proprietor and other Person interested in the Execution of this Act, and their Solicitors and Agents who shall attend upon any Occasion in pursuance of this Act, shall bear and pay his and their own Expences of such Attendance.

Commissioners Expences.

Proprietors and others to pay their own Expences.

XXVI. And be it further enacted, That at least once in each and every Year during the Execution of this Act, (such Year to be computed from the Day of the passing thereof) the said Commissioners shall and they are hereby required to make a true and just Account or Statement of all Sums of Money by them received and expended, or due to them for their own Trouble or Expences in the Execution of this Act, and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by them laid before any Two or more of His Majesty's Justices of the Peace for the Time being, for the said County Palatine of *Chester*, to be by them examined and balanced; and such Balance shall be by such Justices stated in the Book of Accounts to be kept in the Office of the Clerk to the said Commissioners, and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid in Law, unless the same shall have been duly allowed by such Justices.

Commissioners to lay their Accounts before Two Justices once in every Year.

XXVII. And be it further enacted, That the Award to be made by the said Commissioners, when enrolled in Manner directed by the said recited Act, shall be deposited in the Parish Church of *Stockport* aforesaid.

[*Loc. & Per.*]

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XXVIII. And

Persons ag-
grieved may
appeal to the
Quarter Ses-
sions.

XXVIII. 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 Act (other than and except as to such Claims, Matters and Things as are herein-before directed or authorized to be tried, settled, and determined by the Verdict of a Jury, or where any of the Clauses or Provisions of the said recited Act or of this Act, shall express that the same shall be final and conclusive) then and in every such Case, he, she, or they may appeal to the General Quarter Sessions of the Peace, which shall be holden for the said County Palatine of *Chester* within Six Calendar Months next after the Cause of Complaint shall have arisen, on giving to the said Commissioners, and to the Party or Parties concerned, Fourteen Days Notice in Writing of such Appeal, and of the Matter thereof; and the Justices (not interested in the Premises) at their said General Quarter Sessions, are hereby required to hear and determine the Matters of every such Appeal, and to make such Order, and award such Costs and Damages, as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs and Charges which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same; rendering the Overplus (if any) on Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Warrants, Distress and Sale; and the Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removeable by *Certiorari* or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous, vexatious, or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants as to them in their Discretion shall seem reasonable, and to be levied in Manner aforesaid.

General
Saving.

XXIX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person or Persons, Body or Bodies Politic, Corporate or Collegiate, his, her, and their Heirs, Executors and Administrators (except such whose Rights are hereby intended to be barred, or who shall fail to give in their Claims, or against whom the said Commissioners or their Umpire shall determine) all such Right, Title, and Interest as they, every, or any of them, had and enjoyed of, in, to, or out of the said Common and Waste Lands at the Time of passing this Act, or could or might have had or enjoyed in case this Act had not been made.

Act to be
Evidence.

XXX. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1811.