



ANNO DUODECIMO

VICTORIÆ REGINÆ.

Cap. xvi.

An Act for the Management and Disposal of the
Freemen's Pastures in the Parish of *Great
Grimsby* in the Parts of *Lindsey* in the County
of *Lincoln*; and for other Purposes.

[24th *May* 1849.]

WHEREAS there are in the Parish of *Great Grimsby* in
the Parts of *Lindsey* in the County of *Lincoln* certain
Pastures known by the Name of the *East Marsh, Little
Field, and Hay Croft*: And whereas the Mayor, Aldermen, and
Burgesses of the Borough of *Great Grimsby* claim to be the Owners
of the Soil of such Pastures: And whereas the Freemen and Widows
of Freemen of such Borough paying Scot and Lot claim to be en-
titled, when resident within such Borough, to the Pasturage of such
Pastures: And whereas under certain Acts of Parliament relating
to the *Manchester, Sheffield, and Lincolnshire* Railway Company such
Company have purchased and taken a Portion of such Pastures, and
the Purchase Money paid for the same hath been invested in the
Purchase of the Sum of Nineteen thousand two hundred and sixty-
three Pounds Nine Shillings and Two-pence Reduced Three Pounds
per Centum Annuities, and such Sum is now standing in the Name
of the Accountant General of the Court of Chancery to an Account
intituled "*Ex parte the Manchester, Sheffield, and Lincolnshire Rail-
way Company, in the Matter of the Manchester, Sheffield, and
Lincolnshire Railway Amalgamation Act, 1846, the Account of the
Mayor, Aldermen, and Burgesses of Great Grimsby in the County*
[*Local.*] *N n* " of

7 & 8 G. 4.
c. 18.

“ of *Lincoln* :” And whereas such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence is or may be liable, under certain Orders of the Court of Chancery, to the Payment thereof of a certain Mortgage Debt charged on the said *Little Field* and *Hay Croft* Pastures, and certain Costs and Expenses, and such Mayor, Aldermen, and Burgesses, and such Freemen and Widows, respectively claim to be entitled to the Surplus thereof after Payment of such Mortgage Debt, Costs, and Expenses : And whereas a Question is now pending in the Court of Chancery as to the Payment or Deduction out of such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence of a further Sum in respect of a Claim made by such Railway Company : And whereas by virtue of an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for dividing, inclosing, and exonerating from Tithes Lands in the Parish of Great Grimsby in the County of Lincoln*, and of an Award made by the Commissioner acting under such Act, bearing Date the Fourth Day of *May* One thousand eight hundred and forty, the said *East Marsh*, *Little Field*, and *Hay Croft* Pastures have been exonerated from the Payment of Tithe : And whereas the gross yearly Amount of the Rent-charge in lieu of Vicarial Tithes now charged upon such Parts of the Pastures as have not been taken by the *Manchester, Sheffield, and Lincolnshire* Railway Company is One hundred and two Pounds Five Shillings and One Penny, and the gross yearly Amount of the Rent-charge in lieu of Rectorial Tithes now charged upon the same Parts is Fifty-one Pounds Eighteen Shillings and Eight-pence Halfpenny, and such Rent-charges respectively were by the said Act directed to be paid free and clear from all Poor Rates, Surveyor’s Rates, and Parochial Rates, Duties, and Assessments whatsoever, and, if required, to be ascertained every Fourteen Years by the Average Price of Wheat : And whereas the Reverend *Francis Thomas Atwood* Clerk is the Incumbent, and *George Fieschi Heneage* Esquire is or claims to be the Patron, and the Lord Bishop of *Lincoln* is the Ordinary of the Vicarage of the Parish of *Great Grimsby* : And whereas the said *Francis Thomas Atwood*, as such Incumbent, is entitled to the Vicarial Tithes or Rent-charge in lieu of Vicarial Tithes of the Parish : And whereas the said *George Fieschi Heneage* is or claims to be the Impropiator of the Improprate Rectory of the Parish, and as such he is entitled to the Rectorial Tithes or Rent-charge in lieu of Rectorial Tithes thereof : And whereas it hath, for the mutual Convenience of all Parties interested, been agreed that so much of such Annuities as will yield the full Income of One hundred and two Pounds Five Shillings and One Penny, instead of such Vicarial Tithes or Rent-charge in lieu of Vicarial Tithes, shall be appropriated for such Vicar, as herein-after provided, and that so much of such Annuities as will yield the full Income of Fifty-one Pounds Eighteen Shillings and Eight-pence Halfpenny, instead of such Rectorial Tithes or Rent-charge in lieu of Rectorial Tithes, shall be appropriated for such Impropiator as herein-after provided, and that the Pastures shall be wholly exonerated from such Tithes and Rent-charges respectively : And whereas such Borough hath of late Years increased in Trade and Resort, and such Pastures have become very valuable for Building Purposes : And whereas it is expedient that Provision should be made
for

for the Management and Occupation of such Pastures, and for letting, leasing for Building Purposes, and selling the same, and for settling the Application of such Surplus of such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities, and the Dividends thereof, and the Rents, Profits, and Proceeds of such Pastures, and for regulating the Rights of such Mayor, Aldermen, and Burgesses, and such Freemen and Widows, respectively, in respect of the Premises; but such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction,

Interpretation of Terms in this Act.

The Word "Borough" shall mean the Borough of *Great Grimsby*;

The Word "Corporation" shall mean the Mayor, Aldermen, and Burgesses of the Borough;

The Word "Freemen" shall mean the Freemen and Widows of Freemen of the Borough;

The Expression "enrolled Freemen" shall mean the Freemen whose Names are included in the Pasture Roll for the Time being in force;

The Word "Pastures" shall mean such Parts of such Pastures called the *East Marsh, Little Field, and Hay Croft* as have not been purchased and taken by the *Manchester, Sheffield, and Lincolnshire* Railway Company, with their Rights, Members, and Appurtenances;

The Word "Mayor" shall mean the Mayor for the Time being of the Borough;

The Expression "Town Clerk" shall mean the Town Clerk for the Time being of the Borough;

The Word "Treasurer" shall mean the Treasurer for the Time being of the Borough;

The Word "Month" shall mean Calendar Month;

Words importing the Singular Number only shall include the Plural Number;

Words importing the Plural Number only shall include the Singular Number; and

Words importing the Masculine Gender only shall include Females.

II. And be it enacted, That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Grimsby Pastures Act, 1849.*" Short Title.

III. And be it enacted, That on the Fifth Day of *September* next after the passing this Act, and on the Fifth Day of *September* in every succeeding Year, the Town Clerk shall make out an alphabetical List of such of the Freemen as are then resident within the Borough, and paying Scot and Lot, and are not disqualified as hereinafter provided for being on the Pastures Roll, and shall post a Copy of such List on every Day during the Week next-preceding the Fifteenth Town Clerk to make out List of Freemen yearly, and post the same, which shall be open to Inspection.

Fifteenth Day of *September* in every Year, and shall keep a Copy of such List, to be perused by any Person, without Payment of any Fee, at all reasonable Hours between the Fifth and Fifteenth Days of *September* (*Sundays* excepted) in every Year, and shall deliver a Copy of such List to any Person requiring the same, on Payment of a Sum not exceeding One Shilling for each Copy.

Notices of
Claims and
Objections.

IV. And be it enacted, That every Freeman whose Name is omitted from such List, and who claims to have his Name inserted therein, shall, on or before the Fifteenth Day of *September* in every Year, give Notice thereof in Writing to the Town Clerk, and every Freeman whose Name is inserted in such List may object to any other Person as not being entitled to have his Name retained in such List, and every Freeman so objecting shall, on or before the Fifteenth Day of *September* in every Year, give Notice thereof in Writing to the Town Clerk, and also give Notice thereof in Writing to the Person objected to, or leave such Notice for him at his usual or last known Residence in the Borough.

Lists of
Claimants,
&c. to be
made out,
and fixed on
Town Hall.

Copies of
such Lists to
be kept for
Perusal.

V. And be it enacted, That the Town Clerk shall make out an alphabetical List of the Names of all Freemen so claiming to be inserted, and an alphabetical List of the Names of all Persons so objected to, and shall post Copies of such Lists on every Day during the Eight Days next preceding the First Day of *October* in every Year, and shall keep Copies of such Lists, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Eight Days (*Sunday* excepted) next preceding the First Day of *October* in every Year, and shall deliver a Copy of each of such Lists to any Person requiring the same, on Payment of a Sum not exceeding One Shilling for each Copy.

List of Free-
men to be
revised by
Mayor and
Assessors at
Revision of
Burgess Roll.

VI. And be it enacted, That at the Court held by the Mayor and Assessors of the Borough for the Purpose of revising the Burgess Lists of the Borough the Town Clerk shall in every Year produce such List of Freemen, and Copies of such Lists of Freemen claiming and of Persons objected to, and such Mayor and Assessors shall revise such List of Freemen in the Manner prescribed by the Act for the Regulation of Municipal Corporations in *England* and *Wales* with reference to the Revision of the Burgess List of the Borough; and such Court and the Mayor shall have like Powers of revising such Lists, and of retaining or inserting in or expunging from such List of Freemen the Names of any Persons, as such Court and the Mayor respectively have with reference to such Burgesses List; and all the Powers, Penalties, Authorities, and Provisions of such Act, and of all other Laws for the Time being in force relating to the Corporation, having reference to the Revision of the Borough List for the Borough, shall be applicable and in force for the Purpose and with reference to the Revision of such List of Freemen; and the revised List shall, so far as such Court can ascertain, contain the Names of such and of such only of the Freemen as were on the Fifth Day of *September* next preceding the Time of such Revision resident within the Borough, and paying Scot and Lot, and not disqualified as herein-after provided for being on the Pastures Roll.

VII. And

VII. And be it enacted, That the Mayor shall in every Year deliver the List of Freemen, revised and signed by him, to the Town Clerk, who shall keep such List, and shall in every Year copy the same fairly and truly into One general alphabetical List in a Book, to be by him provided for that Purpose, with every Name therein numbered, beginning the Numbers from the first Name and continuing them in a regular Series to the last Name, and shall complete such Book on or before the Twenty-second Day of *October* in every Year, and shall deliver such Book, together with the Lists, at the Expiration of his Period of Office, to the Person succeeding him in such Office; and every such Book in which the List of Freemen is copied shall be called "The Pastures Roll," and the Persons named on such Roll shall, to the Exclusion of all other Persons whomsoever, be entitled to have and enjoy during the Year between the First Day of *November* inclusive in the Year wherein such Roll is made and the First Day of *November* in the succeeding Year, subject to the Provisions in this Act contained, and the Regulations made by virtue thereof, such Rights of Pasturage on the Pastures as have heretofore been enjoyed by the Freemen and Widows of Freemen of the Borough resident within the Borough, and paying Scot and Lot, and such other Rights and Interests and such Authorities as are by this Act given either expressly or by Implication to the enrolled Freemen.

Town Clerk
to make
Copy of re-
vised List, to
be called
"The Pas-
tures Roll."

VIII. And be it enacted, That any Freeman who shall have been convicted of Felony, or who shall have received Parochial Relief from the Parish of *Great Grimsby*, shall not at any Time thereafter be entitled to have his Name inserted in the Pastures Roll; and any Freeman who within Twelve Months next before the Fifth Day of *September* in any Year shall have received Parochial Relief from any other Parish than *Great Grimsby*, or shall not have been resident within the Borough, or shall not have paid Scot and Lot within the Borough, shall not be entitled to have his Name included in the Pastures Roll for the then next Year.

Disqualifica-
tion for being
on the Pas-
tures Roll.

IX. And be it enacted, That the enrolled Freemen shall hold a Meeting on the first *Monday* in *November* next after the passing of this Act, and shall hold an annual Meeting on the first *Monday* in the Month of *June* in the Year One thousand eight hundred and fifty, and in every succeeding Year.

Meetings of
the enrolled
Freemen.

X. And be it enacted, That the enrolled Freemen may from Time to Time hold Special Meetings for the Transaction of any extraordinary Business, and the Mayor may call any such Special Meeting at any Time that he may think proper; and any Five Members of the Pastures Committee, herein-after provided for, may at any Time, by Writing under their Hands, require the Mayor to call a Special Meeting, and such Requisition shall fully express the Object of the Meeting required to be called, and shall be delivered to or left at the usual Residence of the Mayor; and forthwith upon the Receipt of such Requisition the Mayor shall call a Special Meeting accordingly, and if for Three Days after such Receipt the Mayor fail to call such Meeting any Five Members of the Pastures Committee may call such Meeting, by giving Notice as herein-after provided.

Special
Meetings of
the enrolled
Freemen.

[Local.]

O o

XI. And

Notice of Meetings.

XI. And be it enacted, That not less than Three nor more than Seven clear Days Notice shall be given of every Meeting of the enrolled Freemen, and every such Notice shall be signed by the Mayor or the Persons calling the Meeting, and shall be posted; and every Notice of a Special Meeting, and every Notice of an Annual Meeting, if any other Business than the Business hereby appointed for Annual Meetings is to be done thereat, shall specify the Business to be done thereat.

Time and Place for Meetings.

XII. And be it enacted, That every Meeting of the enrolled Freemen shall be held at Noon in the Town Hall, or in such other convenient Place within the Borough as shall be appointed by the Mayor or other the Persons calling the Meeting, or by any previous Meeting, and be expressed in the Notice for such Meeting.

Quorum of Meetings.

XIII. And be it enacted, That in order to constitute a Meeting of the enrolled Freemen, whether annual or special, not less than Twenty enrolled Freemen shall be personally present, and if within One Hour from the Time appointed for holding the Meeting such Number of enrolled Freemen be not present such Meeting shall be held to be adjourned *sine Die*.

Adjournment of Meetings.

XIV. And be it enacted, That every Meeting of the enrolled Freemen may be adjourned from Time to Time and from Place to Place, and, except as regards any Meeting adjourned to a later Hour of the same Day or to the next Day, all adjourned Meetings shall be called by Notice as herein-before provided for, and shall be deemed original Special Meetings.

Chairman of Meetings.

XV. And be it enacted, That at all Meetings of the enrolled Freemen the Mayor, if present, or, in his Absence, One of the Pastures Committee, but if all the Members of such Committee be absent, some enrolled Freeman to be respectively elected by the Meeting, shall preside as Chairman.

Authorities of enrolled Freemen to be exercised at Meetings.

XVI. And be it enacted, That the Authorities by this Act given, either expressly or by Implication, to the enrolled Freemen, may be exercised by the enrolled Freemen present, either personally or by Proxy, at any Annual or Special Meeting, or any Adjournment thereof respectively, and not declining to act thereat: Provided always, that any Annual Meeting shall not enter on any special Business but such as is set forth in the Notice for such Meeting, and any special Meeting shall not enter upon any Business but such as is set forth in the Notice for such Meeting, and any adjourned Meeting shall not enter on any Business but such as was left unfinished at the Meeting from which the Adjournment took place, and might have been transacted at such Meeting.

Proceedings and Votes at Meetings.

XVII. And be it enacted, That at every Meeting of the enrolled Freemen such of them as are Men shall alone be allowed to vote or take part personally in the Proceedings; and every enrolled Widow of a Freeman may vote by Proxy, such Proxy being an enrolled Freeman, authorized by Writing under her Hand; and every enrolled Freeman present, either personally or by Proxy, shall be entitled to

One

One Vote, and every Question shall be determined by the Majority of the Votes of the enrolled Freemen present, either personally or by Proxy, and not declining to vote thereon: Provided always, that the Mayor, as Chairman of any Meeting, shall be entitled to vote thereat, although he may not be an enrolled Freeman; provided also, that in all Cases of Equality of Votes at any Meeting the Chairman shall have a Second or casting Vote.

XVIII. And be it enacted, That the enrolled Freemen at the first Meeting after the passing of this Act, or some Adjournment thereof, shall, as the first Business of the Meeting after the taking of the Chair thereat, appoint Fourteen of the enrolled Freemen to be a Committee for the Purposes of this Act, and such Committee shall be called the Pastures Committee, and shall, as the next Business of the Meeting, appoint Three others of the enrolled Freemen to be Auditors for the Purposes of this Act; and the enrolled Freemen at the Annual Meeting in the Year One thousand eight hundred and fifty, and at every subsequent Annual Meeting, or some Adjournment thereof respectively, shall in like Manner appoint another like Committee and other like Auditors: Provided always, that every retiring Committee-man and Auditor respectively shall be eligible for immediate Reappointment; provided also, that in case the enrolled Freemen fail at any such Meeting, or at an Adjournment thereof, to make any such Appointment, the enrolled Freemen may make the same at any subsequent Special Meeting, or at an Adjournment thereof; provided also, that such Committee and Auditors respectively shall remain in Office until the Appointment of their respective Successors.

Pastures Committee and Auditors to be appointed yearly.

XIX. And be it enacted, That every Vacancy in the Office of Pasture Committee-man and Auditor respectively may be filled up by the enrolled Freemen, by the Appointment at any Special Meeting, or an Adjournment thereof, of any enrolled Freemen to supply the same.

As to Vacancies in Pastures Committee and Auditors.

XX. And be it enacted, That the Pastures Committee may meet from Time to Time, and adjourn from Place to Place, as they think proper, for the Purposes of their Appointment; and at any Time any Two Members of such Committee may call or direct the Town Clerk to call a Meeting of such Committee, but any Business shall not be transacted except at a Meeting of such Committee at which Five Members are present; and at all Meetings One of the Members present shall be appointed Chairman; and all Questions shall be determined by the Majority of the Votes of the Members present, and in all Cases of Equality of Votes the Chairman shall have a Second or casting Vote.

Meetings and Proceedings of Pastures Committee.

XXI. And be it enacted, That, subject to such Regulations and Restrictions as the enrolled Freemen from Time to Time determine, the Pastures Committee shall have the general Superintendence and Management of the Affairs of the enrolled Freemen, and the Regulation and the Occupation and Stocking of the Pastures, and shall from Time to Time make and enforce such Orders and Regulations as to the Number and Description of Cattle and Animals which the enrolled Freemen respectively shall be authorized to depasture in the Pastures, and

General Powers of Pastures Committee.

and as to the good Management and Occupation of the Pastures, as such Committee think right, and shall see that all the Resolutions of the enrolled Freemen are duly carried into effect, and shall from Time to Time report to the Council of the Borough all Breaches and Violations of such Orders, Regulations, and Resolutions, and of the Bye Laws made for the Purposes of this Act, and shall exercise, in accordance with the Provisions of this Act, all such Authorities as shall from Time to Time be by the enrolled Freemen delegated to them, and shall, except in the Cases by this Act otherwise provided for, carry the several Provisions of this Act into execution.

Pastures
Committee
to appoint
Officers.

XXII. And be it enacted, That the Pastures Committee in every Year at some of their Meetings shall appoint such Officers, besides the Town Clerk and the Treasurer, as they think necessary for carrying this Act into execution, and may from Time to Time discontinue the Appointment of such Officers, and appoint others in their Place; and the Town Clerk and the Treasurer and such Officers respectively shall be paid such reasonable Salaries or Allowances as the Pastures Committee shall appoint.

Contracts by
Pastures
Committee.

XXIII. And be it enacted, That, subject to such Regulations and Restrictions as the enrolled Freemen from Time to Time determine, the Pastures Committee may at any of their Meetings enter into all such Contracts and Agreements as they think advantageous for the Purposes of this Act, and alter, rescind, and abandon, either on Terms or gratuitously, as they think fit, any Contracts and Agreements entered into by or with them for the Purposes of this Act: Provided always, that every such Contract and Agreement, and every Alteration, Rescission, and Abandonment of any such Contract and Agreement, respectively, shall be in Writing signed by Five or more Members of the Pastures Committee, and countersigned by the Town Clerk.

Annual Re-
port of Pas-
tures Com-
mittee.

XXIV. And be it enacted, That in every Year the Pastures Committee shall make to the Annual Meeting of the enrolled Freemen a full Report of the Proceedings of the Pastures Committee and the Corporation during the preceding Year, with all such Particulars as shall be proper for explaining the Treasurer's Accounts and Balance Sheets, and for showing the State and Prospects of the Pastures, and the Rents, Profits, and Proceeds thereof, and shall make to the Annual Meeting all such Explanations as are required by any of the enrolled Freemen present thereat.

Validity of
Proceedings
of Pastures
Committee.

XXV. And be it enacted, That all Proceedings of the Pastures Committee shall be valid, notwithstanding any mere Informality, and notwithstanding it may be afterwards discovered that there was some Defect in the Appointment of any Person to be a Member thereof, and notwithstanding any Vacancy in the Number of the Committee, so as the Number thereof be not less than Nine.

Members of
Pastures
Committees
indemnified
for all Acts

XXVI. And be it enacted, That any Person, being or having been a Member of the Pastures Committee, shall not by reason of his lawfully exercising any of the Powers given to such Committee be subject to be sued, either alone or with any other Person being or
having

having been a Member of such Committee, by any Person whomsoever, and all Persons, being or having been Members of such Committee, their Heirs, Executors, and Administrators, shall be indemnified by and out of the Monies and Property in or to which the enrolled Freemen are under this Act entitled or interested for all Payments made and Liabilities incurred in respect of any Acts done or suffered by the Pastures Committee in the Execution of this Act, and against all Losses, Costs, and Damages which such Committee may incur in or by reason of the Execution of this Act; and such Committee may from Time to Time order the Application of such Monies and Property for the Purposes of such Indemnity.

done in execution of this Act.

XXVII. And be it enacted, That the Town Clerk shall act as the Secretary or Clerk to the enrolled Freemen and also to the Pastures Committee, and shall attend all Meetings of the enrolled Freemen and of the Pastures Committee respectively: Provided always, that whenever the Town Clerk is from Illness or other sufficient Cause, to be allowed by the respective Meeting, unable to attend in Person, he may attend by a Deputy approved by the respective Meeting.

Town Clerk to act as Secretary.

XXVIII. And be it enacted, That Minutes of all the Proceedings of the Meetings of the enrolled Freemen and of the Pastures Committee respectively shall from Time to Time be entered by the Town Clerk in Books to be provided for the Purpose, which shall be kept at the Town Clerk's Office; and every such Entry shall, as soon as conveniently may be after the holding of the Meeting at which the Proceedings took place, be signed by the Chairman thereof; and every such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such Meeting having been duly called or held, or of the Persons attending such Meeting having been enrolled Freemen or Members of the Pastures Committee, or of the Signature of the Chairman, or of the Fact of his having been Chairman, all which Matters shall be presumed, until the contrary be proved; and such Books shall at all reasonable Times be open to the Inspection of every enrolled Freeman; and a Copy of the Minutes of every Meeting shall be made by the Town Clerk, and be delivered by him to the Person who was the Chairman thereof.

Minutes of Proceedings to be made by Town Clerk.

XXIX. And be it enacted, That the Treasurer shall be the Treasurer for the Purposes of this Act, and the Corporation shall take such Security for the due Execution by him of his Office under this Act as the Pastures Committee shall from Time to Time think proper.

Appointment of Treasurer.

XXX. And be it enacted, That all the Monies to be received under or by virtue of this Act shall be paid to the Treasurer, and his Receipts shall be absolute Discharges for the same, and from all Liability, Claims, and Demands in respect thereof; and he shall keep distinct Accounts, to be called "The Pastures Accounts," of all his Receipts and Payments for or on account of the enrolled Freemen, and of all such Credits and Liabilities, with reference to the carrying

Monies received under this Act to be paid to the Treasurer.

[Local.]

P p

into

into execution of this Act, as the Pastures Committee shall from Time to Time direct.

Regulation
as to Pay-
ments by
Treasurer.

XXXI. And be it enacted, That the Treasurer shall not pay any Money without the Order of the Pastures Committee in Writing signed by Three Members thereof, and countersigned by the Town Clerk, or, as to any Expenses which the Corporation may under the Provisions of this Act require to be paid, without the Order of their Council, signed by the Mayor and countersigned by the Town Clerk; and such Orders respectively shall be sufficient Warrant to the Treasurer to make the Payments thereby directed.

Treasurers
Accounts.

XXXII. And be it enacted, That the Treasurer shall in the Year One thousand eight hundred and forty-nine, and in every succeeding Year, make up "The Pastures Accounts," and also the Accounts of the enrolled Freemen's Fund, to the First Day of *March* and the First Day of *September* in such Year, and shall deliver to the Auditors Copies of such Accounts and a Balance Sheet thereof respectively within Fourteen Days after each of such Days, and shall, when required by the Auditors, verify such Accounts, by producing the proper Vouchers for the same.

Auditors
Report.

XXXIII. And be it enacted, That it shall be the Duty of the Auditors to receive from the Treasurer his Accounts and Balance Sheets, and to examine the same, and the Auditors shall either make a Special Report on such Accounts, or simply confirm the same, and every such Report or Confirmation shall be read at the Annual Meeting with the Annual Report from the Pastures Committee.

Pastures
vested in the
Corporation
for the Pur-
poses of the
Act.

XXXIV. And be it enacted, That on and after the passing of this Act the Pastures shall be and are hereby vested in the Corporation for an Estate in Fee Simple absolute, but nevertheless for the Purposes and subject to the Provisions of this Act, and subject and without Prejudice to all Rights, Interests, Charges, Incumbrances, Liabilities, Claims, and Demands under or by virtue of this Act.

Execution of
the Act by
the Corpo-
ration.

XXXV. And be it enacted, That such of the Provisions of this Act as are directed to be carried into execution by the Corporation shall be carried into execution by the Corporation accordingly, and for that Purpose the Act for the Regulation of Municipal Corporations in *England* and *Wales*, and all other Laws, whether general or local, for the Time being in force affecting the Corporation, shall, so far as may be requisite for giving full Effect to this Act, apply to the Purposes of this Act, and to the Corporation, and to the Lands, Monies, Property, Effects, Powers, and Authorities for the Time being vested in, under the Control of, or exerciseable by the Corporation, for the Purposes of this Act, and to the Council, Committees, Officers, Agents, and Servants of the Corporation, and all other Persons, with reference to the Purposes of this Act; and such Lands, Monies, Property, Effects, Powers, and Authorities, and all Proceedings and Matters relating thereto, and such Act and Laws and this Act, shall accordingly be carried into execution by the Corporation as

One

One Act: Provided always, that the Corporation shall, in and with reference to the carrying of this Act into execution, be, so far as the Interests of the enrolled Freemen are concerned, bound by all such Resolutions as shall from Time to Time be passed either by the enrolled Freemen, or, within the Limits of the Authority of the Pastures Committee, by such Committee.

XXXVI. And be it enacted, That the existing Powers of the Corporation for making and enforcing Bye Laws shall extend to enable them to make and enforce all such Bye Laws as may be necessary for the carrying into effect such Regulations and Restrictions as the said Pastures Committee shall from Time to Time determine, for the good Rule and Government of the Pastures, and for the Regulation and the Occupation and Stocking of the Pastures, and for determining the Number and Description of Cattle and Animals which the enrolled Freemen respectively shall depasture in the Pastures, and for the good Management and Occupation of the Pastures, and for regulating, in Cases not specially provided for by this Act, the Business and Proceedings at Meetings of the enrolled Freemen, and the Business and Proceedings of the Pastures Committee, and the Appointment, Removal, Duties, Conduct, and Remuneration of Officers for carrying this Act into execution.

Bye Laws to be made by Corporation.

XXXVII. And be it enacted, That the Corporation may and shall from Time to Time, according to the Directions of the Pastures Committee, grant any Leases of all or any Part of the Pastures, either together or in such Lots as the Pastures Committee think most beneficial for the Purposes of this Act, for any Term or Number of Years not exceeding Twenty-one Years at any One Time; and the Pastures Committee may, by Writing under the Hands of any Three Members of such Committee, countersigned by the Town Clerk, let the same at annual Rents from Year to Year or by the Year: Provided always, that such Leases and Lettings respectively be made to take effect in possession only, and without Fine or anything in the Nature thereof, and be made for the best yearly Rents, to be payable half-yearly or oftener, that can be reasonably obtained for the same, and that the Lessees execute Counterparts of their respective Leases, and that such yearly Tenants respectively pay down One Half Year's Rent in advance.

Power to lease the Pastures for 21 Years or less Terms.

XXXVIII. And be it enacted, That the Corporation may and shall from Time to Time, according to the Directions of the Pastures Committee, appropriate the Pastures or any Part thereof for Building Purposes, and in order thereto lay out any Part thereof as Squares or other open Spaces, Roads, Ways, Sewers, Drains, and Watercourses, and other Parts thereof as Lots for Building, or in such other Manner in all respects as the Pastures Committee deem most advantageous for the Purposes of this Act, and repair, alter, and improve any open Spaces, Roads, Ways, Drains, and Watercourses in or upon the Pastures.

Power to appropriate Pastures for Building Purposes.

XXXIX. And be it enacted, That the Corporation may and shall from Time to Time, according to the Directions of the Pastures Committee,

Power to sell and lease Pastures for

Building
Purposes.

Committee, sell, lease, or otherwise dispose of all or any Part of the Pastures to any Persons whomsoever, for Building Purposes, in such Manner, and on such Terms and Conditions, and with and subject to such Covenants and Agreements, as well by or on behalf of the Corporation as by or on behalf of such Persons respectively, as the Pastures Committee shall for the Time being deem most advantageous for the Purposes of this Act, and for such Purposes may and shall from Time to Time, according to such Directions, enter into such Contracts and Arrangements as the Pastures Committee shall from Time to Time think proper; and any such Sale may be either absolute and in consideration of a gross Sum, or in consideration of any Ground Rent or other Rent or Reservation which the Pastures Committee think fit, or in consideration partly of a gross Sum and partly of any such Rent or Reservation, and any such Lease may be for any Term or Number of Years, either absolute or conditional, and either with or without Fine: Provided always, that any such Sale, Lease, or other Disposition shall take effect in possession only; and in every Deed or Lease by which any Rent shall be granted or reserved there shall be granted or reserved and made payable the best yearly Rent which can at the Time of making or granting such Deed or Lease, or the Contract or Arrangement for the making or granting of the same, considering the Amount of the gross Sum or Fine, if any, to be paid in respect thereof, and the Nature and Circumstances of the Case, be reasonably obtained for the same, and the Rent granted or reserved by any such Deed or Lease be made payable quarterly or oftener, and the respective Purchasers and Lessees shall execute Counterparts of the respective Deeds and Leases by which any Rents are granted or reserved; provided also, that the first Payment of the Rent to be granted or reserved by any Deed or Lease may be made to commence and become payable on any Day not exceeding Two Years and a Half from the Time of the making of the Contract or Arrangement for such Deed or Lease, and may be made to increase periodically, beginning with such Proportion of the full Rent to be ultimately payable as shall be thought advisable, and increasing up to the full Rent, as shall be found convenient or be thought proper, and as shall be expressed in such Deed or Lease, regard being had to the Circumstances of the Case.

Contracts,
Sales, and
Leases may
be made on
Terms ap-
proved by
Pastures
Committee,
but Leases
not to be
renewable.

XL. And be it enacted, That, except as by this Act otherwise provided, the Corporation may and shall from Time to Time, according to the Directions of the Pastures Committee, make any Sales, Leases, Dispositions, Contracts, and Agreements under the Authority of this Act, upon such Terms and Conditions, and subject to such Covenants and Agreements, as well by or on behalf of the Corporation or the Pastures Committee as by or on the Behalf of the Persons to or with whom the same shall be respectively made, and otherwise, as the Pastures Committee deem most advantageous for the Purpose of this Act: Provided always, that such Leases and Contracts for Leases respectively be not made with any Provision for the Renewal thereof.

Certain Co-
venants to be

XLI. Provided also, and be it enacted, That in every Deed by which any such yearly or other Rent or Reservation is reserved or granted,

granted, and in every Lease respectively executed under the Authority of this Act, there shall be contained on the Part of the Purchaser or Lessee a Covenant for the due Payment of the Rent or Reservation thereby respectively granted or reserved, and also a Proviso or Condition that if the Rent thereby granted or reserved, or any Part thereof, be at any Time in arrear for a Period (to be therein specified) not exceeding One Year, and be not paid within a further Period (to be therein specified) not exceeding One Year after the same shall be demanded by a Notice in Writing, to be delivered to the Purchaser or Lessee, his Heirs, Executors, Administrators, or Assigns, or to be affixed on some conspicuous Part of the Premises comprised in such Deed or Lease, or left with any Tenant or Occupier of such Premises, then and as often as the same shall happen the Corporation may enter into and upon and repossess such Premises.

inserted in
all Deeds
and Leases.

XLII. And be it enacted, That the Certificate in Writing of the Mayor and any Two of the Members of the Pastures Committee, countersigned by the Town Clerk, acknowledging that the Corporation have received a Counterpart of any such Deed or Lease, shall be full and complete Evidence that such Counterpart was duly made and executed; and after any such Deed or Lease shall have been executed the Contract or Arrangement for the same shall not form any Part of the Evidence of the Title at Law or in Equity to the Benefit of such Deed or Lease.

Certificates
of Receipt
of Counter-
parts.

XLIII. Provided also, and be it enacted, That every Sale, Lease, Letting, and other Disposition of the Pastures or any Part thereof which shall be made under the Authority of this Act shall be made by public Auction at some Meeting of the Pastures Committee, of which Meeting and Auction One Calendar Month's Notice shall be given by Writing fixed on or near the Town Hall, or in some other public and conspicuous Situation within the Borough, and also by Advertisement in Two or more Newspapers published in the County of *Lincoln*, and circulated in the Borough, and such Auctions shall be holden subject to such Conditions, whether ordinary or special, and such reserved Biddings, as the Pastures Committee think most advantageous for the Purposes of this Act.

Sales, Leases,
&c. to be
made by
public Auc-
tion, of which
Notice shall
be given.

XLIV. Provided also, and be it enacted, That whenever any Lot shall be bought in at any such Auction, or not sold thereat, by reason of the reserved Bidding for the same not having been reached, the Corporation may, and from Time to Time shall, according to the Directions of the Pastures Committee, sell, lease, or let the same by private Contract at some Meeting of the Pastures Committee after One Calendar Month's Notice of such Meeting, and the Intention to make such Sale, Lease, or Letting thereat, given by Writing and Advertisement as in the Case of an Auction, and stating that the highest Offer made at such Meeting will be accepted, and such Meeting shall be open to all Persons desirous of attending the same.

In-certain
Cases Sales
and Leases
to be made
by private
Contract.

XLV. And be it enacted, That any Person who for the Time being shall be One of the Mayor, Aldermen, and Burgesses of the Borough, or One of the enrolled Freemen, and whether or not he

As to Sales
and Leases
to Freemen
and Members

[Local.]

Q q

shall

of the Corporation.

shall be One of the Council or of the Pastures Committee, may purchase or take at any such Auction: Provided always, that in case any Lot shall at any such Auction be knocked down to any Person being One of the Council, or One of the Pastures Committee, or One of the enrolled Freemen, such Committee shall give One Calendar Month's Notice by Writing and Advertisement of a Meeting for provisionally confirming the Sale, Lease, or Letting to such Person, and such Notice shall state the Particulars of such Lot, and the Amount of the Bidding for the same at which the same was so knocked down, and the Name and Description of such Person, and the Fact of his being One of the Council, or One of the Pastures Committee, or One of the enrolled Freemen, and that if a higher Bidding be not offered at such Meeting for such Lot such Sale, Lease, Letting, or other Disposition to such Person will be provisionally confirmed; provided also, that such Person shall not by himself or his Agent attend such Meeting; provided also, that in case any Person shall at such Meeting offer such higher Bidding for such Lot, and shall enter into a sufficient Contract to take the same at such higher Bidding, in case the same be not, at such Auction as is next herein-after mentioned, sold, leased, let, or otherwise disposed of at an Increase on such higher Bidding, such Sale, Lease, Letting, or other Disposition to such first-mentioned Person shall not be so confirmed, but such Lot shall again be offered at an Auction as by this Act provided.

In the event of no new Offer at the Meeting, Corporation to obtain Consent of Treasury, as required by 5 & 6 W. 4. c. 76.

XLVI. Provided always, and be it enacted, That in case at such Meeting some Person shall not offer such higher Bidding for such Lot, and enter into such sufficient Contract, such Sale, Lease, Letting, or other Disposition to such first-mentioned Person shall be provisionally confirmed, and shall be certified to the Corporation by the Pastures Committee, and the Circumstances of the Case shall be thereupon represented by the Corporation to the Commissioners of Her Majesty's Treasury, in like Manner as if the Case were One of an intended Disposition by the Corporation of Part of their own Corporate Property, requiring, under the Act for the Regulation of Municipal Corporations in *England* and *Wales*, the Approbation of such Commissioners in order to its being carried into effect; provided also, that in case such Commissioners or any Three of them do not approve such Sale, Lease, Letting, or other Disposition to such first-mentioned Person, the same shall not be carried into effect; provided also, that in case such Commissioners or any Three of them approve such Sale, Lease, Letting, or other Disposition to such first-mentioned Person, the Corporation shall by a special Order absolutely confirm the same, on such Terms and Conditions as are approved by such Commissioners or any Three of them, and the same shall be carried into effect accordingly.

Pastures reverting to the Corporation may be dealt with for any Purposes of the Act.

XLVII. And be it enacted, That whenever any Contract or Agreement for selling, leasing, letting, or otherwise disposing of any Land shall not be carried into effect, and whenever the Possession of any Land comprised or contracted or agreed to be comprised in any Deed or Lease to be executed or granted in pursuance of this Act, shall be resumed or recovered by the Corporation, the same may from

Time to Time thereafter be dealt with and disposed of in pursuance of any of the Provisions of this Act as the Pastures Committee think fit.

XLVIII. And be it enacted, That such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities shall be appropriated and applied as follows; to wit, first, there shall be paid thereout, pursuant to any Order of the Court of Chancery, the Mortgage Debt, Costs, and Expenses thereby ordered to be paid, and a sufficient Part of such Annuities shall be sold accordingly; secondly, there shall be paid thereout such Sum, if any, as the Court of Chancery shall, with reference to the Question now pending in such Court, as herein-before recited, order to be paid thereout, and such Costs and Expenses, if any, in that Behalf as such Court shall order to be paid thereout, and a sufficient Part of such Annuities shall be sold accordingly; thirdly, the Sum of Three thousand four hundred and eight Pounds Nine Shillings and Two-pence, further Part of such Annuities, shall be appropriated as by this Act provided for the Incumbent of the Vicarage of the Parish of *Great Grimsby*; fourthly, the Sum of One thousand seven hundred and thirty-three Pounds, further Part of such Annuities, shall be appropriated as by this Act provided for the Impropiator of the Improprate Rectory of the Parish of *Great Grimsby*; fifthly, there shall be paid out of the then Residue of such Annuities the Costs and Expenses of obtaining this Act, and other the Costs and Expenses herein-after directed to be paid thereout, and a sufficient Part of such Annuities shall be sold accordingly; sixthly, One equal Twentieth Part of the then Residue of such Annuities shall be appropriated as by this Act provided for the Corporation; and, seventhly, the ultimate Surplus of such Annuities shall be appropriated as by this Act provided for the enrolled Freemen.

Application
of the Sum
of 19,263*l.*
9*s.* 2*d.* Re-
duced 3*l.*
per Cents.

XLIX. And be it enacted, That all such Monies as are from Time to Time received in respect of the yearly Rents and Profits of the Pastures, or such Parts thereof as for the Time being are let or leased, or are sold or otherwise disposed of subject to any Ground Rent or other Rent or Reservation, shall be appropriated and applied as follows; to wit, first, there shall be paid thereout all such ordinary Expenses of and incident to the carrying of this Act into execution as the Pastures Committee shall think fit; secondly, One equal Twentieth Part of the then Residue of such Monies shall be paid to the Treasurer for the Time being of the Borough, to the Credit of the Borough Fund of the Borough, and shall be disposed of accordingly; and, thirdly, the ultimate Surplus of such Monies shall be appropriated as by this Act provided for the enrolled Freemen.

Application
of Rents of
the Pastures.

L. And be it enacted, That all such Monies as are from Time to Time received as the Purchase Money for any Part of the Pastures, or as or by way of Fine for any such Lease or Disposition, shall be applied as follows; to wit, first, there shall be paid thereout all such Expenses of and incident to the carrying of this Act into execution as are not otherwise paid or satisfied; secondly, One equal Twentieth Part of the Residue of such Monies shall be appropriated as by this Act provided for the Corporation; and, thirdly, the ultimate Surplus of

Application
of Purchase
Monies and
Fines for
Leases.

of such Monies shall be appropriated as by this Act provided for the enrolled Freemen.

A certain Sum to be appropriated to the Vicar in lieu of Tithes.

LI. And whereas the said Lord Bishop of *Lincoln* as the Ordinary, and the said *George Fieschi Heneage* as the Patron, and the said *Francis Thomas Atwood* as the Incumbent of the Vicarage of the Parish of *Great Grimsby*, have respectively consented that such Sum of Three thousand four hundred and eight Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities, to be appropriated for the Incumbent of such Vicarage, shall be appropriated as by this Act provided, such Sum being calculated to produce the yearly Income of One hundred and two Pounds Five Shillings and One Penny, the gross yearly Amount of the Vicarial Tithes or Rent-charge in lieu of Vicarial Tithes on the Pastures : Be it therefore enacted, That such Sum of Three thousand four hundred and eight Pounds Nine Shillings and Two-pence shall be transferred to the Governors of the Bounty of *Queen Anne* for the Augmentation of the Maintenance of the Poor Clergy, and shall be appropriated by such Governors to the Vicarage of *Great Grimsby*, and shall be applicable and disposable by them for the Benefit and Augmentation of such Vicarage, in such and the same Manner, and with such and the same Powers and Authorities in all respects, according to the Rules, Orders, and Constitution for the Time being in force for the Management of such Bounty, and the Provisions of any Act or Acts of Parliament in that Case made and provided, as if the same Sum were originally appropriated by such Governors to such Vicarage out of the general Funds and Profits of such Governors, or otherwise for the Benefit and Augmentation thereof.

Pastures to be free from Vicarial Tithes.

LII. And be it enacted, That from and after the Time when such Sum of Three thousand four hundred and eight Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities shall be so transferred the same shall be a full Equivalent and Compensation for the Vicarial Tithes or Rent-charge in lieu of Vicarial Tithes payable in respect of the Pastures, and the Pastures shall accordingly be free and for ever discharged from all Claims and Demands in respect of such Tithes or Rent-charge.

Evidence of Investment for the Vicar.

LIII. And be it enacted, That the Certificate of such Transfer having been made, in Writing under the Hand of the Treasurer for the Time being of such Governors as aforesaid, and which shall be enrolled of Record in the Court of Common Pleas at *Westminster* within Twelve Calendar Months next after the making of such Transfer, shall be sufficient and conclusive Evidence of such Sum of Three thousand four hundred and eight Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities having been appropriated for the Incumbent of such Vicarage, and transferred accordingly, in due pursuance of this Act.

certain Sum to be appropriated as an Investment for the

LIV. And whereas the Improprate Rectory of the Parish of *Great Grimsby* is subject to the Limitations and Trusts of the Will of *George Robert Heneage* of *Hainton* in the County of *Lincoln*, Esquire, deceased, bearing Date the First Day of *May* One thousand eight

eight hundred and thirty-three, and proved on the Thirteenth Day of *July* One thousand eight hundred and thirty-three in the Prerogative Court of *Canterbury*, and of which Will Sir *Robert Sharpe Ainslie* of *Great Torrington* in the County of *Lincoln*, Baronet, and *Henry Charles Hoare* of *Fleet Street* in the County of *Middlesex*, Banker, are the present Trustees: And whereas the Sum of One thousand seven hundred and thirty-three Pounds Reduced Three Pounds *per Centum* Annuities will yield the yearly Interest or Dividends of Fifty-one Pounds Eighteen Shillings and Eight-pence Halfpenny, the Amount of the Rectorial Tithes or Rent-charge in lieu of Rectorial Tithes upon the said Lands: Be it therefore enacted, That such Sum of One thousand seven hundred and thirty-three Pounds Reduced Three Pounds *per Centum* Annuities, to be appropriated for the Impropiator of such Improprate Rectory, shall be transferred, in the Name of the Accountant General of the Court of Chancery, to an Account "*Ex parte* the *Grimsby* Corporation and Freemen, in the " Matter of 'The *Grimsby* Pastures Act, 1849,' the Account of the " Impropiator of the Improprate Rectory of *Great Grimsby*," and shall be dealt with and disposed of in like Manner as if such Rectorial Tithes or Rent-charge in lieu of Rectorial Tithes had been purchased, under the Authority of "The Lands Clauses Consolidation Act, 1845," for a Sum exceeding Two hundred Pounds, and such Sum had been paid in accordance with that Act into the Bank, in the Name and with the Privity of such Accountant General, and placed to such Account there, and duly invested by him in the Purchase of such Annuities, and the Provisions of that Act with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making Title, are incorporated with this Act, and apply to such Annuities accordingly.

Rector in lieu
of Tithes.

LV. And be it enacted, That from and after the Time when such Sum of One thousand seven hundred and thirty-three Pounds Reduced Three Pounds *per Centum* Annuities shall be so transferred the same shall be a full Equivalent and Compensation for the Rectorial Tithes or Rent-charge in lieu of Rectorial Tithes payable in respect of the Pastures, and the Pastures shall accordingly be free and for ever discharged from all Claims and Demands in respect of such Tithes or Rent-charge.

Pastures to
be free from
Rectorial
Tithes.

LVI. And be it enacted, That the Certificate of such Accountant General of such Transfer having been made shall be sufficient and conclusive Evidence of such Sum of One thousand seven hundred and thirty-three Pounds Reduced Three Pounds *per Centum* Annuities having been appropriated for the Impropiator of such Improprate Rectory, and transferred accordingly, in due pursuance of this Act.

Evidence of
Investment
for the Rec-
tor.

LVII. And be it enacted, That the Share of such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities which shall be appropriated as herein-before directed for the Corporation shall be

Investments
for the Cor-
poration.

[Local.]

R r

transferred

transferred into the Name and with the Privity of the Accountant General of the Court of Chancery, and be placed in his Account, "*Ex parte* the Mayor, Aldermen, and Burgesses of the Borough of *Great Grimsby*," and the Share of such Purchase Monies and Fines which shall be appropriated as herein-before directed for the Corporation shall be paid into the Bank of *England* in the Name and with the Privity of such Accountant General, to be placed to the same Account there, pursuant to the Method prescribed by an Act of the Twelfth Year of the Reign of His Majesty King *George* the First, 12 G. 1. c. 32. intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of the East India Bonds and Indorsements thereon, as likewise Indorsements on South Sea Bonds*, and pursuant to the General Rules and Orders of such Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, 12 G. 2. c. 24. intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of England belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court*, and such Annuities shall remain so invested until the same be sold, and the Proceeds thereof be applied; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; to wit,

In accordance with any of the Provisions of this Act; or

In the Purchase or Redemption of Land Tax, or the Discharge of any Debt or Incumbrance affecting any of the Lands of the Corporation; or

In the Purchase of Lands to be conveyed to and holden by the Corporation as part of their Corporate Estate.

Investments
for the en-
rolled Free-
men.

LVIII. And be it enacted, That the Share of such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities which shall be appropriated as herein-before directed for the enrolled Freemen shall be transferred into the Name and with the Privity of such Accountant General, and be placed to his Account, "*Ex parte* the enrolled Freemen of the Borough of *Great Grimsby*," and the Share of such Purchase Monies and Fines which shall be appropriated as herein-before directed for the enrolled Freemen shall be paid into such Bank in the Name and with the Privity of such Accountant General, to be placed to the same Account there, pursuant to such Method, and pursuant to such General Rules and Orders, and without Fee or Reward, as herein-before expressed, and such Annuities shall remain so invested until the same be sold and the Proceeds thereof be applied; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; to wit,

In accordance with any of the Provisions of this Act; or

In the Purchase or Redemption of Land Tax, or the Discharge of any Debt or Incumbrance affecting the Rights or Interests of the enrolled Freemen in or to the Pastures or any other Lands holden

for the Benefit of the enrolled Freemen under or in pursuance of this Act; or

In the Purchase of Lands to be conveyed to and holden by the Corporation for the Benefit, according to the Provisions of this Act, of the enrolled Freemen.

LIX. And be it enacted, That such Annuities respectively may be sold, and the Proceeds thereof respectively and such Monies respectively may be so respectively applied, upon an Order of such Court made on any Petition as herein-after provided for, and until such Monies respectively can be so respectively applied they may respectively, upon the like Order, be respectively invested by such Accountant General in the Purchase of Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, or on Government or Real Securities. Interim Investments.

LX. And be it enacted, That until such Annuities and Securities respectively of the Corporation be ordered to be sold or converted into Money for such Purposes of the Corporation, the Dividends, Interest, and annual Proceeds thereof shall from Time to Time be paid to the Treasurer, and be placed by him to the Credit of the Borough Fund of the Borough, and shall be applied accordingly; and the Orders for such Sale, Conversion, and Payment may be made on any Petition as herein-after provided for. Application of Income of Investments for Corporation.

LXI. And be it enacted, That until such Annuities and Securities respectively of the enrolled Freemen be ordered to be sold or converted into Money for the Purposes of the enrolled Freemen, the Dividends, Interest, and annual Proceeds thereof shall from Time to Time be paid to the Treasurer, for the Benefit of the enrolled Freemen, and be applied as herein-after directed; and the Orders for such Sale, Conversion, and Payment may be made on any Petition as herein-after provided for. Application of Income of Investments for enrolled Freemen.

LXII. And be it enacted, That in every Year commencing on the First Day of *November* the Share of the Monies received in respect of the yearly Rents and Profits of the Pastures which shall during such Year be appropriated as herein-before directed for the enrolled Freemen, and the yearly Rents and Profits of all Lands conveyed to and holden by the Corporation for the Benefit of the enrolled Freemen which shall be received during such Year, shall be paid to the Treasurer, and the same, and the Dividends, Interest, and annual Proceeds paid during such Year to the Treasurer for the Benefit of the enrolled Freemen, as herein-before directed, shall be applied, in the first instance, in Payment of the Salaries and Allowances under this Act during such Year of the Town Clerk, the Treasurer, and the Officers appointed by the Pastures Committee, and such other Expenses, if any, during such Year of carrying this Act into execution as are not thereby otherwise provided for, and the Surplus thereof shall form a Fund, to be called the Enrolled Freemen's Fund, and shall be carried by the Treasurer to a distinct Account accordingly. Enrolled Freemen's Fund.

LXIII. And

Distribution
of enrolled
Freemen's
Fund.

LXIII. And be it enacted, That the Amount of the enrolled Freemen's Fund for every Year commencing on the First Day of *November* shall be divisible in equal Shares between the Persons who during such Year are the enrolled Freemen, and shall be paid to them, or their respective Executors, Administrators, or Assigns, by half-yearly Payments, on such Days as the Pastures Committee shall from Time to Time appoint, and in default of such Appointment the first half-yearly Payment thereof shall be made on the Fifteenth Day of *November* in such Year, and the second half-yearly Payment thereof shall be made on the Fifteenth Day of *May* next after such Year.

Order to be
made for
Distribution.

LXIV. Provided always, and be it enacted, That any half-yearly Distribution of the enrolled Freemen's Fund shall not be made except in pursuance of an Order of the Pastures Committee, in Writing signed by Three of the Members of such Committee, and countersigned by the Town Clerk, and forthwith after the making of any such Order the Town Clerk shall deliver the same to the Treasurer, and shall post a Copy thereof; and after the Receipt by the Treasurer of such Order he shall, on Demand, make the half-yearly Distribution and Payment of the enrolled Freemen's Fund accordingly, but without Interest in respect of any Time elapsed before due Demand for Payment.

Right of
Shares un-
claimed for
Six Years
to cease.

LXV. Provided also, and be it enacted, That whenever any Share of the enrolled Freemen's Fund to which any enrolled Freeman, his Executors, Administrators, or Assigns, is or are entitled, is not duly demanded within Six Years next after the half-yearly Day on which the same became payable, his or their Right to such Share shall on the Expiration of such Six Years absolutely cease, and the same shall be added to and be distributed as Part of the enrolled Freemen's Fund for the Year in or with which such Six Years expired.

Limitation of
the Rights of
the Corpora-
tion and the
Freemen.

LXVI. And be it enacted, That after the passing of this Act the Corporation shall not have any other Estate, Right, Interest, or Authority in, to, over, or in respect of the Pastures, or the Rents, Profits, or Proceeds thereof, or such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities, or the Dividends thereof, or any Part of the same respectively, than such Estate, Right, Interest, and Authority in, to, over, and in respect of the same respectively as the Corporation may lawfully claim by virtue of this Act; and any Person, being or claiming to be a Freeman, shall not, unless and except only in respect of his being or being entitled under this Act to be an enrolled Freeman, have any Right, Interest, or Authority in, to, over, or in respect of the Pastures, or the Rents, Profits, or Proceeds thereof, or such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities, and any Person, being or being entitled under this Act to be an enrolled Freeman, shall not have any other Right, Interest, or Authority in, to, over, or in respect of the Pastures, or the Rents, Issues, Profits, or Proceeds thereof, or such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and

and Two-pence Annuities, or the Dividends thereof, or any Part of the same respectively, than such Right, Interest, and Authority in, to, over, and in respect of the same respectively as he may lawfully claim by virtue of this Act.

LXVII. And be it enacted, That the Corporation shall be indemnified by and out of the Monies and Property in or to which the enrolled Freemen are under this Act entitled or interested for all Payments made and Liabilities incurred in respect of any Acts done or suffered for any of the Purposes of the enrolled Freemen by the Corporation in the Execution of this Act, and against all Losses, Costs, and Damages which the Corporation may incur in or by reason of the Execution of this Act for any of the Purposes of the enrolled Freemen; and the Pastures Committee shall from Time to Time, on the Application of the Corporation, order the Application of such Monies and Property for the Purposes of such Indemnity.

Indemnity of Corporation.

LXVIII. Provided always, and be it enacted, That the Corporation shall pay out of the Borough Fund of the Borough all the Costs, Losses, and Damages of and incident to the carrying into execution for the Purposes of the Corporation of the Provisions of this Act.

Corporation to bear their own Costs.

LXIX. And be it enacted, That the Court of Chancery may from Time to Time, upon the Petition of the Corporation, or of the Pastures Committee, or of any other Party interested, to be presented in a summary Way, make such Orders as the Court think meet for carrying into effect any of the Provisions or Purposes of this Act, and for ascertaining, taxing, settling, and providing for the Payment of all Costs and Expenses by this Act authorized to be paid, and the Costs and Expenses of and incident to the Application to such Court.

Orders of Court of Chancery on Petitions in a summary Way.

LXX. Provided always, and be it enacted, That nothing in this Act contained shall enable the Corporation to alienate or incumber, without the Consent of the Lords Commissioners of Her Majesty's Treasury, any Hereditaments which could not have been alienated or incumbered before the passing of this Act without such Consent.

Corporation not to alienate without Consent of Treasury.

LXXI. And be it enacted, That every List, Copy, and Notice required by this Act to be posted shall be posted by fixing the same on or near the outer Door of the Town Hall, or in some other public and conspicuous Situation within the Borough.

Posting Lists and Notices on Town Hall, &c.

LXXII. And whereas certain Lands in the Township of *Weelsby*, belonging or claimed to belong to the said *George Fieschi Heneage*, abut upon the *East Marsh* Pasture, and the only Approach to such Pasture from the principal Part of the Town of *Great Grimsby* is by a Street called *Pasture Street*, belonging or claimed to belong to the Corporation, which Street approaches to within a short Distance of such Lands; and it has been agreed that the said *George Fieschi Heneage*, or other the Owners and Occupiers of such Lands, shall have Access to and a Right of Way over such Street: Be it therefore

Right of Way to *George Fieschi Heneage*, Esq.

[*Local.*]

S s

enacted,

enacted, That the said *George Fieschi Heneage*, his Heirs or Assigns, may within Two Years after the passing of this Act, at his or their own Expense, continue such Street (of the same Width as that of such existing Street) up to the Drain which separates such Lands from such Pasture, and thence by means of a Bridge erected over such Drain continue such Street into such Lands, and from and after the Execution of such Works the Owners and Occupiers of such Lands shall have free Right of Way for all Purposes over such Street to and from the Town of *Great Grimsby*: Provided always, that such Owners and Occupiers shall at their own Expense keep the said new Portion of Road from the said Drain to *Pasture Street* and the said Bridge in proper Repair.

Certain Works to be done under Superintendence of Engineer, &c.

LXXIII. Provided always, and be it enacted, That the Works for crossing such Drain shall be executed under the Superintendence of the Engineer for the Time being of the *Manchester, Sheffield, and Lincolnshire* Railway Company, and to the Satisfaction of such Engineer and the Corporation respectively.

Saving Rights of Manchester, Sheffield, and Lincolnshire Railway Company.

LXXIV. And be it enacted, That nothing in this Act contained or authorized shall take away, diminish, alter, prejudice, or affect any of the Lands, Monies, Properties, Rights, Remedies, Privileges, Powers, Franchises, or Authorities of or belonging to or vested in the *Manchester, Sheffield, and Lincolnshire* Railway Company, under or by virtue of any Act or Acts of Parliament or otherwise howsoever.

Expenses of Act.

LXXV. And be it enacted, That all Sums of Money, Costs, Charges, and Expenses paid or incurred preparatory or with a view to this Act, and in obtaining and passing the same, and of or relating to any Application to the Court of Chancery or other Proceeding for ascertaining, taxing, and settling the Amount thereof, shall be paid out of such Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities, as herein-before directed.

Proceedings under the Act to bind all Parties interested.

LXXVI. And be it enacted, That every Order, Regulation, Bye Law, Contract, Letting, Lease, Sale, and other Disposition, Act, and Thing whatsoever, which shall be made, done, and executed respectively in pursuance of the Provisions of this Act, shall be absolutely valid and binding at Law and in Equity upon the Corporation, and all Persons for the Time being claiming any Estate, Interest, Right, or Charge, at Law or in Equity, in, upon, to, or affecting the Pastures, or the Rents, Profits, or Proceeds thereof, or Sum of Nineteen thousand two hundred and sixty-three Pounds Nine Shillings and Two-pence Reduced Three Pounds *per Centum* Annuities, or the Dividends thereof.

General Saving.

LXXVII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and all and every other Person and Persons, Bodies Politic, Corporate, and Collegiate, and their respective Heirs, Successors, Executors, and Administrators, (other than and except the

the Mayor, Aldermen, and Burgesses of the Borough, and their Successors, and the Freemen and Widows of Freemen of the Borough, and their respective Heirs, Executors, and Administrators, and the Incumbent for the Time being of the Vicarage of the Parish, and the Impropiator for the Time being of the Improprate Rectory of the Parish,) all such Estates, Rights, and Interests as they or any of them had enjoyed before the passing of this Act, or could or ought to have had in case this Act had not been passed.

LXXVIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1849.