ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 115.

An Act for eſtabliſhing and regulating the Market, and for enlarging and improving the Market Place at *Hanley*, in the County of *Stafford*.

[3d *June* 1813.]

WHEREAS the Vills of *Hanley* and *Shelton*, including *Etruria*, which is Part of the latter, form One united Chapelry within the Pariſh of *Stoke-upon-Trent*, in the County of *Stafford*; and, from the Introduction and Progreſs of Potteries and other Manufactories and trading Eſtabliſhments, are now very populous, and contain about Ten Thouſand Inhabitants: And whereas for many Years laſt paſt, a Market has been held, and continues to be holden at *Hanley* aforeſaid, on Part of the Waſte Lands of the Manor of *Hanley*, called The Market Place, and in the Streets immediately contiguous thereto, on *Wedneſdays* and *Saturdays* in each Week, for the Convenience of and better ſupplying with Proviſions the Inhabitants of the ſaid Vills; and a Market Houſe or Town Hall, under a Leaſe or Grant of the Site thereof, from *John Bagnall* Eſquire, the then Lord of the Manor of *Hanley*, was ſeveral Years ago erected in the ſaid Market Place by the Leſſees named in ſuch Leaſe, by a Subſcription amongſt themſelves and others; and Stalls, Standings, and other Conveniences, have been provided for the Uſe and Accommodation of the Perſons attending the ſaid Market: And whereas the ſurviving Leſſees named in the ſaid Leaſe, lately ſurrendered the ſame, and a new Leaſe was thereupon granted to them, and ſeveral other Individuals reſident

reſident in or near *Hanley* and *Shelton* aforeſaid, conſiſting of Twenty-one in Number, by the Right Honourable Sir *William Scott* Knight, and the Honourable *Thomas Windſor*, the preſent Lords of the ſaid Manor, not only of the ſaid Market Houſe or Town Hall, and the Ground and Soil thereof, but alſo of all and every the ſeveral vacant, open and unoccupied Spaces adjacent thereto, deſcribed in ſuch laſt-mentioned Leaſe, for the Purpoſes of the ſaid Market, for a Term of Twenty-one Years, from the Twenty-ninth Day of *September* One thouſand eight hundred and twelve, at the Yearly Rent and under and ſubject to the ſeveral Covenants, Proviſoes, and Agreements in the ſaid Leaſe contained, comprizing, amongſt others, Covenants from the Leſſors and Leſſees for the perpetual Renewal of the ſaid Leaſe, at the Periods and upon the Terms and Conditions therein ſpecified; and alſo ſubject to ſuch Truſts, as to the Application of the Profits ariſing by virtue of the ſaid Leaſe, to public Purpoſes, as are therein mentioned and expreſſed: And whereas the ſaid laſt mentioned Leſſees (except *Ralph Baddeley*, who died after ſuch laſt mentioned Leaſe was prepared, but without executing the ſame) have alſo lately contracted for the Purchaſe of a Plot or Parcel of Land ſituate in *Hanley* aforeſaid, and adjoining to the ſaid Market Place, with a view to the Enlargement thereof, and for the further Convenience and Purpoſes of the ſaid Market: And whereas the King's moſt Excellent Majeſty is ſeiſed, to himſelf, his Heirs and Succeſſors, in Right of his Duchy of *Lancaſter*, of the Manor of *Newcaſtle-under-Lyme*, in the County of *Stafford*, of which the ſaid Manor of *Hanley* is held: And whereas it is of Importance in ſo large and increaſing a Population, to have the Markets regularly eſtabliſhed, and put on a permanent Footing, with proper Rules and Regulations for governing, regulating, conducting, and managing the ſame, and for enlarging and improving the ſaid Market Place, and the Avenues and Approaches thereto: But as theſe Purpoſes cannot be carried into Effect without the Aid and Authority of the Legiſlature; 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 *John Mare*, *James Whitehead*, *Samuel Hollins*, *John Yates*, *Charles Bagnall*, *Joſiah Wedgwood*, *Robert Ellis Aitkens* Clerk, *John Tomlinſon*, *William Yates*, *Edward Keeling*, *Thomas Hollens*, *David Wilſon*, *Thomas Taylor*, *John Glaſs*, *Edmund John Birch*, *John Daniel*, *George Ridgway*, *Job Ridgway*, *John Mare* the Younger, and *Job Meigh* the Younger, (being the ſurviving Leſſees named in the before-mentioned Leaſe, and *John Hales*, in the Place and Stead of the ſaid *Ralph Baddeley*, the ſaid deceaſed Leſſee) ſhall be and they are hereby appointed Truſtees for governing, regulating, conducting, and managing the ſaid Markets, and for enlarging and improving the ſaid Market Place, and the Avenues and Approaches to the ſame, and for carrying the other Purpoſes of this Act into Effect.

Truſtees.

II. And be it further enacted, That when and ſo often as any of the Truſtees hereby appointed, or to be nominated and appointed in Manner hereinafter mentioned, ſhall depart this Life, or ceaſe to reſide, or to carry on Buſineſs, or to exerciſe ſome Profeſſion or Calling within the ſaid Vills of *Hanley* or *Shelton*, or within Three Miles of the ſame, or ſhall reſign their ſaid Truſteeſhip, or refuſe to act, or become incapable

Power to appoint new Truſtees upon Vacancies.

incapable of acting in the said Trusts, then and in any or either of the said Cases, and so from Time to Time as often as the same shall occur, it shall be lawful for the surviving and remaining Trustees, by Writing under their Hands, to fill up the Vacancy or Vacancies in the said Trust, and to nominate and appoint fit and proper Persons, being resident Inhabitants of, or carrying on Business, or exercising some Profession or Calling within the said Vills of *Hanley* or *Shelton*, or within Three Miles of the same, to be a Trustee or Trustees in the Room and Place of the Trustee or Trustees so dying, ceasing to reside, or to carry on Business, or to exercise some Profession or Calling within the Limits aforesaid, or resigning or refusing to act, or becoming incapable of acting as aforesaid; and every Person who shall be nominated and appointed a Trustee or Trustees pursuant to the Directions of this Act, shall and may act with the surviving and remaining Trustees in the Execution of this Act, to all Intents and Purposes as if he or they had been named and appointed a Trustee or Trustees in and by this Act; and the said *John Hales*, and also every Person who shall hereafter be nominated and appointed a Trustee or Trustees as aforesaid, upon his or their Acceptance in Writing of such Trusteeship, shall immediately thereupon become subject to and be considered as joined in all and every the Covenants of the said Lease, and other Covenants, Liabilities, Obligations, and Engagements of his or their Co-trustees for the Time being, to all Intents, Effects, Constructions, and Purposes, as if the said *John Hales*, and such Trustee or Trustees so to be nominated and appointed, had actually joined therein, and was or were a Party or Parties to the same respectively, and shall and may be sued and proceeded against as such, with his and their said Co-trustees.

If Persons appointed Trustees, do not signify in Writing their Acceptation of Office within Three Months, others to be appointed.

III. Provided always, and be it further enacted, That if any Person who shall be appointed a Trustee pursuant to the Directions of this Act, shall not within Three Calendar Months next after such Appointment shall be communicated to him in Writing under the Hand of the Chairman, or of the Clerk to the said Trustees for the Time being, either by delivering the same personally, or at the usual Place of Abode of the Person so appointed to be a Trustee, signify in Writing under his Hand, addressed to the said Chairman, or to the Clerk of the said Trustees, or entered and signed by the Party in their Book of Proceedings, his Acceptance of the said Office of Trustee, he shall be deemed and considered as declining and refusing to act as a Trustee, and to take upon himself such Office; and the Trustees under this Act shall thereupon proceed, in the Manner hereby directed, to nominate and appoint some other fit and proper Person to supply the Vacancy, and so *toties quoties*, as often as the Case shall happen.

Qualification of Trustees.

IV. And be it further enacted, That no Person who shall be hereafter appointed a Trustee pursuant to the Directions of this Act shall be capable of acting as a Trustee in the Execution of this Act, unless he shall at the Time of acting be seised in his own Right, or in the Right of his Wife, and be in the actual Possession or Receipt of the Rents and Profits of Freehold and Copyhold Messuages, Lands, Tenements, Tythes, or Hereditaments, of the clear Yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person seized of Messuages, Lands, Tenements, Tythes, or Hereditaments for some Estate for Life or Lives,

Lives, or of Inheritance, in Poſſeſſion, of the clear Yearly Value of Two hundred Pounds above Reprizes; and that every ſuch Perſon, before he ſhall act as a Truſtee (except in adminiſtering the following Oath) ſhall take an Oath before One or more of the ſaid Truſtees, (who is and are hereby empowered to adminiſter the ſame) in the Form following; that is to ſay,

'I *A. B.* do ſwear, That I am truly and *bonâ fide* in my own Right, or in the Right of my Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Freehold or Copyhold Meſſuages, Lands, Tenements, Tythes, or Hereditaments, of the clear Yearly Value of One hundred Pounds above Reprizes [*or, being ſuch Heir Apparent*] am Heir Apparent of *C. D.* who, to the beſt of my Knowledge and Belief, is ſeiſed of Meſſuages, Lands, Tenements, Tythes, or Hereditaments, for ſome Eſtate for Life or Lives or of Inheritance, in Poſſeſſion of the clear Yearly Value of Two hundred Pounds above Reprizes.

'So help me God.'

Penalty on Perſons acting not being qualified.

V. And be it further enacted, That if any Perſon hereby declared incapable of acting as a Truſtee in the Execution of this Act ſhall preſume to act therein, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds to any Perſon or Perſons who ſhall ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, upon Proof being given of his having acted as a Truſtee in the Execution of this Act.

Annual Meetings of the Truſtees.

VI. And be it further enacted, That the ſaid Truſtees ſhall on the Fourth *Friday* after the paſſing of this Act hold their Firſt Meeting at the *Swan* Inn in *Hanley* aforeſaid, at Eleven of the Clock in the Forenoon; and that a Meeting ſhall be held by the ſaid Truſtees on the Firſt *Friday* in the Month of *September*, in every Year, at or after the Hour of Eleven in the Forenoon, at the *Swan* Inn aforeſaid, or ſome other convenient Place in *Hanley* or *Shelton*, to be previouſly appointed for that Purpoſe by the ſaid Truſtees, or in Default or for Want of Appointment by them, by the Annual Chairman for the Time being; and that at ſuch Firſt Meeting and every Annual Meeting, a Chairman for the enſuing Year ſhall be appointed by the Majority of Perſons preſent, which Chairman ſhall, if preſent, preſide at ſuch Annual Meeting, and at every other Meeting to be held by the ſaid Truſtees during the Year for which ſuch Chairman ſhall be choſen; and when ſuch Chairman ſhall be abſent, then the Perſon whoſe Name ſhall for the Time being ſtand firſt or higheſt upon the Liſt of Truſtees in their Book of Proceedings, ſhall act as ſuch Chairman; and if ſuch Annual Chairman ſhall die during the Year for which he ſhall be choſen, then the ſaid Truſtees ſhall elect another Chairman in his Room; and if at any Time it ſhall appear to the ſaid Annual Chairman, or to any Two or more of the ſaid Truſtees, that it is expedient to hold a Special or an Occaſional Meeting of the ſaid Truſtees, then, and in every ſuch Caſe, it ſhall be lawful for ſuch Chairman, or ſuch Two or more Truſtees, by Notice in Writing under his or their Hands, or from the Clerk to the ſaid Truſtees, in purſuance of the Requiſition in Writing of the ſaid

Appointment of a Chairman.

Special and occaſional Meetings upon Notice given.

Chairman

Chairman or ſuch Two or more Truſtees, to be given to or left for each of the ſaid Truſtees for the Time being, at their reſpective Places of Abode Three Days at leaſt before the Time appointed for ſuch Special or Occaſional Meeting, or by ſuch other Means as the ſaid Truſtees ſhall from Time to Time direct in this Behalf, and ſpecifying in every ſuch Notice the Reaſons for and Intention of ſuch Meetings reſpectively, to call a Meeting of the ſaid Truſtees, who are accordingly hereby authorized to meet purſuant to ſuch Notice, at ſome convenient Place in *Hanley* or *Shelton* aforeſaid, to be mentioned in ſuch Notice, and to proceed to the Execution of the Powers by this Act given with reſpect to the Matters ſo ſpecified only; and that no Act or Proceeding of the ſaid Truſtees ſhall be or be deemed to be valid unleſs made and done, or ordered, authorized, or confirmed at a Meeting to be holden according to the Directions of this Act, nor unleſs there ſhall be Seven Truſtees preſent at ſuch Meeting; and that if there ſhall not be ſo many as Seven Truſtees preſent at any ſuch Meeting, then, and in every ſuch Caſe, it ſhall be lawful for the Truſtees or Truſtee preſent at ſuch Meeting, and in caſe of no Truſtee being preſent, then for the Clerk to the ſaid Truſtees to adjourn the ſaid Meeting for any Time not being longer than One Calendar Month nor leſs than Five Days from the Time of ſuch Meeting, and the ſaid Clerk ſhall in every ſuch Caſe cauſe Notice of ſuch Adjournment, in writing or printed, with his Name thereunto affixed, to be given or left for each of the ſaid Truſtees at their reſpective Places of Abode Three Days at leaſt before the Time appointed for ſuch adjourned Meeting; and that at all ſuch Meetings (whether the ſame ſhall be annual, or ſpecial, or occaſional) the ſaid Truſtees, or the Majority of them who ſhall attend, the whole Number of Truſtees preſent at any ſuch Meeting not being leſs than Seven, are hereby empowered to make all ſuch Orders, Agreements, and Regulations as ſhall be neceſſary or expedient in the Execution of this Act, and to exerciſe all the Powers and Authorities by this Act granted, except as hereby otherwiſe directed, and that the ſame ſhall bind the Whole, and have the like Force and Effect as if done or made by all the ſaid Truſtees for the Time being; and no Act, Order, Agreement, Regulation, Determination, or Proceeding ſhall be valid or effectual, unleſs the Majority of the Truſtees preſent at ſuch Meeting ſhall concur therein; nor ſhall any ſuch Act, Order, Agreement, Regulation, Determination, or Proceeding be revoked or altered at any ſubſequent Meeting, unleſs Seven Days previous Notice ſhall be given to all the Truſtees for the Time being in the Manner hereinbefore directed, therein expreſſing ſuch propoſed Revocation or Alteration, nor unleſs a greater Number of Truſtees than originally joined in making the ſame, ſhall concur in the Revocation or Alteration thereof: Provided always, that at every Meeting to be held by virtue of this Act, the Chairman for the Time being, in caſe of Equality of Votes (including the Chairman's Vote) ſhall have a further or caſting Vote; and all Queſtions ſhall be decided by Ballot, in caſe ſuch Ballot be demanded by any of the ſaid Truſtees.

Seven Truſtees to conſtitute a Meeting.

If a ſufficient Number do not attend, Adjournment to be made, and Notice given thereof.

The Majority who attend (Seven being preſent) to be competent to act.

No Act, &c. to be revoked or altered, unleſs Seven Days' Notice given, and a greater Number of Truſtees concur, than originally joined therein.

Chairman to have a caſting Vote, in caſe of equality.

Ballot may be demanded.

VII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time to direct and appoint what particular and reſpective Parts of the ſaid Market Place ſhall be occupied and made Uſe of for expoſing to ſale any particular Commodities, Matters, and Things therein, and to direct the Order and Arrangement thereof; and alſo from Time to Time to make, conſtitute, provide, and ordain ſuch Rules, Orders,

Truſtees may make Bye-laws and Regulations.

Orders, and Bye-laws for the better Regulation and Government of the ſaid Markets, and for preventing unwholeſome Proviſions being ſold, or offered or expoſed to ſale therein, and deficient Weights and Meaſures being uſed, and for preventing Horſes and Carriages travelling or going through the ſaid Market Place, or remaining there, or any other Nuiſances or Obſtructions therein, or the Approaches to the ſame, during the Times of holding the Market, and all ſuch other Regulations touching the ſaid Markets (not repugnant to any Thing in this Act contained, or contrary to any Law or Statute of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*) as the ſaid Truſtees ſhall deem expedient, and with ſuch Penalty for diſobeying the ſame, not exceeding Five Pounds for any One Offence, as they ſhall think fit, and alſo to fix and aſcertain the Time or Times at which all or any Goods, Articles, Wares, or Commodities ſhall reſpectively begin to be offered or expoſed to ſale therein, and how long the ſame ſhall continue expoſed to ſale; and the ſaid Truſtees ſhall cauſe the Time and Times of beginning and concluding every Market to be announced, either by the ringing of a Bell, or otherwiſe, as they ſhall think proper, and from Time to Time to alter, vary, revoke, or make void any ſuch Rules, Orders, Regulations, and Bye-laws; which Rules, Orders, Regulations, and Bye-laws ſo as aforeſaid to be from Time to Time made, ſhall be printed or written, and affixed on ſome conſpicuous Place in the ſaid Market Place, and ſhall be valid and effectual to all Intents and Purpoſes: Provided always, that all ſuch Rules, Orders, Regulations, and Bye-laws, and all Convictions for any Penalties or Forfeitures impoſed by virtue thereof, ſhall be liable to appeal to the Juſtices of the next General Quarter Seſſions of the Peace, in like Manner as is hereinafter provided or mentioned with reſpect to any other Matter of Appeal; but no ſuch Rules, Orders, Regulations, and Bye-laws ſhall have any Force until Fourteen Days after the ſame ſhall have been fairly written out or printed, and ſet up or fixed in ſome conſpicuous Place within the ſaid Market Place.

Orders to be entered in a Book and ſigned by the Chairman;

and the ſame, or Copies thereof, admitted as Evidence.

VIII. And be it further enacted, That all the Acts, Orders, Reſolutions, and Proceedings of the ſaid Truſtees, ſhall from Time to Time be fairly written and entered by the Clerk for the Time being to the ſaid Truſtees, in a proper Book or Books to be kept for thoſe Purpoſes, with the Names of the Truſtees who ſhall be preſent at the reſpective Meetings; and in caſe of a Diviſion upon any Queſtion, ſtating the Number conſtituting the Majority, and be ſigned by the Chairman of ſuch Meeting; and the Book or Books ſo ſigned and ſubſcribed, ſhall be depoſited with the Clerk to the ſaid Truſtees for the Time being; and all ſuch Entries therein, being ſo ſigned and ſubſcribed, ſhall be deemed and taken to be Originals; and the ſame or true Copies thereof, ſhall be admitted to be read in Evidence in all Courts whatſoever, in all Cauſes, Suits, and Actions touching any Thing to be done in purſuance of, and under the Authority of this Act; and the ſaid Book or Books ſhall be open to the Inſpection of the ſaid Truſtees, or any of them, at all ſeaſonable Times, without Fee or Reward.

Committees may be appointed.

IX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to nominate and appoint One or more Committee or Committees (every ſuch Committee to conſiſt of Three or more Perſons) out of the ſaid Truſtees, to inveſtigate, tranſact, and manage particular Departments

ments of Buſineſs, and ſuch Committee or Committees ſhall have full Power and Authority to do, execute, and perform all Matters and Things whatſoever which the ſaid Truſtees ſhall from Time to Time entruſt to the Management of ſuch Committees, and ſuch Committees ſhall meet at ſuch Times and Places as they ſhall think proper, and all Powers which ſhall be veſted in the ſaid Committees ſhall be exerciſed by the major Part preſent at their reſpective Meetings, and ſuch Committees ſhall from Time to Time make Reports of their Proceedings to the ſaid Truſtees, and the Acts of the ſaid Committees ſhall not be valid unleſs the ſame ſhall be adopted, ratified, and confirmed by the ſaid Truſtees.

Officers to be appointed;

X. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time, by Writing under the Hand of the Chairman for the Time being, entered in the ſaid Book or Books of Proceedings, to nominate and appoint fit and proper Perſons to be Treaſurer or Treaſurers, Clerk or Clerks, Market-looker or Market-lookers, Inſpector or Inſpectors of Proviſions and of Weights and Meaſures, Clerk or Clerks of the ſaid Market, Scavenger or Scavengers, Collector or Collectors, Receiver or Receivers of the Monies to be collected and received by virtue of this Act, and ſuch other Officers as the ſaid Truſtees ſhall think proper, and from Time to Time to remove and diſplace all or any of ſuch Officers as they ſhall ſee Occaſion, and to elect and appoint others in the Room or Place of ſuch of them as ſhall be ſo removed, or ſhall die or reſign their Offices; and alſo from Time to Time, by and out of the Monies to be raiſed or received by virtue of this Act, to pay ſuch Wages and Salaries, and make ſuch Allowances to the ſaid Officers, and to all other Perſons to be employed in or about the Execution of this Act, as they the ſaid Truſtees ſhall think reaſonable and proper; and they may require and take ſuch Security from every ſuch Treaſurer, Collector, and other Officers ſo to be appointed, for the Execution of their reſpective Offices, as the ſaid Truſtees ſhall think neceſſary and appoint; and every Officer and Perſon to be appointed by virtue of this Act, or who ſhall be employed in the Execution thereof, ſhall under his Hand, at ſuch Time or Times and in ſuch Manner as the ſaid Truſtees ſhall direct, deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, a true and perfect Account in Writing of all Money which ſhall have been by ſuch Officers reſpectively received by virtue of, or for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper Vouchers for ſuch Payments, and ſhall pay all ſuch Money as ſhall remain in their reſpective Hands, to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint; and every ſuch Perſon ſo accounting, ſhall upon Oath (which Oath any Two of the ſaid Truſtees are hereby authorized and empowered to adminiſter and take) verify ſuch their reſpective Accounts; and if any ſuch Treaſurer, Collector, Clerk, Officer or Perſon ſhall not make and render, or ſhall neglect or refuſe to verify upon Oath any ſuch Account, or to produce or deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, within Fourteen Days next after being thereunto required, by Notice in Writing ſigned by the ſaid Annual Chairman, or by the Clerk to the ſaid Truſtees, and given or left at the laſt or uſual Place of Abode of ſuch Officer or Perſon, all Books, Papers, and Writings in his Cuſtody

who are to be paid proper Salaries;

and give Security, if required, for the due Execution of their Office.

How Officers ſhall account.

Accounts to be verified upon Oath.

Penalty on Refuſal.

or

or Power relating to the Execution of this Act, or give Satisfaction to the ſaid Truſtees reſpecting the ſame; and if Complaint ſhall be made thereof by or on Behalf of the ſaid Truſtees, to any Juſtice of the Peace for the ſaid County of *Stafford*, ſuch Juſtice is hereby authorized and required, by Warrant under his Hand and Seal to order ſuch Treaſurer, Collector, Clerk, Officer or Perſon ſo refuſing or neglecting, to be brought before him, and upon his appearing or his not being found, to hear and determine the Matter of Complaint in a ſummary Way; and if upon the Confeſſion of the Party, or by the Teſtimony of One credible Witneſs upon Oath, it ſhall appear to ſuch Juſtice that any of the Money that ſhall have been collected and raiſed by virtue of this Act, ſhall be in the Hands of ſuch Treaſurer, Collector, Clerk, Officer or Perſon, ſuch Juſtice may and he is hereby authorized and required to order the Payment thereof; and upon Non-payment thereof, by Warrant under his Hand and Seal to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Treaſurer, Collector, Clerk, Officer or Perſon, together with the Coſts and Charges of ſuch Diſtreſs and Sale, to be ſettled and aſcertained by ſuch Juſtice, and which he is hereby authorized and empowered to ſettle and aſcertain, rendering the Overplus (if any) to the Party or Parties ſo diſtrained on, or leaving the ſame at the Place where the Diſtreſs ſhall be made; or if it ſhall in Manner aforeſaid appear to any ſuch Juſtice that any ſuch Treaſurer, Collector, Clerk, Officer or Perſon, ſhall refuſe or neglect to render and give ſuch Account, or to verify the ſame as aforeſaid, or to produce the Vouchers relating thereto, or any Books, Papers or Writings relating to the Execution of this Act, which ſhall be in the Cuſtody or Power of any ſuch Treaſurer, Collector, Clerk, Officer or other Perſon, and that he hath refuſed or neglected to deliver or give Satisfaction reſpecting the ſame as aforeſaid, then ſuch Juſtice ſhall commit ſuch Treaſurer, Collector, Clerk, Officer or Perſon, to the Common Gaol of the ſaid County of *Stafford*, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or ſhall have compounded with the ſaid Truſtees, touching the ſame, and have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Truſtees are hereby empowered to make and receive), or until he ſhall deliver up all ſuch Books, Papers and Writings as aforeſaid, or give ſuch Satisfaction in reſpect thereof as aforeſaid; provided that no Perſon ſhall be impriſoned for any ſuch Offence as laſt mentioned, for a longer Space of Time than Three Calendar Months.

Any Officer to be employed by the Truſtees who ſhall exact any Fees, &c. beyond the Salary and Emoluments allowed him, to pay a Penalty not exceeding Twenty Pounds.

XI And be it further enacted, That if any Officer or Officers to be employed by the ſaid Truſtees for any of the Purpoſes of this Act, ſhall exact, or demand, or receive from any Perſon or Perſons whomſoever, any Fees, Emoluments, or other Perquiſites in the Execution of the Duties of his Office, other than the Salary or Emoluments allowed to him by the ſaid Truſtees, every ſuch Officer ſhall repay the Sum or Sums ſo unlawfully received to the Perſon or Perſons who ſhall have paid the ſame, and ſhall forfeit and pay any Sum not exceeding Twenty Pounds by Way of Penalty for every ſuch Offence.

Truſtees to ſue and be

XII. And be it further enacted, That all Actions, Suits and Proceedings for the Recovery of any Claims or Demands now due, or which may hereafter become due to the ſaid Truſtees, or for the Recovery or en-

forcing Payment of any Penalty, Forfeiture, or Sum of Money due or to become due or payable by virtue of this Act, or any Bye-law to be made in pursuance thereof, or for the enforcing any Obligation or Agreement heretofore, or which may hereafter be entered into with the said Trustees, or for their Benefit or on their Behalf, and all other Actions and Suits in relation to any Property or Concerns of the said Trustees under this Act, and all Proceedings in Law or Equity against any Person or Persons, or Body or Bodies Politic or Corporate, in relation to any of the Concerns of the said Trustees under this Act, and all Distress for Rent of any Premises held by the said Trustees under this Act, shall and lawfully may be commenced or instituted and maintained and prosecuted, and Verdicts, Judgments and Executions had thereon in the Name of the Annual Chairman, or any One of the said Trustees, or of the Clerk or of the Treasurer for the Time being of the said Trustees, as the nominal Plaintiff for or on Behalf of the said Trustees; and all Actions and Suits and Proceedings in Law or Equity against the said Trustees, by any Person or Persons, or Body or Bodies Politic or Corporate, for the Recovery of any Claim or Demand against the said Trustees, or for any other Cause or Causes of Action against the said Trustees in relation to the said Market, or any other Matter or Thing, shall and lawfully may be commenced, instituted and prosecuted against the Annual Chairman, or any One of the said Trustees, or the Clerk or the Treasurer, for the Time being, of the said Trustees, who shall in every such Case be the nominal Defendant for and on the Behalf of the said Trustees; and all such Actions, Suits, and Proceedings, and the Processes, Verdicts, and Judgments had therein, for and on Behalf of and against the said Trustees, shall be as valid and effectual as if all the said Trustees had been Plaintiffs or Defendants in such Actions, Suits, or Proceedings, and had been actually named as such therein, and had all lived during the Continuance of such Actions or Suits or Proceedings respectively, and until the same had been respectively discharged and satisfied, any Law, Statute, or Custom to the contrary notwithstanding.

sued in the Name of the Annual Chairman or any one Trustee, or the Clerk or Treasurer.

XIII. And be it further enacted, That all Prosecutions by or on Behalf of the said Trustees for Fraud upon or against the said Trustees, or for Robbery of, or stealing or embezzling any Money, Goods or Chattels, or other Property of the said Trustees under this Act, or for any other Offence committed against or with Intent to injure or defraud the said Trustees in relation to any Property of the said Trustees under this Act, shall and lawfully may be so brought or instituted and prosecuted and carried on in the Name of the Annual Chairman, or any One of the said Trustees, or of the Clerk, or of the Treasurer for the Time being of the said Trustees; and in all Indictments and Informations for the feloniously taking, stealing, and embezzling any Money, Goods, Chattels, or Property of or belonging to the said Trustees under this Act, such Money, Goods, Chattels, and Property may be laid and stated to be the Property of the Annual Chairman, or any One of the said Trustees, or of the Clerk, or of the Treasurer of the said Trustees for the Time being, and that the same were feloniously taken, stolen, or embezzled from the said Annual Chairman, or any One of the said Trustees, or Clerk, or Treasurer; and any Crime or Offence committed with Intent to injure or defraud the said Trustees, shall and lawfully may

Trustees to prosecute in the Name of the Chairman, or any One Trustee,

in any Profecution or Proceeding be ſtated, charged, and laid to have been done and committed with Intent to injure and defraud the ſaid Annual Chairman, or any One of the ſaid Truſtees, or Clerk or Treaſurer for the Time being of the ſaid Truſtees; and the Offender or Offenders may upon any and every ſuch Indictment, Information, Proſecution or Proceeding, be lawfully convicted, in like Manner as if all the ſaid Truſtees had been named in ſuch Indictment, Information, Proſecution or Proceeding, and had lived during the Continuance and until the Completion thereof.

Whoſe Death or Removal *is not to* abate any Suit, &c.

XIV. Provided always, and be it further enacted, That no ſuch Suit, Action, Indictment, Information, Proſecution, or Proceeding as aforeſaid, ſhall abate or be diſcontinued by or by reaſon of the Death, Reſignation, Suſpenſion, or Removal of any ſuch Annual Chairman, Truſtee or Clerk or Treaſurer, or by any Act or Default done or ſuffered without the Conſent or Direction of the ſaid Truſtees, of ſuch Annual Chairman, Truſtee, Clerk or Treaſurer, who ſhall have commenced any ſuch Action, Suit or Proceeding, or againſt whom any ſuch Action, Suit, or Proceeding ſhall have been commenced or inſtituted, or by whom and in whoſe Name or Names any Indictment, Information, Proſecution, or Proceeding ſhall have been preferred, commenced or proſecuted: Provided always, that every ſuch Annual Chairman, Truſtee, Clerk and Treaſurer, in whoſe Name any Such Action, Suit, Proſecution, or other Proceeding ſhall be commenced, proſecuted or defended, in purſuance of this Act, ſhall in all Caſes be reimburſed and paid, out of the Monies to ariſe by virtue of this Act, all ſuch Coſts, Charges, and Expences as ſuch Annual Chairman, Truſtee, Clerk or Treaſurer, ſhall be put to or become chargeable with by reaſon of his being ſo made Plaintiff, Proſecutor, or Defendant; and no ſuch Annual Chairman, Truſtee, Clerk or Treaſurer, ſhall be perſonally anſwerable or liable for the Payment of the ſame or any Part thereof, unleſs ſuch Action, Suit, Proſecution, or Proceeding ſhall ariſe in conſequence of his own wilful Neglect or Default, or having been brought, commenced or proceeded in without the Order and Direction of the ſaid Truſtees.

Chairman, Truſtee, Clerk, and Treaſurer not to be perſonally anſwerable.

Power for the Truſtees to hold the Market, and to erect Stalls, Standings, &c.

XV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time, and at all Times after the paſſing of this Act, to erect and hold an open and public Market or Markets upon that Part of the Waſte Lands within the Manor of *Hanley* aforeſaid, whereon the ſame hath heretofore been uſually holden, and within the Limits deſcribed in the before-mentioned Leaſe, and upon the Plot or Parcel of Land ſo contracted to be purchaſed as aforeſaid, and on any Additions thereto, or to the ſaid Market Place, to be hereafter purchaſed or acquired by virtue of and for the Purpoſes of this Act, when and ſo ſoon as the ſame ſhall be purchaſed or acquired; and to make, erect, conſtruct, provide, put up, continue, and uſe or allow to be uſed, or contract for the making, providing, erecting, building, conſtructing, and ſetting up, in or upon all or any Part of the aforeſaid Premiſes, and from Time to Time to enlarge, diminiſh, alter, take down, remove, and re-erect and put up the ſaid Market Houſe or Town Hall, and all ſuch other Buildings, Stalls, Shambles, Standings, Bulks, Sheds, and other Conveniencies as ſhall appear to the ſaid Truſtees to be neceſſary or convenient for the Purpoſes of the ſaid Markets; and to fill up or cover over a certain Pit in the

ſaid

ſaid Waſte Lands, called *Hadley's Pool*, and in general to exerciſe all and every other the lawful Powers granted by the ſaid Leaſe, ſubject nevertheleſs and conformably in every Caſe to the lawful Terms and Conditions of ſuch Leaſe, and of the Contract ſo made as aforeſaid, and of ſuch other Contracts as ſhall be hereafter made or entered into by virtue of this Act, and provided that no other Buildings or Erections of a permanent Nature than what are now erected, ſhall be erected or built (except on the Site and in lieu of ſuch exiſting Buildings) within the Limits mentioned in the ſaid Leaſe, ſo as to incommode or be any Detriment to the ſurrounding Dwelling Houſes or Buildings there; and that ſuch Market or Markets ſhall be held on the Days on which the ſame hath or have heretofore been uſually holden, and on any other Day or Days which the ſaid Truſtees ſhall appoint for that Purpoſe; and that ſuch Markets ſhall be holden for the Sale of Fleſh Meat, and other raw Victuals, Fiſh, Poultry, Rabbits, Pigs, Eggs, Butter, Herbs, Roots, or other Vegetables, Fruit, China, Glaſs and Earthenware, and all ſuch other Goods, Articles, Commodties, Matters, and Things as are uſually ſold or expoſed to ſale in public Markets.

Power to let Buildings.

XVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time to demiſe or let the ſaid Market Houſe or Town Hall, and any of the other Buildings and Premiſes which ſhall for the Time being be veſted in the Truſtees under this Act, for ſuch Term and Time, at ſuch Rent, and under ſuch Stipulations and Conditions as the ſaid Truſtees ſhall think fit, and to apply the Rents and Profits ariſing therefrom in the ſame Manner as the Tolls to be collected under this Act are directed to be applied.

Power to appoint a Weighing Place, and to have Weights, &c. for weighing Articles ſold.

XVII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to erect and appoint a public Weighing Houſe or Place at, in, or near the ſaid Market Place, for weighing ſuch Meat, Goods, Articles and Things as ſhall be bought or ſold by Weight in the ſaid Market, and to keep good and ſufficient Standard Weights, Scales, Steelyards and Meaſures, and to appoint the Clerk or Clerks of the ſame Market, or ſome other Perſon or Perſons to attend the ſame on every Market-day; and that all and every the Perſon or Perſons ſelling Meat or other Things by Weight or Meaſure in the ſame Market, ſhall weigh and meaſure the ſame in or by the ſaid Weights, Meaſures, Scales or Steelyards as aforeſaid, if required by the Buyer or Buyers thereof to be ſo weighed or meaſured; and that in caſe any Perſon or Perſons ſhall refuſe to weigh and meaſure as aforeſaid, he, ſhe, or they ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

Inſpector to ſeize unwholeſome Meat and falſe Meaſure.

XVIII. And be it further enacted, That the Perſon or Perſons appointed by the ſaid Truſtees as Inſpector or Inſpectors of Proviſions, and of Weights and Meaſures in the ſaid Market, ſhall and may and is and are hereby authorized and required to ſeize, and publicly to deſtroy, all unwholeſome Fleſh Meat which ſhall be brought into or offered for ſale in the ſaid Market, and all falſe and deficient Weights and Meaſures which ſhall be uſed or found therein.

XIX. And

No Cattle, &c. to be ſlaughtered in the Market Place, nor any Stalls, &c. to be ſet up or uſed in any of the Streets, &c.

XIX. And be it further enacted, That from and after the paſſing of this Act it ſhall not be lawful for any Perſon or Perſons to kill, ſlaughter, or dreſs, or cauſe to be killed, ſlaughtered, or dreſſed, any Beaſt, Swine, Calf, Sheep, or other Cattle in the ſaid Market Place, or within the Limits thereof, except in ſuch Slaughter Houſes and other Buildings erected or to be erected and ſet apart for that Purpoſe; nor ſhall any Perſon or Perſons erect or hold any other Market within the ſaid Vills of *Hanley* and *Shelton*, or either of them, or put, place, or ſet up, or cauſe to be put, placed, or ſet up, any Stall, Shed, Standing, or other Convenience, or any Baſket, Stool, Table, or Board, for the Purpoſe of ſhewing, or ſelling, or expoſing to ſale any Butchers Meat, or other marketable Commodities, Articles, Matters, or Things, on any of the public Footpaths or Highways in the ſaid Vills of *Hanley* and *Shelton*, or either of them, other than within the Limits of the ſaid Market Place, upon pain of every Perſon ſo offending, on Conviction before One or more Juſtice or Juſtices of the Peace for the ſaid County of *Stafford*, forfeiting any Sum not exceeding Five Pounds, to be recovered and applied as is hereinafter directed.

Dirt to be removed by Scavengers.

XX. And be it further enacted, That the Perſon or Perſons who ſhall from Time to Time be appointed to, or be employed by, or contract with the ſaid Truſtees for the Office of Scavenger or Scavengers, for the Purpoſe of cleanſing the ſaid Market Place, and the Avenues and Approaches to the ſame, ſhall at the Time or Times and in the Manner required by any Order of the ſaid Truſtees, or any Contract or Contracts which ſuch Perſon or Perſons ſhall enter into with the ſaid Truſtees for that Purpoſe, ſweep and collect together, and remove and take away to ſome incloſed Place or Places out of the ſaid Market Place, and the Avenues and Approaches to the ſame, all the Dirt, Duſt, Filth, or Rubbiſh which ſhall have been laid or collected within the Limits of ſuch Market Place and Approaches reſpectively, the ſame to be and be conſidered the Property of the Truſtees under this Act for the Purpoſes thereof.

Penalties for Offences reſpecting the Market.

XXI. And be it further enacted, That if at any Time hereafter any Perſon or Perſons ſhall aſſault, hinder, or obſtruct any Collector of the ſaid Tolls, or other Perſon authorized to receive the ſame, or any other Officer of the ſaid Truſtees employed to ſuperintend the ſaid Markets, or if at any Time hereafter any Collector or other Perſon authorized to receive the ſaid Tolls hereinbefore made payable, or any of them, ſhall knowingly take or demand of or from any Perſon or Perſons, any greater or leſs Toll than ſhall be juſtly due for the ſame, every Perſon offending in any of the Caſes aforeſaid ſhall forfeit and pay ſuch Sum or Sums of Money, not exceeding the Sum of Five Pounds, as any Juſtice or Juſtices of the Peace for the ſaid County of *Stafford*, ſhall in that behalf direct; and that if at any Time hereafter any Perſon or Perſons ſhall take away, remove, deſtroy, deface, injure or pull up any Building, Wall, Gate, Fence, Pier, Poſt, Rail, or Erection, Flagging, or Pavement, in, upon, or within the Limits of the ſaid Market Place, or any Board, Notice, or Inſcription which ſhall be fixed or ſet up in or near to the ſame by the Order of the ſaid Truſtees, or deſtroy, damage or injure any of the Stalls, Shambles, Standings, Sheds, Bulks and other Conveniences

erected, set up, and used, or to be erected, set up, or used in the said Market Place or the Limits thereof, or belonging to the said Trustees, every Person offending in any of the Cases last aforesaid shall forfeit and pay such Sum of Money, not exceeding the Sum of Five Pounds, as any Justice or Justices of the Peace for the said County of *Stafford* shall in that behalf direct, and also such further Sum of Money as a Compensation for the Damage which shall have been occasioned by such Offence, as the said Justice or Justices shall in that behalf award.

Not to prevent Persons from selling in their Houses or Shops.

XXII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent or hinder any Person from selling or exposing to sale any marketable Goods, Commodities, Articles, Matters, or Things whatsoever, in his or her own private Dwelling House, or in his or her own Shop or Premises, in any Part of the said Vills, or either of them.

Power to take Tolls.

XXIII. And be it further enacted, That there shall be paid to the said Trustees, or to the Person or Persons by them appointed to receive the same, by all and every Person and Persons holding, using, or occupying any Building, Shed, Stall, Standing, Bulk, Treffel, Block, or other Convenience, Standing Place, or Station, or selling, or offering or exposing to sale any Butchers' Meat, or other Goods, Articles, Commodities, or Things as aforesaid in the said Market or Markets, from and after the passing of this Act, the several Tolls or Sums following; (that is to say)

Tolls.

For every covered Shed, Stall, Bulk, Block, Treffel, Standing Place, or Station, used by any Person for exposing to sale Flesh Meat, Cheese, Bacon, Pickled Pork, Fish, or any other live or dead Victuals, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever (except as herein otherwise specifically charged) where such covered Shed, Stall, Bulk, Block, Treffel, Standing Place, or Station shall not exceed Six Feet in Length to the Front, *per* Day, One Shilling; if above Six Feet, and not exceeding Eight Feet in Length to the Front, *per* Day, One Shilling and Three Pence; if above Eight Feet in Length to the Front, *per* Day, One Shilling and Nine Pence:

For every Stall, Bulk, Block, Treffel, Standing Place or Station, not being covered, used by any Person for exposing to sale Flesh Meat, Cheese, Bacon, Pickled Pork, Fish, or any other live or dead Victuals, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever (except as herein otherwise specifically charged) where such uncovered Stall, Bulk, Block, Treffel, Standing Place or Station shall not exceed Six Feet in Length to the Front, *per* Day, Sixpence; if above Six Feet, and not exceeding Eight Feet in Length to the Front, *per* Day, Nine Pence; if above Eight Feet in Length to the Front, *per* Day, One Shilling:

For every Cart used by any Person for exposing, or in which shall be exposed to sale, any Article, Commodity, or Thing, if drawn by One Horse, *per* Day, Nine Pence; if drawn by Two or more Horses, *per* Day, One Shilling:

For every Waggon used by any Person for the like Purposes, *per* Day, One Shilling and Sixpence:

For every Basket, Parcel, or Quantity of Butter, not exceeding Six Pounds, One Penny:

For Ditto exceeding Six Pounds, and not exceeding Twelve Pounds, Two Pence; for each additional Six Pounds, One Penny:

For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, and Rabbits, not exceeding Half a Dozen, One Penny:

For Ditto, for each additional Half-dozen, One Penny:

For every Turkey, Goose, or Pig, One Penny:

For every Basket, Parcel, or Quantity of Eggs under One Dozen, One Halfpenny; and for each additional Dozen, One Halfpenny:

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing, exposed or offered for sale there, not before specifically charged or enumerated, or falling within any of the preceding Heads, and not containing more than One Bushel, One Penny; and for every additional Half-bushel, One Halfpenny.

Penalty on refusing or evading Payment of Tolls.

XXIV. And be it further enacted, That in case any Person holding, using, or in any Manner occupying any of the said Buildings, Sheds, Stalls, Standings, Bulks, Tressels, Blocks, or other Conveniences as aforesaid, or selling, or offering or exposing to sale any Butchers' Meat, or any other Goods, Commodities, Articles, or Things in the said Market, shall, upon Demand thereof made by the Collector, Farmer, or other Person authorized to receive the said several Sums or Tolls aforesaid, either immediately or afterwards, neglect or refuse to pay, or shall wilfully evade the Payment of the several Sums or Tolls aforesaid, or any or either of them, or any Part thereof, then, and in such Case, and as often as it shall so happen, it shall be lawful for the said Collector, Farmer, or other Person so authorized to receive the same, either by himself or his Assistants, to levy the same by Distress and Sale of all or any of the Goods, Articles, and Things so offered or exposed to sale, and the Distress and Distresses so taken to sell immediately, rendering the Overplus, if any there be, after deducting the Expence of such Distress and Sale, to the Person or Persons whose Property such Goods, Articles, or other Things were at the Time of every such Distress.

Disputes to be determined by One or more Justices.

XXV. And be it further enacted, That if any Dispute or Difference shall arise concerning any of the Sums or Tolls hereby made payable, or the Payment thereof, or concerning any Distress or Sale which shall be made on account thereof as aforesaid, or any of the Charges incident thereto, or in any other respect in the Exercise or Execution of this Act, or any of the Powers hereby given, for which no particular or other Remedy is hereby provided, the same shall and may be ascertained, settled and determined by any One or more Justice or Justices of the Peace for the said County of *Stafford*, upon Complaint being made to him or them, who shall, and is and are hereby empowered to summon or issue his or their Warrant to the Parties to appear before him or them, and to hear and determine the Matter of every such Complaint upon Oath, and to make such Order therein, and award such Costs and Satisfaction, as to him or them shall, in his or their Discretion seem meet, the same to be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered.

Power for Trustees to let Tolls, &c.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees to demise and let to farm the Whole or any Part of the Tolls or

Profits to be collected or arise from or in respect of the said Market or Markets, to any Person or Persons who shall be willing to take or farm the same, either by public Auction or private Contract; and also to let all or any of the Shambles, Standings, Sheds, Stalls, Blocks, Bulks, Treſſels, or other Conveniences, Standing Places, and Stations, to be erected, provided, and set out as aforesaid, for such Time, not exceeding Three Years, at such Rent and Rents, and upon such Terms and Conditions, and with such Securities for the Payment thereof, as shall be agreed upon and contracted for, by, and between the said Trustees and the Person or Persons respectively to whom such respective Lettings shall be made.

Power of Trustees to reduce Tolls.

XXVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized and empowered, from Time to Time, if they shall see occasion or think fit, (with the Consent and Approbation of the Person or Persons to whom any Sum or Sums of Money or Annuity shall be then due and owing upon any Security to be granted in pursuance of this Act) to reduce, lower, and abate the said Tolls, or any of them, hereby made payable as aforesaid, in such Proportions and Manner as to the said Trustees shall seem expedient; and after the said Tolls shall have been so reduced and abated, it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized and empowered from Time to Time to augment and raise the said Tolls so reduced and abated, to any Sums not exceeding the Amount of the Tolls fixed and made payable in and by this Act; and the said Trustees shall immediately upon every such Reduction or Augmentation of the said Tolls, cause a written or printed Notice thereof to be set up and fixed in some public Part within the Limits of the said Market Place, with a Table of the Tolls so reduced or augmented and raised.

Power to the Trustees to purchase Houses, &c. for the Purposes of the Act.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized to contract and agree with the Owners and Occupiers of and other Persons interested in any Houses, Buildings, Lands, Tenements, or Hereditaments adjoining or near the aforesaid Market Place, or the Approaches or Avenues leading thereto, which to the said Trustees shall appear necessary or proper for enlarging the said Market Place, or rendering the same, or the Avenues and Approaches thereto, more convenient or commodious, or for any of the Purposes of this Act, for the Purchase of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or to receive any such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, by way of Gift; and also that it shall be lawful for all Bodies Politic, Corporate, or Collegiate, and Corporations Aggregate or Sole, on Behalf of themselves respectively, and of their respective Heirs and Successors, and for all Husbands, Guardians, Committees, Executors, and Administrators, and all other Trustees whatsoever on Behalf of their respective Wives, Infants, Lunatics, or other *Cestuique Trusts*, and for all Femes Covert who shall be interested in their own Right, and for all other Persons whomsoever who shall be possessed of or interested in any such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid, to treat, contract, or agree with the said Trustees under this Act, for the Sale

Sale thereof, or of any Part or Parts thereof to them, and to convey the ſame unto them the ſaid Truſtees under this Act, or unto ſuch Perſon or Perſons, and in ſuch Manner as they ſhall direct; and that all ſuch Sales, Contracts, Conveyances, and Agreements ſhall be valid and effectual in Law to all Intents and Purpoſes whatſoever, any Law, Statute, or Cuſtom to the contrary notwithſtanding; and that all Bodies Politic, Corporations, Truſtees, and other Perſons whomſoever, ſhall be and they are hereby fully indemnified, for and in reſpect of all ſuch Matters and Things, as they ſhall reſpectively lawfully do or cauſe to be done by virtue or in purſuance of this Act.

Directions as as to Payment of the Purchaſe Money for the ſaid Houſes, &c. when purchaſed of Corporations or Perſons under Diſabilities.

XXIX. And be it further enacted, That all ſuch reſpective Sums of Money as ſhall be agreed to be paid by the ſaid Truſtees of the ſaid Market, for the Purchaſe of any Houſes, Buildings, Lands, Tenements, or Hereditaments belonging to any Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feme Covert, Infant, Lunatic, Idiot, or other Perſon or Perſons under any legal Diſability or Incapacity, which ſhall have been purchaſed by the ſaid Truſtees of the ſaid Market under the Authority of this Act, ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds or upwards, be paid by the ſaid Truſtees of the ſaid Market with all convenient Speed into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the ſaid Truſtees of the ſaid Market; and that ſuch Sums of Money to the Amount aforeſaid, when ſo paid into the Bank of *England*, ſhall there remain until the ſame ſhall by Order of the ſaid Court of Chancery, upon a Petition to be preferred to the ſaid Court in a ſummary Way be applied in the Purchaſe of Land Tax, or in the Diſcharge of any Debts or Incumbrances affecting the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed, or any other Houſes, Buildings, Lands, Tenements, or Hereditaments belonging thereto, or being under the ſame Title therewith, or until the ſame ſhall, upon a Petition to be preferred in like Manner, be laid out by Order of the ſaid Court of Chancery, in the Purchaſe of other Houſes, Buildings, Lands, Tenements, or Hereditaments, to be conveyed and ſettled to, for, and upon the like Uſes, Truſts, and Purpoſes, as the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed as aforeſaid at the Time of the purchaſing the ſame were conveyed or ſettled upon, or ſuch of them as ſhall then be exiſting and capable of taking effect; and that in the Meantime and until any ſuch Order can be made and carried into Effect as aforeſaid, ſuch reſpective Sums of Money may, by Order of the ſaid Court of Chancery, be laid out in ſome of the Public Funds, or in Government or Real Securites; and that the Dividends or Intereſt ariſing therefrom ſhall by Order of the ſaid Court of Chancery, be paid to the Perſon or Perſons who for the Time being would have been entitled to the Rents and Profits of the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed as aforeſaid; and that in caſe ſuch reſpective Sums of Money ſhall not amount to the Sum of Two hundred Pounds, and ſhall exceed or be equal to the Sum of Twenty Pounds, then the ſame ſhall and may, with the Approbation of the ſaid Truſtees of the ſaid Market, be paid into the Bank of *England*, and applied by Order of the ſaid Court of Chancery in the ſame Manner as is hereinbefore directed, concerning

concerning Sums amounting to Two hundred Pounds and upwards, or otherwiſe ſhall and may, without an Order of the ſaid Court, be paid into the Hands of Two Truſtees to be nominated in Writing by and under the Hand or Hands, or Corporate Seal or Seals of the Perſon or Perſons, or Body or Bodies who for the Time being would have been entitled to the Rents and Profits of the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed as aforeſaid, ſuch Nomination being approved of by the ſaid Truſtees of the ſaid Market; and that ſuch Sums of Money as ſhall be ſo paid to ſuch Two Truſtees as aforeſaid, ſhall be by them applied in ſuch and the like Manner as is herein-before directed with reſpect to Sums of Money amounting to Two hundred Pounds and upwards, but without any Order of the ſaid Court of Chancery touching the Application thereof; and that in caſe ſuch reſpective Sums of Money ſhall not exceed the Sum of Twenty Pounds, then the ſame ſhall be paid to the Perſon or Perſons or Body or Bodies who for the Time being would have been entitled to the Rents and Profits of the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed as aforeſaid, for his, her, or their own Uſe and Benefit; and in caſe of any ſuch Perſon being a Feme Covert, Infant, Lunatic, or Idiot, then to his or her Huſband, Guardian, Truſtee, or Committee, for his or her Benefit.

For want of Titles, Purchaſe Monies to be paid into the Bank.

XXX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be agreed to be paid for the Purchaſe of any Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed as aforeſaid, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments, to the Satisfaction of the ſaid Truſtees of the ſaid Market; or in caſe ſuch Perſon or Perſons who ſhall be entitled to ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, ſhall not be known or cannot be found, then, and in any ſuch Caſe, it ſhall be lawful for the ſaid Truſtees of the ſaid Market, to order the ſaid Sum or Sums of Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Truſtees of the ſaid Market, ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making claim to ſuch Sum or Sums of Money or any Part thereof by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order ſuch Sum or Sums to be laid out and inveſted in any of the Public Funds, and to order Diſtribution thereof or Payment of the Dividends thereof according to the reſpective Eſtates, Titles, or Intereſts of the Perſons making claim or appearing to be entitled thereto, and to make ſuch other Orders touching the ſame, as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhier of the Bank of *England* who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give to the Perſon or Perſons paying the ſame, a Receipt or Receipts, ſpecifying on what account the ſame is or are received.

On queſtion touching the Title to Money, the Per-

XXXI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon or Perſons to any Sum or Sums of Money by this Act directed to be paid into the Bank of *England*

Poſſeſſion in Poſſeſſion to be deemed entitled.

England for the Purchaſe of any Houſes, Buildings, Lands, Tenements, or Hereditaments, which ſhall have been purchaſed by the ſaid Truſtees of the ſaid Market, under the Authority of this Act, or for any Eſtate, Right, or Intereſt therein, or to any Bank Annuities to be purchaſed with any ſuch Sum or Sums of Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the reſpective Perſons who ſhall have been in Poſſeſſion or in the Receipt of the Rents and Profits of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under them or under the Poſſeſſion of them reſpectively, ſhall be deemed and taken to have been lawfully entitled to ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion or Receipt, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and that the Dividends or Intereſt of the Bank Annuities which ſhall have been purchaſed with ſuch Sum or Sums of Money as aforeſaid, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made to appear to the ſaid Court that ſuch Poſſeſſion or Receipt was a wrongful Poſſeſſion or Receipt, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Houſes, Buildings, Lands, Tenements or Hereditaments, or to ſome Eſtate or Intereſt therein.

Power for Court of Chancery to order Expences.

XXXII. Provided alſo, and be it further enacted, That if by reaſon of any Diſability or Incapacity of the Perſon or Perſons, Body or Bodies entitled to any Houſes, Buildings, Lands, Tenements, or Hereditaments which ſhall have been purchaſed by the ſaid Truſtees of the ſaid Market for any of the Purpoſes of this Act, the Money which ſhall have been paid for the Purchaſe thereof, ſhall have been paid into the Bank of *England*, ſubject to the Direction of the Court of Chancery, and ſhall be afterwards applied under the Direction of the ſaid Court, in the Purchaſe of other Houſes, Buildings, Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, then, and in every ſuch Caſe, it ſhall be lawful for the ſaid Court of Chancery to order the Expences of ſuch Purchaſe or Purchaſes in which the ſaid Money ſhall be ſo afterwards applied, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable to be paid by the ſaid Truſtees of the ſaid Market, who ſhall pay the ſame at ſuch Time and in ſuch Manner as the ſaid Court ſhall direct.

Houſes, &c. taken to be veſted in the Truſtees, on Payment of Monies.

XXXIII. And be it further enacted, That upon Payment by or on the Part of the ſaid Truſtees of the ſaid Market, of ſuch reſpective Sums of Money as ſhall have been agreed to be paid by them under the Authority of this Act, for any ſuch Purchaſe or Purchaſes as aforeſaid, to the Perſon or Perſons entitled to receive the ſame, or in ſuch other Manner as is by this Act directed or authorized concerning the ſame, all the Owners and Occupiers of and Perſons intereſted in the Houſes, Buildings, Lands, Tenements, and Hereditaments, in reſpect whereof ſuch Sums of Money ſhall reſpectively be paid as aforeſaid, ſhall thenceforth be diveſted of all Right, Title, Claim, Intereſt, and Property in or to the ſame; and that the Inheritance in Fee Simple, or abſolute Intereſt of and in ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments reſpectively, ſhall thenceforth to all Intents and Purpoſes whatſoever become and be veſted in the Truſtees for the Time being of the ſaid Market.

Power to Truſtees to reſell Houſes, &c.

XXXIV. And whereas by reaſon of the Purchaſes or other Acquiſitions to be made by the ſaid Truſtees by virtue of this Act, they may happen to be ſeiſed or poſſeſſed of ſome Houſes, Buildings, Lands, Tenements, or Hereditaments, over and above what will be neceſſary for effecting the Purpoſes of this Act; be it therefore further enacted, That it ſhall be lawful for the ſaid Truſtees of the ſaid Market to ſell and diſpoſe of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments to be ſo purchaſed, or acquired as aforeſaid, or any of them or any Part or Parts thereof, either together or in Parcels, as they ſhall find moſt convenient and advantageous to ſuch Perſon or Perſons as ſhall be willing to contract for and purchaſe the ſame, and to convey the ſame in ſuch Manner as the Purchaſer or Purchaſers thereof ſhall direct or appoint; and upon Payment of the Money which ſhall ariſe from any ſuch Sale, it ſhall be lawful for the Treaſurer or Clerk for the Time being to the ſaid Truſtees, to ſign and give Receipts for ſuch Money, which Receipts ſhall be effectual Diſcharges to the Perſon or Perſons paying the ſame, for ſo much Money as in ſuch Receipts ſhall be expreſſed to be received, and ſuch Perſon or Perſons ſhall not afterwards be anſwerable or accountable for any Loſs, Miſapplication or Nonapplication of ſuch Purchaſe or Conſideration Money, or any Part thereof, or be obliged or concerned to ſee to the Application thereof or of any Part thereof.

Application of the Money ariſing by ſuch Sale.

XXXV. And be it further enacted, That the Money ariſing from ſuch Sale or Sales, as laſt aforeſaid, ſhall be applied and diſpoſed of by the ſaid Truſtees of the ſaid Market, for carrying the ſeveral Purpoſes of this Act into Execution.

Property to be veſted in Truſtees.

XXXVI. And be it further enacted, That the ſaid Market Houſe or Town Hall and Premiſes comprized in the aforeſaid Leaſe, and the ſaid Leaſe and all the Powers thereby given, and the Term thereby granted, and the ſaid Plot or Parcel of Land ſo contracted to be purchaſed as aforeſaid, and all future Purchaſes and Acquiſitions of Property which ſhall be made by or veſt in the ſaid Truſtees under the Authority of this Act, and alſo all Buildings, Stalls, Shambles, Standings, Sheds, Bulks, Blocks, and Conveniences which have already been erected, provided, uſed, ſet up, and made in or upon the ſaid Market Place and Premiſes, and which ſhall hereafter be erected, provided, uſed, ſet up, and made by virtue of this Act for any of the Purpoſes thereof, ſhall be and the ſame are hereby veſted in the ſaid Truſtees for the Time being, their reſpective Heirs, Executors, Adminiſtrators and Aſſigns, according to the Nature and Quality of the Premiſes reſpectively in Truſt for the Purpoſes of this Act.

Act not to affect the King's Rights as Lord of the Manor of Newcaſtle-under-Lyme.

XXXVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to authoriſe the Truſtees to exerciſe any of the Powers and Authorities hereby given, in, over, or upon any Part of the Waſte Lands in *Shelton* and *Hanley* aforeſaid, being Part or Parcel of His Majeſty's ſaid Manor of *Newcaſtle-under-Lyme*, Parcel of the ſaid Duchy, or to leſſen, prejudice, or affect the Rights or Intereſts of the King's Majeſty, as Lord of the Manor of *Newcaſtle-under-Lyme*, in any reſpect.

XXXVIII. And

Power to pave Market Place.

XXXVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees and they are hereby authorized, at any Time or Times and from Time to Time when and as they ſhall deem it expedient, to cauſe the ſaid Market Place and the Streets and Places within the Limits mentioned in the before mentioned Leaſe, and the Premiſes ſo contracted to be purchaſed as aforeſaid, and which ſhall be hereafter purchaſed or acquired by virtue of this Act, or any Part or Parts of ſuch Streets, Places and Premiſes, as well in the Carriageways as in the Footways thereof, to be new pitched, paved, flagged, repaired or amended, and the Pavement and Flagging thereof to be taken up and relaid, and the Ground thereof to be raiſed, lowered or altered from Time to Time in ſuch Manner and with ſuch Materials as they ſhall think fit, and to cauſe to be cut or made in, through, over, or under the ſaid Market Place, Streets and Places, and in, through, over, or under the Pavements thereof, any Tunnels, Gutters, Sinks, Culverts, Drains, Sewers, or Watercourſes, for conveying the Water from the ſame reſpectively, and alſo to cauſe any of the preſent or future Tunnels, Gutters, Sinks, Culverts, Drains, Sewers, or Watercourſes to be ſtopped up, opened or widened, and the Form thereof to be altered, turned, varied, or changed, in ſuch Manner as they ſhall think fit, ſo that no Injury ſhall be thereby done to any Perſon or Perſons who ſhall lawfully have or uſe any private Drain or Watercourſe, without making ſufficient Compenſation to him, her, or them for the ſame and not in anywiſe incommoding the Acceſs to any Dwelling Houſe, Building or Premiſes, and alſo to cauſe to be taken up, removed and carried away all or any of ſuch Poſts, Rails, Pales, or other Matters or Things placed or being within the Limits of the ſaid Market Place, and not forming a Part of or annexed to any Dwelling Houſe, Shop, Warehouſe, or other Building, before the paſſing of this Act, as the ſaid Truſtees ſhall at any Time or Times and from Time to Time judge to be uſeleſs, or to be or occaſion any Nuiſance or Obſtruction within the Limits of the ſaid Market Place.

Perſons liable to do Statute Work, to remain liable as before.

Truſtees may compound for the ſame.

XXXIX. Provided always, and be it furtner enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or ſhall be chargeable towards repairing and amending the ſaid Market Place and Streets or any Part or Parts thereof, ſhall remain liable thereto in like Manner as heretofore: Provided further, and it ſhall be lawful for the ſaid Truſtees to agree and compound with the Surveyor or Surveyors of the Highways within the ſaid Vills of *Hanley* and *Shelton* or either of them, or with the Truſtees under any Turnpike Act, or other Perſons chargeable towards repairing and amending the ſaid Market Place and Streets, for the Repair and Amendment thereof, or of any Part or Parts thereof from Time to Time.

Power to affix Lamps.

XL. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to direct, and cauſe to be affixed, ſet up, and faſtened, to, upon, and againſt any of the Walls, Rails, Paliſadoes, or other Parts of all or any of the Houſes, Shops, Warehouſes or Buildings in the ſaid Market Place or within any of the Approaches thereto, or upon upright Poſts fixed in the Ground, or in any other Manner that they ſhall think proper and convenient, ſuch and

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ſo many Lamps, Lamp Irons, Lamp Poſts, and other Matters and Things neceſſary thereto, as the ſaid Truſtees ſhall think expedient and proper; and to direct and cauſe the ſame or any of them to be taken down, removed, altered, or renewed in ſuch Manner as they ſhall think neceſſary for the Lighting of the ſaid Market Place or the Approaches thereto; and to cauſe ſuch Lamps or any of them to be lighted at ſuch Seaſons of the Year, on ſuch Evenings, and ſuch Hours of the Evening, and to be kept burning for ſo many Hours as to the ſaid Truſtees ſhall appear neceſſary or proper.

Penalty for wilfully breaking Lamps.

XLI. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter wilfully take away, break, throw down, diſplace, deſtroy or damage any Lamp or Lamps which ſhall be hung or put up under the Authority of this Act, or by any Perſon or Perſons at his, her, or their own Expence, for the Purpoſe of lighting any Part or Parts of the ſaid Market Place, or the Approaches thereto, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or ſhall throw down, break, or damage any Poſt, Iron, Cover, or other Furniture of any ſuch Lamp, every Perſon offending in Manner aforeſaid, ſhall forfeit and pay ſuch Sum of Money, not exceeding Five Pounds, as any Juſtice or Juſtices of the Peace for the ſaid County of *Stafford* ſhall in that Behalf direct; and that it ſhall be lawful for any Perſon or Perſons who ſhall ſee any ſuch Offence committed, to ſeize, and for any other Perſon or Perſons whomſoever to aſſiſt in ſeizing ſuch Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them, into the Cuſtody of ſome Conſtable or Peace Officer, to be conveyed, as ſoon as conveniently may be, before ſome Juſtice or Juſtice of the Peace for the ſaid County of *Stafford*, and to be dealt with according to Law.

Satisfaction to be made for Damages to Lamps, &c.

XLII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter negligently, careleſsly or accidentally break, throw down, deſtroy, or damage any Lamp or Lamps which ſhall be hung or put up under the Authority of this Act, or by any Perſon or Perſons at his, her, or their own Expence, or any Poſt, Iron, Cover, or other Furniture, Matter, or Thing, of or belonging to any ſuch Lamp, and ſhall not immediately upon Demand by the ſaid Truſtees, or by the Contractor or Contractors for lighting ſuch Lamps, or by the Owner or Owners of ſuch Lamp or Lamps, make Satisfaction for the Damage which ſhall have been thereby done, then, and in every ſuch Caſe, it ſhall be lawful for any Juſtice or Juſtices of the Peace for the ſaid County of *Stafford*, upon Complaint to him or them, by or on the Behalf of the ſaid Truſtees, or by ſuch Contractor or Contractors, Owner or Owners as aforeſaid, to ſummon before him or them the Perſon or Perſons againſt whom ſuch Complaint ſhall be made, and upon hearing ſuch Complaint and the Evidence which ſhall be adduced, or upon the Non-appearance of the Perſon or Perſons complained of and duly ſummoned, to award ſuch Sum or Sums of Money by way of Satisfaction, to be paid by ſuch Perſon or Perſon to the ſaid Truſtees, or to ſuch Contractor or Contractors, Owner or Owners as aforeſaid, as ſuch Juſtice or Juſtices ſhall think reaſonable, over and above any Penalty or Forfeiture which may have been incurred by ſuch Perſon or Perſons under any of the Proviſions of this Act; which ſaid Sum or Sums

shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered.

For borrowing Money on Rents, Tolls, and Profits.

XLIII. And, for raising Money for answering and completing the Purchase of the said Plot or Parcel of Land hereinbefore mentioned to be contracted for, and for completing, enlarging, or improving the said Market Place, and the Avenues and Approaches to the same, and for making, erecting, constructing, furnishing and providing Stalls, Shambles, Sheds, Bulks, Standings, and other Conveniences as aforesaid, and for paying or reimbursing all other Charges and Expences already incurred, or hereafter to be incurred respecting the said Market, or incident to or attending the obtaining and passing of this Act, or for any other Purpose whatsoever authorized by this Act, or which may be necessary for carrying the same into Execution; be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby authorized and empowered from Time to Time to raise, borrow, take up and receive of and from any Person or Persons whomsoever, who shall be willing to advance and lend the same, any Sum or Sums of Money upon the Credit of the said Market, and the Rents, Profits, and Tolls thereof, and of the said Town House and other Buildings and Premises which may be vested in the said Trustees for the Time being; and to secure the Payment thereof with Interest, by Mortgage of the said Market, and the Rents, Profits, and Tolls thereof, and other the Premises aforesaid, and for securing the Re-payment of the Money so to be borrowed, and the Interest thereof, the said Trustees, or any Seven or more of them, shall and may, by Writing under their Hands and Seals, assign over or mortgage the same Rents, Tolls, and Profits, and other the Premises, to the Person or Persons advancing and lending such Money; which Assignment or Mortgage shall be in the Form and to the Effect following:

Form of Security.

'BY virtue of an Act, passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, intituled, [*here set forth the Title of this Act*] We, the Trustees appointed by virtue of the said Act for putting the same into Execution, in Consideration of the Sum of advanced and paid by to the Treasurer appointed in pursuance of the said Act, upon the Credit and for the Purposes of the said Act, do grant and assign unto the said Executors, Administrators, and Assigns, such Proportion of the Rents, Tolls, and Profits arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the Rents, Tolls, and Profits arising by virtue of the said Act; to be had and holden from this Day of until the said Sum of with Interest at *per Centum per Annum* for the same, to be paid Half-yearly, shall be repaid and satisfied. In Witness whereof, we have hereunto set our Hands and Seals, this Day of .'

And every such Grant or Mortgage shall be good, valid, and effectual in the Law.

Monies may be raised by Annuities.

XLIV. Provided always, and it is hereby enacted, That in case the said Trustees shall think it advisable to raise all or any Part of the Money necessary for the Purposes of this Act, or hereby authorized to be raised as aforesaid, by the granting of Annuities for Life or Lives, then

then it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant One or more Annuity or Annuities to any Perſon or Perſons, being a Subject or Subjects of this Realm, who ſhall advance and pay into the Hands of the Treaſurer for the Time being of the ſaid Truſtees, any Sum or Sums of Money for the abſolute Purchaſe of any ſuch Annuity, to be paid and payable during the natural Life of ſuch Perſon as ſhall be nominated by or on the Behalf of ſuch Purchaſer at the Time of paying his or her Purchaſe Money; provided that no ſuch Annuity ſhall exceed the Rate of Ten *per Cent.* on the Purchaſe Money paid for the ſame, and the Grant of every ſuch Annuity ſhall be in the Form or to the Effect following; (that is to ſay),

Form of Grant.

'WE, the Truſtees appointed by virtue of an Act of Parliament, made in the Fifty-third Year of the Reign of King *George* the Third, intituled, [*here ſet forth the Title of this Act*] in Conſideration of the Sum of advanced and paid by to the Treaſurer appointed in purſuance of the ſaid Act, upon the Credit and for the Purpoſes thereof, do hereby grant unto the ſaid Executors, Adminiſtrators, and Aſſigns, the Yearly Sum of out of the Rents, Tolls, and Profits ariſing and payable by virtue of the ſaid Act; which Yearly Sum of ſhall be paid to the ſaid Executors, Adminiſtrators, and Aſſigns, at by Quarterly Payments upon the Day of Day of and Day of Day of in every Year during the Life of the ſaid and the firſt Payment ſhall be made upon the Day of next enſuing the Date of theſe Preſents. In Witneſs whereof, we have hereunto ſet our Hands and Seals, the Day of in the Year of our Lord .'

And every ſuch Grant ſhall be good, valid, and effectual in the Law, and the ſeveral Annuities to be granted as aforeſaid, ſhall be and are hereby charged upon, and ſhall be paid and payable free from all Charges and Deductions out of the ſaid Rents, Tolls, and Profits.

The Act of 17 G. 3. not to extend to Annuities granted by this Act.

XLV. And be it further enacted, That ſuch Annuities reſpectively, or the Securities for the ſame, ſhall not be conſtrued or conſidered to be within the Purview or Meaning of an Act of Parliament, paſſed in the Seventeenth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Regiſtering the Grants of Life Annuities, and for the better Protection of Infants againſt ſuch Annuities*, ſo as to make it requiſite or expedient to comply with or obſerve the Requiſites or Forms preſcribed by the ſaid Act, or any of them.

Securities firſt granted not to be preferred.

XLVI. And be it further enacted, That all and every Perſon and Perſons to whom ſuch Aſſignment or Aſſignments, Grant or Grants ſhall be made, ſhall be entitled to his, her, and their reſpective Proportions of the ſame Rates and Duties, according to the Annual Amount of the Intereſt of the Money ſo advanced on Mortgage, and the Annual Amount of the Annuity or Annuities ſo granted, without any Preference by reaſon of Priority of Aſſignment or Grant, or on any other account whatſoever.

XLVII. And

Names of Lenders of Money and Annuitants to be entered in a Book.

XLVII. And it is hereby further enacted, That there shall be provided by the said Trustees, and kept by their Clerk, a Book or Books, in which shall be fairly written in Words at Length the Names and Surnames, with the proper Additions and Places of Abode of all such Persons who shall be a Purchaser or Purchasers of any of the Annuities aforesaid, or who shall lend any Sum or Sums of Money on the Security aforesaid, and also the Sum and Sums of Money so paid for the Purchase of Annuities, or lent on such Security as aforesaid, and the Dates of the said Grants and Securities respectively, which Book or Books the said respective Purchasers or Lenders and their respective Executors, Administrators, and Assigns, may at all seasonable Times have recourse to and may inspect without Fee or Reward.

Securities and Annuities may be transferred.

XLVIII. And be it further enacted, That it shall be lawful for all and every of the Persons entitled to any of the Securities for the Money which shall be borrowed, or the Annuities to be granted as aforesaid, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Presence of Two or more credible Witnesses, to assign or transfer the same to any Person or Persons, being a Subject or Subjects of this Realm, in the Form or to the Effect following; (that is to say,)

Form of Transfer.

'I *A. B.* of [*or*, I *C. D.* of] Executor or Administrator of *A. B.* late of [*or otherwise, as the Case may happen to be*] in Consideration of the Sum of to me paid by *E. F.* of do hereby assign and transfer unto the said *E. F.* his Executors, Administrators, and Assigns, a certain Security, bearing Date the Day of in the Year of our Lord under the Hands and Seals of of the Trustees for putting in Execution an Act of Parliament, passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*] and the principal Sum of thereby secured, and all Interest now due and hereafter to grow due thereon [*or*, the Annuity or Yearly Sum of thereby secured, and all Arrears due thereon] with all my Right and Title to the same. Dated this Day of in the Year of our Lord One thousand eight hundred and .'

'Witness .'

Which Transfers shall, within Twenty Days after the Date thereof, be produced and notified to the Clerk aforesaid, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sum or Sums of Money and Annuity and Annuities therein transferred, in the said Book or Books to be kept for entering the said original Assignments and Grants; and after such Entry made, but not till then, every such Assignment shall entitle such Assignee or Assignees, his her, and their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee or Assignees may assign the same again, and so *toties quoties*, and it shall not be in the Power of any such Person or Persons who shall have made any such Assignment, to make void, release, or discharge the same or any Monies thereby due or any Part thereof.

XLIX. Pro-

Truſtees not to be perſonally liable on account of executing Securities.

XLIX. Provided always, and be it further enacted and declared, That nothing herein contained ſhall extend, or be conſtrued to extend to charge or ſubject the ſaid reſpective Truſtees, or their reſpective Eſtates, to any Payment or perſonal Liability, by reaſon of his or their ſigning and ſealing, or joining in making any ſuch Grants, Aſſignments, or other Securities to be made in purſuance of this Act.

Power for Truſtees to raiſe Money for the Purpoſes of the Act by Subſcription.

L. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to raiſe and contribute amongſt themſelves, or by a Subſcription from any Individuals reſiding in or near *Hanley* and *Shelton* aforeſaid, or any other Perſons deſirous of forwarding and promoting the ſaid Undertaking, or the Objects thereof, ſuch Sum or Sums of Money for enlarging or improving the ſaid Market Place and completing the ſaid Purchaſe, or any Purchaſe hereafter to be made by the ſaid Truſtees for the Purpoſes of this Act, or for providing Stalls, Shambles, Bulks, and other Conveniences for the ſaid Market, and for the other Purpoſes of this Act, or any of them, as the ſaid Truſtees and ſuch other Perſon or Perſons as aforeſaid, have agreed to ſubſcribe or advance, or ſhall be willing to ſubſcribe, advance, and contribute.

Power to recover the Monies ſubſcribed.

LI. And be it further enacted, That the ſaid Truſtees and all and every other Perſon and Perſons who have already ſubſcribed or agreed to advance, or who ſhall hereafter ſubſcribe or agree to advance any Money for enlarging and improving the ſaid Market Place, or for other the Purpoſes hereinbefore mentioned or any of them, or of this Act, ſhall and they are hereby required to pay the Sum or Sums by them reſpectively ſubſcribed or agreed to be advanced, or ſuch Parts and Portions thereof as ſhall from Time to Time be called for by the ſaid Truſtees at ſuch Times and Places and in ſuch Manner as ſhall be directed by the ſaid Truſtees, by Notice in Writing under the Hand of their Clerk or Treaſurer for the Time being; and in caſe any or either of ſuch Subſcribers ſhall refuſe or neglect to pay the ſame Sum or Sums ſo called for at the Time and Place and in the Manner required for that Purpoſe, or within Fourteen Days next following, the ſaid Truſtees are hereby empowered to recover the ſame in an Action of Debt, or on the Caſe, or by Bill, Plaint, or Suit in the Name of the Annual Chairman, or any One of the ſaid Truſtees, Clerk, or Treaſurer of the ſaid Truſtees for the Time being, againſt the Perſon or Perſons ſo neglecting or refuſing as aforeſaid, his, her, or their Heirs, Executors, or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*, and after Proof of ſuch Perſon or Perſons having ſubſcribed or agreed to ſubſcribe, and that ſuch Notice was given as aforeſaid, a Verdict ſhall paſs and be given for the Plaintiff with full Coſts of Suit, and Execution ſhall iſſue thereupon as the Caſe may require.

The Monies ſubſcribed, and the Rents and Profits of the Tolls, and the Money to be borrowed, veſted in the Truſ-

LII. And be it further enacted, That all and ſingular the Monies already agreed to be ſubſcribed, and hereafter to be ſubſcribed, raiſed and contributed by virtue of this Act, or for any of the Purpoſes aforeſaid; and all the Rents, Profits, and Produce of the ſaid Town Houſe or Town Hall, and other Buildings, Standings, Stalls, Sheds, Shambles, Bulks, and Conveniences already erected and built, provided and uſed, and to be erected and built, provided and uſed as aforeſaid, and the Tolls to be collected as aforeſaid, or to ariſe therefrom reſpectively, and all other the Iſſues

tees for the Time being; and directing how the ſame ſhall be applied.

Iſſues and Profits to accrue by or from holding the ſaid Markets, and the Rents and Proceeds of all other the ſaid Truſt Premiſes, ſhall be and the ſame are hereby veſted in the ſaid Truſtees for the Time being; and they ſhall ſtand and be poſſeſſed thereof, and ſhall alſo ſtand and be poſſeſſed of and intereſted in the Monies to be borrowed and taken up at Intereſt on the Security of the ſaid Tolls and Premiſes, and the Monies to ariſe from the Sale of ſuch Annuities as aforeſaid, for the ſeveral Ends, Intents, and Purpoſes hereinafter mentioned and expreſſed; that is to ſay, by and out of the Monies to be borrowed on ſuch Mortgage or Mortgages as aforeſaid, and to ariſe by the Sale of ſuch Annuities as aforeſaid, in the firſt place, to reimburſe, pay, and defray the Coſts, Charges, and Expences attending the obtaining of the ſaid Leaſe and of this Act, or in anywiſe relating thereto reſpectively, and the Coſts, Charges, Purchaſe Money, and Expences of the ſaid Plot of Land hereinbefore mentioned, to be contracted to be purchaſed, and afterwards to apply and diſpoſe of the Surplus of the ſaid Monies, and alſo the ſaid Monies ſo ſubſcribed or to be ſubſcribed, as aforeſaid, in enlarging or improving the ſaid Market Place, and for erecting and providing from Time to Time Buildings, Sheds, Standings, Stalls, Shambles, Bulks, and other Conveniences for the ſaid Market, and keeping the ſaid Buildings, Sheds, Standings, Stalls, Shambles, Bulks, and other Conveniences ſo already erected and provided as aforeſaid, and which ſhall hereafter be erected and provided by virtue of this Act, in proper Repair and Condition; and the Coſts, Charges, and Expences of making and keeping in proper Repair any ſuch Pavements, Flagging, Tunnels, Gutters, Sinks, Culverts, Drains, Sewers, and Watercourſes as aforeſaid, and of affixing and ſetting up any ſuch Lamps, Lamp Irons and Lamp Poſts as hereinbefore mentioned, and for all other the Purpoſes authorized by this Act, except ſuch, the Expences whereof are hereinafter directed to be paid out of the Rents, Profits, and Produce of ſuch Buildings, Standings, Stalls, Sheds, Shambles, Bulks, and other Conveniences as aforeſaid, and of the Tolls to be collected as aforeſaid; and by and out of ſuch Rents, Tolls, Profits, and Produce as laſt aforeſaid, the ſaid Truſtees ſhall and they are hereby required, in the firſt place, to pay and diſcharge the Rent due and to grow due under or by virtue of the aforeſaid Leaſe, or any renewed Leaſe or Leaſes of the Premiſes therein comprized, and the Fines and Expences upon the Renewal thereof from Time to Time, and all Rates, Taxes, or Aſſeſſments to be laid or impoſed on the ſaid Market Place, Buildings, Standings, Sheds, Shambles, Bulks, and Conveniences, and other the ſaid Truſt Premiſes and every Part thereof, and the Expences of collecting the Rents and Profits thereof, and of collecting the ſaid Tolls, with the Salaries of the Collectors of the ſaid Tolls, and of the Clerk and Treaſurer of the ſaid Truſtees, and of ſuch other Officer or Officers as may be appointed by virtue of this Act, and all other incidental Charges, Diſburſements, and Expences whatſoever in carrying this Act and the Powers and Proviſions thereof into Execution; and in the next place, to diſcharge the Intereſt of ſuch Sum or Sums of Money as ſhall be borrowed upon any Mortgage or Mortgages of the ſaid Tolls, and to pay or redeem the ſaid ſeveral Annuities to be ſold by virtue of this Act; and in the next place, to apply the ſame Rents, Tolls, Profits, and Produce, towards diſcharging and paying off the Principal of all Monies borrowed on ſuch Mortgage or Mortgages as aforeſaid; and after fully anſwering and ſatisfying the ſeveral Purpoſes aforeſaid, to pay and apply the Overplus of the ſaid Rents, Tolls, Profits,

Profits, and Produce, from Time to Time, to ſuch public Objects and Purpoſes, for the Benefit and Advantage of the Inhabitants of *Hanley* and *Shelton* aforeſaid, in enlarging and improving the ſaid Market Place and the Avenues thereto, and providing Accommodations for the ſaid Markets, or for the Convenience and Improvement of the ſaid Vills of *Hanley* and *Shelton* in other reſpects, or for eſtabliſhing, promoting, or aſſiſting any public Works, Inſtitutions, or Eſtabliſhments there, as ſhall from Time to Time appear moſt proper, expedient, and adviſable to the major Part of the ſaid Truſtees for the Time being, who ſhall be aſſembled at any Meeting held in purſuance of and according to the Directions of this Act.

Treaſurer to pay Money to the Order of the Truſtees.

LIII. And be it further enacted, That the Treaſurer for the Time being to the ſaid Truſtees ſhall and may, and he is hereby authorized and required, out of the Monies to be paid into his Hands by virtue of this Act, to pay all Sums of Money which the ſaid Truſtees ſhall order him to pay, and ſhall be indemnified for ſo doing; and the ſaid Treaſurer ſhall and he is hereby required to keep regular and clear Entries in a Book or Books to be for that Purpoſe provided, of all and ſingular his Receipts and Payments on account of or in purſuance of this Act; and ſhall at every ſuch Annual Meeting as aforeſaid, and alſo at any ſpecial or occaſional Meeting, if ſo required, produce the ſaid Account to be audited by the ſaid Truſtees, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe.

Truſtees empowered to enter into Contracts for the Purpoſes of the Act.

LIV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time to enter into Contracts with any Perſon or Perſons for carrying into effect any of the Purpoſes of this Act; and the ſaid Truſtees may and they are hereby authorized to take Security from every ſuch Contractor for the due Performance of his or her Contract.

Truſtee may compound for breach of Contracts.

LV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time, and at all Times hereafter, to compound or agree with any Perſon or Perſons on account of any Breach or Non-performance of ſuch Contract or Contracts as aforeſaid, for ſuch Sum or Sums of Money or other Satisfaction as the ſaid Truſtees ſhall think reaſonable and proper.

Penalties, how to be recovered.

LVI. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, for any Offence againſt the ſame, or the Proviſions thereof, or which ſhall ariſe or be incurred by or under any Bye-law to be made by the ſaid Truſtees as aforeſaid, except as herein otherwiſe expreſsly directed, ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any One or more Juſtice or Juſtices of the Peace acting in and for the ſaid County of *Stafford*, upon the Conviction of the Offender or Offenders by his, her, or their Confeſſion or Confeſſions, or by the Oath of One or more credible Witneſs or Witneſſes, rendering the Overplus (if any) after ſuch Forfeiture or Penalty, together with the Coſts, Charges, and Expences attending ſuch Conviction, Warrant, Diſtreſs, and Sale, ſhall be fully paid, unto the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained as aforeſaid; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalty or Forfeiture, Coſts, and Charges ſhall not be paid forthwith, it ſhall be lawful for ſuch Juſtice or Juſtices, by Warrant

Warrant under his or their Hand and Seal or Hands and Seals to commit ſuch Offender or Offenders, convicted as aforeſaid, to the Houſe of Correction or Common Gaol of the ſaid County of *Stafford*, to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unleſs ſuch Penalty or Forfeiture, Coſts and Charges, and all Expences attending ſuch Commitment, ſhall be ſooner paid and ſatisfied; and all Penalties and Forfeitures under this Act, except as herein otherwiſe directed, ſhall go and be applied, One Moiety to the Perſon who ſhall inform or ſue, or proſecute for the ſame, and the Reſidue thereof ſhall be paid to the Treaſurer of the ſaid Truſtees, and applied for the Purpoſes of this Act.

Juſtices empowered to ſummon Offenders againſt the Act.

LVII. And, for more effectually enforcing and carrying into Execution the Proviſions of this Act, be it further enacted, That on Complaint and Information on Oath before any Juſtice or Juſtices of the Peace for the ſaid County of *Stafford*, of any Offence having been committed againſt this Act, or the Proviſions thereof, or againſt any Rule, Order, or Bye-law to be made as aforeſaid, ſuch Juſtice or Juſtices is and are hereby authorized and required to ſummon the Perſon or Perſons ſo charged with being an Offender or Offenders as aforeſaid, to appear before ſuch Juſtice or Juſtices at a certain Time and Place to be ſpecified; or it ſhall be lawful for ſuch Juſtice or Juſtices, if he or they ſhall think fit, without iſſuing any previous Summons, and inſtead of iſſuing the ſame, (in caſe the Place of Abode of the Perſon or Perſons charged with being ſuch Offender or Offenders ſhall not be known to ſuch Juſtice or Juſtices,) upon ſuch Complaint and Information as aforeſaid, to make and iſſue his or their Warrant or Warrants for apprehending the Perſon or Perſons by ſuch Information charged to have offended as aforeſaid, and for bringing him, her, or them before ſuch Juſtice or Juſtices, or any other Juſtice or Juſtices having Juriſdiction therein, and upon the Perſon or Perſons complained againſt appearing upon ſuch Summons, or being brought by virtue of ſuch Warrant or Warrants before the ſaid Juſtice or Juſtices; or if any Perſon or Perſons ſo ſummoned ſhall not appear according to ſuch Summons, and Proof upon Oath ſhall be made before ſuch Juſtice or Juſtices of the due Service of ſuch Summons upon ſuch Perſon or Perſons, by delivering the ſame to him, her, or them perſonally, or leaving the ſame at his, her, or their uſual Place or Places of Abode, then ſuch Juſtice or Juſtices before whom ſuch Perſon or Perſons ſhall appear, or be brought or neglect to appear as aforeſaid, ſhall and may make Enquiry touching the Matters complained of, and examine into the ſame in the Manner in this Act mentioned, and convict or acquit the Party or Parties againſt whom ſuch Complaint ſhall have been made as aforeſaid.

Complaintst be preferrd within a given Period.

LVIII. Provided always, and be it further enacted, That no Perſon ſhall be puniſhed for any Offence againſt the Proviſions of this Act, or againſt any Rule, Order, or Bye-law to be made as aforeſaid, unleſs Information and Complaint of ſuch Offence ſhall be made to One or more Juſtice or Juſtices of the Peace hereby authorzied to hear and determine the ſame, within Twenty Days next after ſuch Offence ſhall be committed, if the Offender or Offenders is or are known, or if unknown, then within Twenty Days after the Name of him, her, or them ſhall be diſcovered, and ſuch Information and Complaint ſhall be proceeded in without wilful Delay on the Part of the Informer or Complainant.

LIX. And be it further enacted, That it ſhall be lawful for the Juſtice or Juſtices of the Peace before whom any ſuch Complaint and Information ſhall be made as aforeſaid, and he or they is and are hereby authorized, at the Requeſt in Writing either of the Party complaining, or of the Party accuſed, if ſuch Juſtice or Juſtices ſhall think fit, to iſſue his or their Summons to any Witneſs or Witneſſes to appear and give Evidence before ſuch Juſtice or Juſtices, at a Time and Place appointed for hearing and determining ſuch Complaint, which Time and Place ſhall be ſpecified in ſuch Summons; and if any Perſon or Perſons ſo ſummoned to appear as a Witneſs or Witneſſes as aforeſaid, having been paid or tendered a reaſonable Sum for his, her, or their Coſts, Charges, and Expences, ſhall not appear before ſuch Juſtice or Juſtices at the Time and Place ſpecified in ſuch Summons, or offer ſome reaſonable Excuſe for the Default, or, appearing according to ſuch Summons, ſhall not ſubmit to be examined as a Witneſs or Witneſſes, and give his, her, or their Evidence before ſuch Juſtice or Juſtices, touching the Matter of ſuch Complaint, then and in every ſuch Caſe every ſuch Perſon ſhall forfeit and pay any Sum not exceeding Ten Pounds. Witneſſes may be ſummoned.

LX. And be it further enacted, That in all Caſes where any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or the Proviſions thereof, or againſt any Bye-law to be made as aforeſaid, or any Matter in purſuance thereof, the Conviction ſhall be in the Form or to the Effect following; that is to ſay, Form of Conviction.

'BE it remembered, that on the Day of in the Year of the Reign of His Majeſty King *A. B.* is convicted before me, [*or* us, *naming the Juſtice or Juſtices*] one [*or* more] of His Majeſty's Juſtices of the Peace for the of having [*here ſtate the Offence*] contrary to the Statute made [*or* contrary to a Bye-law duly made in purſuance of the Statute made] in the Fifty-third Year of the Reign of His Majeſty King *George* the Third, intituled [*here inſert the Title of this Act*]; and I [*or* we], the Juſtice [*or* Juſtices] aforeſaid, do adjudge and determine the ſaid *A. B.* for the ſaid Offence, to forfeit and pay the Sum of and do order the ſame to be forthwith paid into my [*or* our] Hands, one Moiety thereof for the Uſe of the Truſtees under the ſaid Act, for the Purpoſes thereof, and the other Moiety thereof to the Uſe of *C. D.* [*naming the Informant*]. Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year firſt above written.'

LXI. And be it further enacted, That the Juſtice or Juſtices before whom any ſuch Conviction ſhall be had, ſhall, in caſe ſuch Conviction ſhall be appealed againſt in the Manner hereinafter mentioned, cauſe the ſame (drawn up in the Form or to the Effect hereinbefore directed) to be fairly written on Parchment, and tranſmitted to the next General Quarter Seſſions to be holden for the ſaid County of *Stafford*, to be filed and kept amongſt the Records of the ſaid General Quarter Seſſions; and the Juſtices at ſuch General Quarter Seſſions are hereby authorized and required, upon receiving ſuch Conviction, to proceed to the Hearing and Determination of the Matter of the ſaid Appeal, according Copy of Conviction to be tranſmitted to the Seſſions.

cording to the Directions of this Act, and no *Certiorari* shall be granted to remove any Conviction or other Proceedings had therein in pursuance of this Act.

Persons aggrieved may appeal to the Quarter Sessions.

LXII. Provided always, and be it further enacted, That if any Person convicted of any Offence or Offences punishable or cognizable by this Act, or by any Bye-law to be made by virtue hereof, shall think himself or herself aggrieved by the Judgment of such Justice or Justices before whom he or she shall have been convicted, such Person shall have Liberty to appeal from every such Conviction to the next General Quarter Sessions of the Peace which shall be holden for the said County of *Stafford*; and that the Execution of every Judgment so appealed from, shall be suspended, in case the Person so convicted shall, immediately after such Conviction, or Notice thereof, enter into Recognizance before some Justice or Justices (which he and they are hereby authorized and required to take), with Two sufficient Sureties, in the Penalty of Ten Pounds each, upon Condition to prosecute such Appeal with Effect, and to be forthcoming to abide the Judgment and Determination of the said General Quarter Sessions, or of any future Sessions, to which the Determination of such Appeal may be adjourned, and to pay such Costs as the said Court shall award on such Occasion; and the Justices in the said Court are hereby authorized and required to hear and finally determine the Matter of the said Appeal, and to award such Costs as to them shall appear just and reasonable to be paid by either Party; which Decision shall be final; and if, upon the Hearing of the said Appeal, the Judgment of the Justice or Justices before whom the Appellant shall have been convicted, shall be affirmed, such Appellant shall forthwith pay the Forfeiture or Penalty or Sum of Money mentioned in such Conviction, and the Costs awarded to be paid by such Appellant, and in Default of Payment thereof, such Appellant shall be immediately committed by the said Court to the Common Gaol of the said County of *Stafford*, there to remain and be kept for the Space of Three Calendar Months, unless such Penalty, Forfeiture, or Sum of Money, and such Costs as shall be awarded by the said Court to be paid by such Appellant, shall be sooner paid, and the Keeper of such Common Gaol shall receive and keep such Person and Persons in pursuance of such Commitment as aforesaid.

Persons appealing, to have Copy of Conviction.

LXIII. And be it further enacted, That when any Person shall appeal from and against any Determination or Conviction as aforesaid, the Justice or Justices making such Determination or Conviction, shall, upon the Request of the Person appealing, deliver, or cause to be delivered to such Person, his or her Attorney or Agent, a Copy of such Determination or Conviction, at least Ten Days before such Appeal is to be tried, for which Copy the Person applying for the same, shall pay to the Justice or Justices making such Determination or Conviction, or his or their Clerk, the Sum of Two Shillings and no more; but if it shall happen that the said Justice or Justices cannot conveniently cause the said Determination or Conviction to be drawn up, so as to be delivered Ten Days before such Appeal is to be tried, then the said Determination or Conviction shall be returned to and filed at the next Quarter

Seſſions of the Peace to be holden in and for the ſaid County of *Stafford*, and in that caſe the Hearing of the ſaid Appeal ſhall ſtand over and be adjourned to the next Quarter Seſſions, when and where the ſame ſhall be finally determined in Manner aforeſaid.

Juſtices may mitigate Penalties.

LXIV. Provided always, and be it further enacted, That it ſhal be lawful for any Juſtice or Juſtices of the Peace by whom any Judgment, Sentence, or Determination ſhall be given, pronounced, or made, concerning any Offence or Offences againſt this Act, or againſt any Bye-law to be made in purſuance thereof from Time to Time, where he or they ſee cauſe to mitigate, compound, or leſſen any of the Penalties or Forfeitures by this Act or by ſuch Bye-law inflicted for the ſame Offence or Offences, as he or they in his or their Diſcretion ſhall think fit, ſo as ſuch Mitigation or Compoſition do not extend to remit above Three-fourth Parts of any Penalty or Forfeiture inflicted and directed to be levied by this Act; and that every ſuch Mitigation or Compoſition ſhall be a ſufficient Diſcharge to the Perſon or Perſons offending reſpectively, for ſo much of the Penalty or Forfeiture, Penalties or Forfeitures as ſhall be ſo remitted.

Inhabitants &c. of Hanley and Shelton, competent Witneſſes.

LXV. And it is hereby declared and enacted, That in all Actions, Proſecutions, Informations, Cauſes, Enquiries, and Proceedings whatſoever relating to or concerning the Execution of this Act, or any Act done, or Rule, Order, or Bye-law made in purſuance thereof, no Perſon whomſoever ſhall be diſqualified from being a competent Witneſs, and being admitted to give Evidence, by reaſon of his or her being an Inhabitant of *Hanley* or *Shelton* aforeſaid, or either of them, or an Officer appointed under the Authority of this Act.

Juſtices' Warrants may be executed out of the Juriſdiction where granted.

LXVI. And be it further enacted, That in caſe any Perſon againſt whom any Summons or Warrant ſhall be iſſued by any Juſtice or Juſtices of the Peace either before or after Conviction as aforeſaid, for any Offence againſt this Act, or againſt any Bye-law to be made as aforeſaid, ſhall eſcape, go, reſide, or be out of the Juriſdiction of the Juſtice or Juſtices granting ſuch Summons, Warrant or Warrants as aforeſaid; or if the Goods and Chattels of any Offender convicted of any Offence in purſuance of this Act, ſhall be out of the Juriſdiction of the Juſtice or Juſtices by whom the ſaid Party was convicted, or the Warrant or Diſtreſs granted, it ſhall be lawful for any Juſtice of the Peace of the County, City, Liberty, Town or Place into which ſuch Perſon ſhall eſcape, or in which he ſhall reſide or be, either before or after Conviction, or where his Goods and Chattels ſhall be after ſuch Conviction, and they and every one of them are hereby required within their reſpective Juriſdictions, upon Proof made upon Oath of the Hand-writing of the ſaid Juſtice or Juſtices granting ſuch Summons, Warrant or Warrants, to indorſe his or their Name or Names on ſuch Summons, Warrant or Warrants, and the ſame, when ſo indorſed, ſhall be a ſufficient authority to all Peace Officers to execute ſuch Summons, Warrant or Warrants, in ſuch other County, City, Liberty, Town or Place out of the Juriſdiction of the Juſtice or Juſtices granting the ſaid Summons, Warrant or Warrants; and the Offender or Offenders, being apprehended by

by virtue of any ſuch indorſed Warrant, may be forthwith carried to the Juſtice or Juſtices who granted the ſaid Warrant, to be dealt with according to Law.

Diſtreſs not unlawful for Want of Form.

LXVII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue or under the Authority of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect, Default, or Want of Form in any Proceeding relating thereto: nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for ſpecial Damages by Action on the Caſe.

Nor Proceedings quaſhed.

LXVIII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order to be made, or any Matter or Thing to be done or tranſacted in or relating to the Execution of this Act, ſhall be vacated or quaſhed for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary notwithſtanding.

Perſons giving falſe Evidence, liable to the Penalties for Perjury.

LXIX. And be it further enacted, That all and every Perſon and Perſons who ſhall give falſe Evidence in any Examination to be taken by virtue of this Act, or where in purſuance of this Act any Oath is required to be taken, ſhall wilfully and corruptly ſwear falſely, ſhall be ſubject to ſuch Pains, Penalties, and Diſqualifications, as Perſons guilty of wilful and corrupt Perjury are or for the Time being ſhall be ſubject or liable to by the Laws and Statutes of this Realm.

Limitation of Actions.

LXX. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance or under colour of this Act or grounded on any Act of the Defendant or Defendants in the Execution of this Act, or of any Bye-law to be made by virtue hereof, after Six Calendar Months next enſuing the Time when the Act or Thing ſhall have been done, for which ſuch Action or Actions, Suit or Suits ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried in the ſaid County of *Stafford*, and not elſewhere.

Notice of Writs to be given.

LXXI. And be it further enacted, That no Writ ſhall be ſued out againſt, nor any Copy of any Proceſs at the Suit of any Perſon or Perſons, ſhall be ſerved on the Truſtees named or appointed in or by virtue of this Act, or any or either of them, or againſt any other Perſon, for any Thing done in purſuance of or by the Authority of this Act, until Notice in Writing of ſuch intended Writ or Proceſs ſhall have been delivered to the Annual Chairman of the

ſaid

ſaid Truſtees, or to one of the ſaid Truſtees, or to their Clerk or Treaſurer for the Time being, or to ſuch other Perſon or Perſons ſo intended to be ſued or proceeded againſt, as the Caſe may be, or left at his and their uſual Place or Places of Abode, by the Attorney or Agent of the Party intending to ſue, at leaſt Twenty Days before the ſuing out and ſerving of the ſame; in which Notice ſhall be contained the Names and Places of Abode of the Party or Parties intending to ſue, and the Cauſe of Action which ſuch Party or Parties hath or have, or claimeth or claim to have againſt ſuch Truſtees or other Perſon or Perſons reſpectively, and on which ſaid Notice the Name of ſuch Attorney or Agent, together with the Place of his Abode, ſhall be indorſed or under-written.

Evidence; and Plaintiff not to recover without Notice.

LXXII. And be it further enacted, That it ſhall and may be lawful to and for ſuch Truſtees or Truſtee, and other Perſon or Perſons, at any Time within Fourteen Days after ſuch Notice given or left as aforeſaid, to tender ſufficient Amends to the Party or Parties complaining, or to his, her, or their Agent or Attorney; and in caſe any ſuch Truſtees or Truſtee, or other Perſon or Perſons ſhall neglect to tender any Amends, or ſhall have tendered inſufficient Amends before the Action brought, it ſhall alſo be lawful for him or them, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Orders, and Judgments ſhall be had, made, and given in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Defendant may plead Specially, or the General Iſſue.

LXXIII. And be it further enacted, That the Defendant or Defendants in ſuch Actions or Suits and every of them, ſhall and may, at his or their Election, plead Specially, or the General Iſſue, and give this Act, and the ſpecial Matter in Evidence at any Trial or Trials, which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits ſhall be ſo brought, was done in purſuance and by the authority of this Act; and if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall not be proved that ſuch Notice was given as aforeſaid, or it ſhall appear that a ſufficient Satisfaction was made or tendered as aforeſaid, or if any ſuch Action or Suit ſhall not be commenced within the Time hereinbefore for that Purpoſe limited, or ſhall be laid in any other County than as aforeſaid, then the Jury or Juries ſhall find and give a Verdict for the Defendant or Defendants therein; and if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become non-ſuited, or ſuffer a Diſcontinuance thereof, or if Judgment ſhall be given for the Defendant or Defendants, on Demurrer or otherwiſe, then and in any of the Caſes aforeſaid ſuch Defendant or Defendants ſhall have full Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for Coſts in other Caſes by Law; and if, upon Iſſue joined, the Jury ſhall find that no Amends were tendered, or that the ſame was not ſufficient, and alſo againſt the Defendant or Defendants upon any ſuch other Plea or Pleas, and that ſuch Notice was given as aforeſaid, then they ſhall find and give

Verdict.

give a Verdict for the Plaintiff or Plaintiffs, and ſuch Damages as they ſhall think proper, which he, ſhe, or they ſhall recover, together with his, her, or their Coſts of Suit.

Public Act. LXXIV. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

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