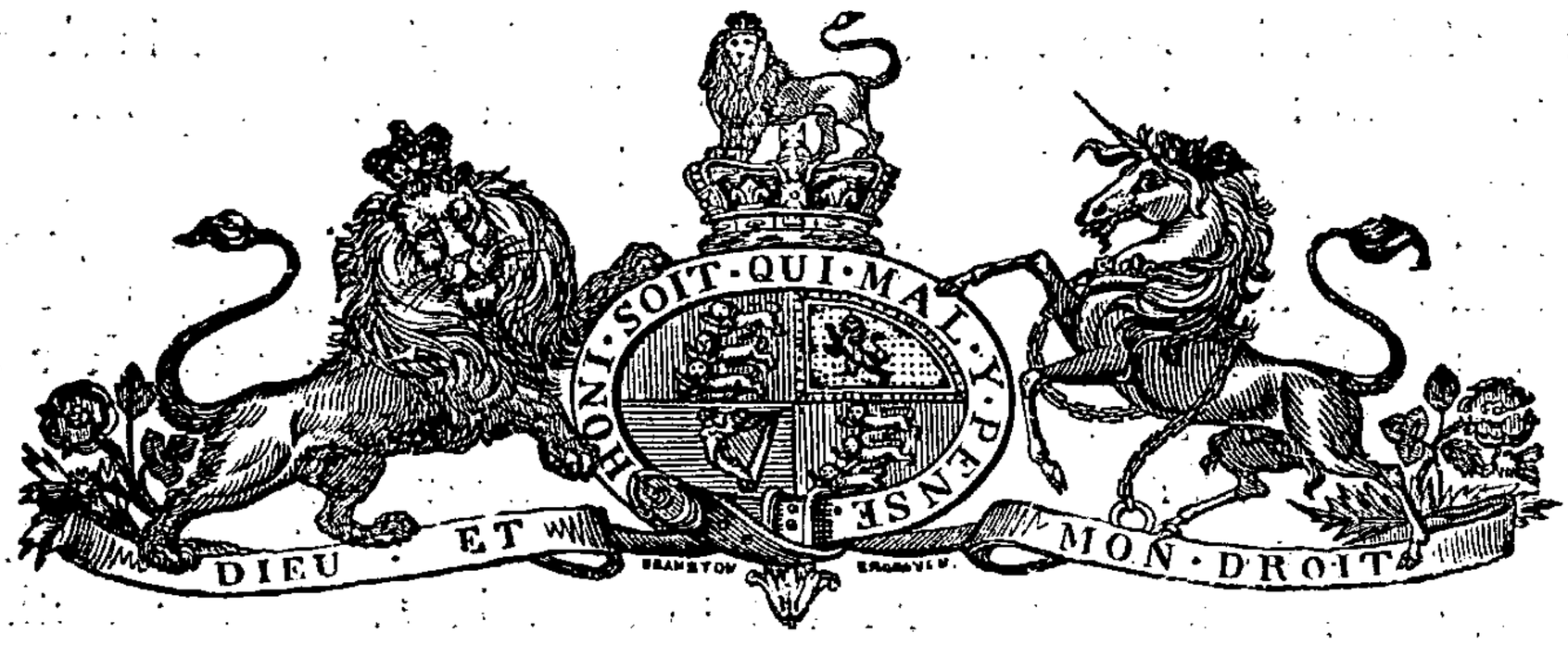


ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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Parts of the said Commons or Waste Lands thereby vested in them, either together or in such Lots as the said Trustees or any Five or more of them should think most beneficial for the Purpose of that Act, for any Term or Number of Years not exceeding Twenty-one Years at any one Time, or to let and set the same, or any Part or Parts thereof, at an annual Rent or Rents from Year to Year as therein mentioned: And whereas it would increase the Value of such Parts of the said Trust Lands, and conduce more effectually to the Purposes of the said Act, and tend to the Advantage of the Township of *Congleton*, if Power were granted to the said Trustees and other Officers under the said Act to enable them to convey in Fee or let all or any Part of the same on long Leases for building upon, reserving a yearly Ground or Chief Rent; and it is expedient that some of the Provisions of the said Act should be amended and extended, but the same 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 all the Powers, Provisions, Matters, and Things contained in the said recited Act, so far as the same are now in force, and except such of them as are by this Act repealed, altered, or otherwise provided for, shall extend to this Act as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act; and the recited Act and this Act shall accordingly be construed and have Effect as One Act: Provided always, that whensoever any Notice by Advertisement in a Newspaper is requisite for any of the Purposes of the recited Act or this Act, it shall be sufficient if the same be inserted in some Newspaper published in the County of *Chester* and usually circulating in *Congleton*.

Powers of recited Act extended to this Act.

Certain Provisions in recited Act repealed.

II. And be it enacted, That so much of the said recited Act as provides and enacts that nothing therein contained should extend, or be deemed, construed, or taken to extend, to ease or lower the said *Charles Watkin John Shakerley*, his Heirs and Assigns, in his or their Taxes or Levies of any Sort or Kind, but that he and they should be assessed, bear, and pay the same *ad valorem*, as well for his present Freehold Estates as for such Parts of the said Commons and Waste Lands as should be allotted to him in right of his said Manor and his other Freehold Estates, and that in as full and ample Manner as if that Act had not been made, anything therein contained to the contrary notwithstanding, shall be and the same is hereby repealed.

Power to Trustees to convey or lease upon Ground Rent.

III. And be it enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, by Deed or Writing, Deeds or Writings, under their Hands and Seals, to convey, grant, or demise such Parts of the said Trust Lands as they might for the Time being lease, for Twenty-one Years, or any Part or Parts of the same, to any Person or

or Persons whomsoever, either in Fee, or for any Term or Number of Years not exceeding Nine hundred and ninety-nine Years, for the greatest annual Chief or Ground Rent or Rents that can be reasonably had or gotten for the same, and without Fine, or anything in the Nature thereof, subject nevertheless to the Provisoes, Rules, Orders, and Directions herein-after mentioned.

Trustees to divide Land into Lots, and convey in Fee or Lease by Auction.

IV. Provided always, and be it enacted, That the said Trustees, or any Five or more of them, may from Time to Time cause the said Lands, or any of them, to be divided into such and so many Lots as they shall think most beneficial and advantageous for the Disposal thereof, and shall and may dispose of the same, either in Fee, or for any such Term or Number of Years not exceeding Nine hundred and ninety-nine Years as aforesaid, by Auction, at some one or more of their Meetings to be held in pursuance of this or of the said recited Act, of which Meeting or Meetings for such Purpose public Notice shall be given by the said Trustees, or any Five or more of them, by Writing affixed on the Guildhall or on some other conspicuous Place within the said Borough, and also by Advertisement in a Newspaper published and circulating as aforesaid, Fourteen Days at least before the Day or Days appointed for such Meeting or Meetings; and all such Disposals, Conveyances, Grants, or Demises made and executed by the said Trustees, or any Five or more of them, shall be valid and effectual at Law.

Terms of Conveyances in Fee and Leases exceeding 21 Years.

V. Provided also, and be it enacted, That no Lot of the said Lands shall be conveyed in Fee, or be granted or demised for any Term or Time exceeding Twenty-one Years, unless for building thereon, or for Annexation to some Land already built on; and whenever any such Lot shall be so conveyed, granted, or demised to any Person or Persons for building thereon, such Person or Persons shall, at the Time of the making of the Conveyance, Grant, or Demise, enter into proper Covenants with the said Trustees, or some Five or more of them, to build thereon, within Five Years thence next ensuing, a good and substantial Dwelling House or other Building, which, exclusive of Outbuildings, shall be of a yearly Value at least double the yearly Ground Rent reserved in such Conveyance, Grant, or Demise, and to uphold and maintain the same of such yearly Value, and according to such Plan and Form, and under such Covenants and Provisoes, as shall be determined on by the said Trustees or any Five or more of them; and whenever any such Lot shall be so conveyed, granted, or demised to any Person or Persons for Annexation to some Land already built on, such Person or Persons shall, at the Time of the making of the Conveyance, Grant, or Demise, enter into proper Covenants with the said Trustees, or some Five or more of them, to annex the same accordingly, within One Year thence next ensuing, and shall grant or secure to the said Trustees, or any Five or more of them, an effectual Power of Distress over Freehold Lands or Tenements of ample Value, for the Recovery of the yearly Ground Rent

Rent reserved in such Conveyance, Grant, or Demise; and in the Conveyance, Grant, or Demise of any such Lot, whether for building thereon, or for such Annexation, there shall be contained a sufficient Proviso for Re-entry by the said Trustees, or any Five or more of them, in case the Grantee or Grantees, or Lessee or Lessees, his or their Heirs, Executors, Administrators, or Assigns, do not well and truly perform and observe all and singular the Covenants and Provisoes in such Conveyance, Grant, or Demise contained, and on his or their Part to be respectively performed and observed.

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

VI. And be it enacted, That the said Trustees shall and may sue and be sued in the Name or Names of any One or more of them, or in the Name of their Clerk for the Time being; and all Actions and Suits which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable by virtue of this Act or the said recited Act, or for or in respect of any other Matter or Thing relating to this Act or the said recited Act, may be brought in the Name or Names of any One or more of the said Trustees, or in the Name of their Clerk for the Time being; and no Action or Suit which may be brought, commenced, or prosecuted by or against the said Trustees, or any of them, by virtue or on account of this Act or the said recited Act, or in the Name of their Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of such Trustee or Trustees or Clerk, or by any Act or Default of such Trustee or Trustees or Clerk done or suffered without the Consent or Direction of the said Trustees, but that any One of the said Trustees, or their Clerk for the Time being, shall be always deemed to be the Plaintiff or Defendant in every such Action or Suit (as the Case may be), except in such Action or Suit as shall be prosecuted between the said Trustees and their Clerk for the Time being, in which Action or Suit any One of the said Trustees shall or may be Plaintiff or Defendant (as the Case may be).

Trustees and Clerk to be reimbursed Expenses of suing and defending.

VII. Provided always, and be it enacted, That every such Trustee or Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act or the said recited Act, all such Damages, Costs, Charges, and Expenses as such Trustee or Clerk shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein; and no such Trustee or Clerk shall be personally answerable or liable for the Payment of the same, or any Part thereof, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Trustees, or any Five or more of them.

Trustee or Clerk not to be incompetent Witnesses.

VIII. And be it enacted, That no Trustee or Clerk acting under the Authority of the said recited Act or of this Act shall be deemed incompetent to give Evidence or shall be disqualified from giving Evidence

Evidence in any Action or Suit by reason only of such Trustee or Clerk being the nominal Plaintiff or Defendant in such Action or Suit.

Proceedings to be entered.

IX. And be it enacted, That all Orders of the said Trustees made at any of their Meetings shall be entered by their Clerk in a Book to be kept for that Purpose, and shall be signed by the Chairman for the Time being of such respective Meetings; and such Orders and Proceedings, so entered and signed, shall be deemed and taken to be the original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts and Places whatsoever.

Meetings on Emergencies.

X. And be it enacted, That, notwithstanding anything contained in the said recited Act, if after any Adjournment of a Meeting it shall at any Time be thought necessary to hold a Meeting of the Trustees on an earlier Day than the Day to which the Meeting shall stand adjourned, or in case no Adjournment shall happen to have been made at the previous Meeting of the said Trustees, then and in either of such Cases it shall be lawful for the said Trustees, or any Five or more of them, by Notice in Writing under their Hands to be affixed on the Door of the Guildhall or on some other conspicuous Place within the said Borough, to convene a Meeting of the said Trustees to be held at such Time as may be mentioned in such Notice (such Time not being less than Seven Days after such Notice being so affixed); and all the Orders and Proceedings of the said Trustees at such Meeting to be convened as aforesaid shall be as valid as they would have been in case the said Trustees had met in pursuance of an Adjournment.

Acts of Trustees not qualified, to be valid if done before Conviction.

XI. And be it enacted, That, notwithstanding anything contained in the said recited Act, all Orders and Proceedings of any Person or Persons acting as a Trustee or Trustees in the Execution of this or the said recited Act, though not duly qualified, nor having taken or subscribed the Oath as prescribed by the said recited Act, previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as valid and effectual as if such Person or Persons had been qualified and had taken and subscribed the Oath according to the Directions of the said recited Act.

Expenses of Act.

XII. And be it enacted, That the Costs and Charges of obtaining and passing this Act, and all other Costs, Charges, and Expenses relating to the same, or incidental thereto, shall be paid by the said Trustees out of the first Monies to arise under or by virtue of this or the said recited Act.

General Saving.

XIII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Persons, Bodies Politic or Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, all such Right, Title, Estate, Interest, Claim,

Claim, and Demand, (other than and except such as are expressly barred or intended to be barred or extinguished by this Act,) as they or any of them had and enjoyed before the passing of this Act, or could or ought to have had in case this Act had not been passed.

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

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