ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 157.

An Act for incorporating the Governors of the Free Grammar School of the Borough of *Wigan*, in the County Palatine of *Lancaſter*; and for enlarging the Truſts and Powers of the ſaid Governors, for the Benefit of the ſaid School. [9th *June* 1812.]

WHEREAS by Indenture dated the Eleventh Day of *January* in the Sixteenth Year of the Reign of King *James* the Firſt, and made between *James Leigh* Gentleman, of the One Part, and *Roger Downes* and others therein named as Truſtees, of the other Part, the ſaid *James Leigh* did give, grant, bargain, ſell and confirm unto the ſaid *Roger Downes* and others Truſtees as aforeſaid, and their Heirs, an annual Rent of Six Pounds Thirteen Shillings and Four-pence, iſſuing out of the Meſſuage, Lands, Tenements and Hereditaments in *Orrell* in the County of *Lancaſter*, called *The Ackhurſt*, and all other the Lands, Tenements, and Hereditaments of the ſaid *James Leigh*, upon Truſt, that they the ſame Truſtees, their Heirs and Aſſigns, ſhould from Time to Time thereafter employ and beſtow the ſaid annual Rent towards the Maintenance of a Free Grammar School in *Wigan* in the County of *Lancaſter*, for bringing up of poor Scholars of the Pariſh and Town of *Wigan*. for ever: And whereas by or under and by virtue of a certain Indenture of Feoffment, dated the Firſt Day of *February*, in the Sixteenth Year of the Reign of King *Charles* the Second, and made between *William Daniel* Eſquire, Mayor of the Borough of *Wigan*, in the County of *Lancaſter*, and

Indenture, 11 January 16 Jac. 1.

Indenture, 1 February 16 Car. 2.

and *James Molineaux* Alderman of the ſaid Borough, *William Pilkington*, *Gerard Bancks*, and *William Baldwin*, Burgeſſes of the ſaid Borough of *Wigan*, of the One Part, and *Edward Baron*, *Gilbert Glover*, and *Robert Ford*, of the other Part; and alſo under and by virtue of an Indenture of Feoffment, dated the Second Day of the ſame Month of *February*, and made between the ſaid *Edward Baron*, *Gilbert Glover*, and *Robert Ford*, of the One Part, and Sir *Roger Braidſhaigh* and ſeveral other Perſons therein named as Truſtees, of the other Part, ſeveral Meſſuages, Lands, Tenements and Hereditaments ſituate in *Aſpull* in the ſaid County of *Lancaſter*, then late in the Poſſeſſion of one *Thomas Gudlowe*, his Aſſignee or Aſſigns, called by the Name of *Blackſhaye* or *Backſhaye*, and their reſpective Appurtenances, and Two other Cloſes ſituate in *Wigan* foreſaid, and *Wigan Woodhouſes* or one of them, then late in the Poſſeſſion or Occupation of one *James Patrick*, his Aſſignee or Aſſigns, and known by the Name or Names of *The White Rydeings* or *Browne Meadows*; and alſo one Annuity or yearly Rent Charge of Twenty Pounds iſſuing out of a certain Meſſuage and Tenement ſituate in *Thames Street*, *London*, called *The Chalice and the Shepherd*, and out of certain other Meſſuages, Lands and Tenements ſituate in *Mincing Lane*, *London*, which were thentofore the Inheritance of *Hugh Bullock*, were conveyed and aſſured unto the ſaid Sir *Roger Bradſhaigh* and other Perſons named in the ſaid laſt-mentioned Indenture, Truſtees as aforeſaid, and their Heirs and Aſſigns, upon certain Truſts declared in and by the ſaid Indenture of the Firſt Day of *February*, in the Sixteenth Year aforeſaid; (that is to ſay, among other Truſts), upon Truſt that they the ſame Truſtees, their Heirs and Aſſigns, ſhould at all Times for ever there-after yearly convert and employ the ſaid thereinmentioned yearly Rent Charge, and all the Rents and Profits of the ſame Meſſuages, Lands and Tenements, for and towards the Maintenance, keeping, and continuing of the aforeſaid Free Grammar School, and alſo for and towards the Maintenance, finding, and keeping of One or more ſufficient able and learned Perſon or Perſons to be Schoolmaſter or Schoolmaſters thereof, and to keep the ſaid Free Grammar School, and to teach and inſtruct ſuch Scholar and Scholars, Child and Children of the Inhabitants of the ſaid Town and Borough of *Wigan*, and ſuch others as the Mayor and Aldermen of *Wigan* for the Time being, or the major Part of them, ſhould think fit and order, as ſhould from Time to Time come and repair to the ſaid School, to be inſtructed and taught *gratis*, and without any Thing to be exacted or demanded to be paid to the ſaid Shoolmaſter or Maſters by the ſaid Scholars and Children, their Parents or Friends, or any for their Uſe: And whereas by Indenture of Feoffment, dated the Twenty-ſecond Day of *January* One thouſand ſeven hundred and twenty-three, and made between *John Baldwin* the younger, and *Thomas Bancks*, of the One Part, and *John Baldwin* the elder, Eſquire, then Mayor of the Borough of *Wigan*, and ſeveral other Perſons therein named as Truſtees, of the other Part, a certain Meſſuage or Burgage and Tenement with a Croft or Parcel of Land or Ground containing about Half an Acre called *Cockerham's Houſe and Croft*, ſituate in or near a Street in *Wigan* aforeſaid, called *The Mill Gate*, were conveyed unto the ſaid *John Baldwin* the elder, and others in the ſame Indenture named Truſtees as aforeſaid, upon ſuch Truſts and for ſuch Intents and Purpoſes as are mentioned and contained in the aforeſaid Indenture of the Firſt Day of *February*, in the Sixteenth Year of the Reign of King *Charles* the Second: And whereas ſome Time after the Date of the ſaid

Indenture, 22 January 1723.

Indenture of the Twenty-ſecond Day of *January* One thouſand ſeven hundred and twenty-three, a New School was built upon Part of the Land comprized in ſome or one of the aforeſaid Indentures: And whereas by Indenture, dated the Second Day of *May* One thouſand ſeven hundred and forty-eight, and made between *William Curghey*, of the Firſt Part, *John Markland* of the Second Part, *Richard Holmes*, then Mayor of the Borough of *Wigan* aforeſaid, and ſeveral other Perſons therein named, then ſurviving Feoffees of the ſaid School, of the Third Part, and *Daniel Tyrer*, Weaver and Chapman, of the Fourth Part, the ſaid Meſſuage called *Cockerhams*, and other Hereditaments comprized in the ſaid Indenture of the Twenty-ſecond Day of *January* One thouſand ſeven hundred and twenty-three, were aſſigned to the ſaid *Daniel Tyrer*, his Executors, Adminiſtrators and Aſſigns, for the Reſidue of a Term of Five hundred Years, which had been created as therein mentioned; and a Burgage or Tenement ſituate upon the Old School Common in *Wigan* aforeſaid, being theretofore Part of the Old School, and then or late in the Tenure or Occupation of *Joſeph Crompton*, was demiſed to the ſaid *Daniel Tyrer*, his Executors, Adminiſtrators and Aſſigns, for the Term of Four hundred and ſeventy-ſix Years, for ſecuring to him and them the Sum of One hundred and ninety-three Pounds Nine Shillings and Nine-pence, with Intereſt: And whereas there is now due and owing upon the ſaid Mortgage of the Second Day of *May* One thouſand ſeven hundred and forty-eight, the Principal Sum of One hundred and thirteen Pounds or thereabouts, with about Two Years Intereſt thereon: And whereas by Indenture of Feoffment with Livery of Seiſin endorſed, dated the Sixth Day of *October* One thouſand ſeven hundred and eighty-ſeven, and made between *John Lever*, *James Tyrer*, and *John Bent*, of the One Part, and the Reverend *James Barton* Clerk, *Robert Morris* Gentlemen, *John Blinkhorn* Timber Merchant, *John Walmſley* Eſquire, *John Hodſon* Merchant, *William Clayton* Eſquire, *Thomas Barton* Merchant, *Henry Unſworth* Clerk, *John Vauſe* the younger, Gentleman, *Robert Latham* Clerk, and the ſeveral other Perſons therein named, of the other or Second Part; the ſaid *John Lever*, *James Tyrer*, and *John Bent*, in purſuance and Performance of the Truſt repoſed or veſted in them, did grant, enfeoff, and confirm unto the ſaid Parties thereto of the Second Part, therein named as Truſtees, and their Heirs for ever, the ſaid Free Grammar School, Yard, Meſſuages, Lands, Tenements, Annuities of Twenty Pounds, and Six Pounds Thirteen Shillings and Four-pence, and other Hereditaments comprized in the aforeſaid ſeveral Indentures or Deeds, upon Truſt and Confidence, and to the only Uſes, Intents and Purpoſes mentioned in the aforeſaid Indenture of the Firſt Day of *February*, in the Sixteenth Year of the Reign of King *Charles* the Second: And whereas the Statutes of the ſaid School, made formerly by the Truſtees thereof, require that the *Greek* and *Latin* Languages ſhall be taught in the ſaid School: And whereas the clear Revenue of the ſaid School, after Payment of Intereſt on the ſaid Mortgage Money, and allowing for Taxes, Repairs, and other Outgoings, amounts upon an Average to no more than the Sum of One hundred and twenty-five Pounds or thereabouts, as appears by the Third Schedule to this Act, excluſive of a Dwelling Houſe and Gardens and their Appurtenances ſituate on the eaſtwardly Side of the *Mill Gate Street* in *Wigan* aforeſaid, late in the actual Poſſeſſion of the Reverend *John Croudſon* late Maſter of the ſaid School, and of *Edward Glaſsbrook* his Tenant, of the clear yearly Rents of Twenty-nine Pounds Four Shillings or thereabouts,

Indenture, 6 October 1787.

abouts, which ſame Premiſes have been for many Years enjoyed or the Rents thereof received by the Schoolmaſter of the ſaid School for the Time being, and applied to his own Uſe and Benefit; but the ſaid Dwelling Houſe, Gardens and Appurtenances, are not comprized in the aforeſaid Indentures, or any of them, and the Income ſo ariſing will not afford Salaries to the Maſter and Uſher ſufficient to induce Men of claſſical Abilities to accept thoſe Offices: And whereas the Reverend *Henry Johnſon* has been lately elected Head Maſter of the ſaid School, with a Salary of One hundred Pounds *per Annum*: And whereas the Truſtees of the ſaid School have not been able to obtain an Uſher of the ſaid School with the Qualifications required by the Statutes for the laſt Two Years, owing as it is preſumed to the ſmall Salary that could be afforded from the Revenue of the ſaid School, and the ſaid School is now without an Uſher: And whereas the ſaid ſeveral Meſſuages, Lands, Tenements and Hereditaments in *Aſpull* aforeſaid might be ſold to very great Advantage, and it is expected that the Revenue of the ſaid School might be conſiderably increaſed if ſuch Sale were to be made, and the Purchaſe Monies inveſted in another Eſtate or Eſtates to be ſettled in lieu thereof, and upon the ſame Truſts; and alſo, if the like Power of ſelling and inveſting in a new Purchaſe were given with reſpect to the aforeſaid Cloſes or Pieces of Land in *Wigan* and *Wigan Woodhouſes*, or one of them, and the Monies to ariſe by Sale thereof, or that Power was given to grant Leaſes of the ſame Cloſes or Pieces of Land for Nine hundred and ninety-nine Years, or for ſome other long Term, without taking any Fine or Foregift, and it would alſo tend to the Benefit of the Schoolmaſter for the Time being, if the ſaid Dwelling Houſe and Gardens herein-before mentioned to be ſituate on the eaſtwardly Side of the *Millgate Street* in *Wigan* aforeſaid and their Appurtenances, which are greatly out of Repair, were alſo ſold, and the clear Monies laid out in the Purchaſe of Land to be ſettled in Truſt for the Schoolmaſter of the ſaid School for the Time being; which ſaid Meſſuages, Lands, Tenements and Hereditaments in *Aſpull*, and the ſaid Cloſes or Pieces of Land in *Wigan* and *Wigan Woodhouſes*, and the ſaid Dwelling Houſe and Gardens belonging to the Maſter of the ſaid School, and the yearly Rents thereof reſpectively, are particularly ſpecified and ſet forth in the Firſt Schedule to this Act; and the Reſidue of the Meſſuages, Lands, Tenements, and Hereditaments belonging to the ſaid School, and the yearly Rents of ſuch Parts thereof as are let to Tenants, are particularly mentioned and ſet forth in the Second Schedule to this Act: And whereas in caſe ſuch Powers as aforeſaid were given, the Revenue of the ſaid School might be ſo much increaſed as to afford adequate Salaries for the Head Maſter and Under Maſter or Uſher: And whereas it is preſumed that the ſaid Foundation will be much improved and become of general Benefit, if certain Perſons were incorporated as Governors of the ſaid School, and of the Lands, Revenues, Monies and Goods belonging to the ſame, with Power of electing future Governors, and to appoint ſuch or ſo many Perſons as ſhall be proper and neceſſary to be the Maſter or Maſters, and Uſher or Uſhers, with ſuitable Salaries to be paid out of the Revenues of the ſaid School, according to the Amount for the Time being of ſuch Revenue, to teach and inſtruct the Children and Youth there educated not only in Grammar and claſſical Learning, but alſo in the modern Languages, Writing, Arithmetic, Geography, and Mathematics, and other Branches of Literature and Education; and that the Duties and Functions of the Maſter

Master and Ushers will be more likely to be effectually performed, if the Governors were empowered to remove and displace any of the Masters or Ushers for Immorality, Incapacity, wilful Neglect of Duty, or any other just or reasonable Cause; and if, besides effectuating the several other Purposes aforesaid, the Governors of the said School were invested with such other Powers from Time to Time as may be deemed reasonable and proper; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said present School shall be and is hereby declared to be, and at all Times hereafter shall be deemed and taken to be, and shall be called and known by the Name of *The Free Grammar School of the Borough of* Wigan, *in the County Palatine of* Lancaster. Description of the Free Grammar School of Wigan.

II. And be it further enacted, That the Mayor of the Borough of *Wigan* for the Time being for ever, and also the aforesaid *James Barton*, *John Blinkhorn*, *John Walmsley*, *John Hodson*, *William Clayton*, *Thomas Barton*, *Henry Unsworth*, *John Vause*, and *Robert Latham*, which last named Nine Persons are the present Feoffees and Trustees of the said School, and are also Aldermen or Burgesses of the said Borough, shall from henceforth be Governors of the said School, and Feoffees and Trustees of the Messuages, Lands, Rents, Hereditaments, Goods, Monies and Revenues thereof; and that from henceforth the Governors of the said School for the Time being and their Successors shall from Time to Time, and at all Times, be a Body Corporate and Politic for ever, to continue by the Name of *The Governors of the Free Grammar School of the Borough of* Wigan, *in the County Palatine of* Lancaster, and by that Name shall have perpetual Succession and a Common Seal, and also by that Name shall and may sue and be sued in all Courts and Places within this Realm, and shall and may do all other Matters and Things whatsoever in as full and ample Manner and Form, to all Intents and Purposes, as any other Body or Bodies Politic or Corporate within this Realm can or may as such lawfully do. Governors incorporated.

III. And whereas it may be found expedient that the Number of the Governors of the said School should be increased, be it therefore further enacted, That at a Meeting to be held within One Year from the passing of this Act, according to the Directions herein-after contained, it shall and may be lawful to and for the Mayor of the said Borough of *Wigan* for the Time being, and the major Part of the said Nine other Governors of the said School herein-before appointed, or of such of them as shall be living and present at such Meeting, to nominate so many Aldermen and Burgesses, or Aldermen or Burgesses of the said Borough, to be Governors of the said School, and Feoffees and Trustees of the Messuages, Lands, Rents, Hereditaments, Goods, Money, and Revenues thereof, as shall, with such Mayor and the surviving Governors of the said School, make up the Number of Governors of the said School Fifteen; and that the Mayor of the said Borough for the Time being for ever, and the same surviving Governors, and the other Governors to be nominated as last-mentioned, and their Successors, shall from thenceforth for ever Number of Governors may be increased.

be Governors of the ſaid School; and Feoffees and Truſtees of the Meſſuages, Lands, Rents, Hereditaments, Goods, Monies and Revenues thereof.

Election of Governors on Vacancies.

IV. And be it further enacted, That when and as often as one or more of the Governors ſhall die, it ſhall and may be lawful for the ſurviving or continuing Governors, or the major Part of them, or of ſuch of them as ſhall be preſent at any ſuch Meeting as next herein-after mentioned, and they are hereby required, at the Firſt Annual Meeting of the ſaid Governors, after the happening of ſuch Vacancy, to appoint ſome other fit Perſon or Perſons to be Governor or Governors in the Place of ſuch Governor or Governors ſo dying.

Qualification of Governors.

V. Provided always, and be it further enacted, That no Perſon ſhall be choſen a Governor of the ſaid School unleſs he ſhall be an Alderman or Burgeſs of the ſaid Borough, and ſhall be a Member of the Church of *England*, and not of any other Church, Chapel, or Place, or holding or profeſſing any other Tenets or Doctrinal Articles than thoſe held and profeſſed by the Church of *England* as by Law eſtabliſhed.

The School Eſtates veſted in the Governors.

VI. And be it further enacted, That all and ſingular the ſaid Meſſuages, Lands, Tenements, Rents, and Hereditaments comprized in the ſeveral herein-before recited Indentures, and all and ſingular other the Meſſuages, Lands, Tenements, Rents, and Hereditaments, Securities, Monies, Books, Goods, Matters and Things now belonging to the ſaid Free Grammar School of and for the Borough of *Wigan* aforeſaid, by virtue of the ſaid herein-before mentioned or recited Indentures, or otherwiſe howſoever, whether the ſame belonged originally to the Old School of *Wigan* aforeſaid and the Truſtees thereof, or to the ſaid New School, or the Truſtees thereof, and alſo the ſaid Dwelling Houſe with the Gardens and Appurtenances thereto belonging, herein-before mentioned to be ſituate on the Eaſtwardly Side of the *Millgate Street* in *Wigan* aforeſaid, ſhall be and the ſame are hereby (according to all ſuch Right, Title, Eſtate, Truſt and Intereſt as they the ſaid preſent Feoffees and Truſtees, or the ſaid preſent Head Maſter, or any other Perſon or Perſons in Truſt for them or him, or his Succeſſors, or for the ſaid School, hath or have or ought to have therein reſpectively), from and immediately after the paſſing of this Act, veſted in the ſaid Governors of the ſaid preſent School hereby appointed as aforeſaid, and their Succeſſors; and in caſe of an Appointment of Five or more other Governors being ſo made within One Year as aforeſaid, then and in ſuch Caſe, and from thenceforth in ſuch Five or more Governors ſo to be appointed, and the other Governors for the Time being and their Succeſſors, as Governors of the Free Grammar School of the ſaid Borough of *Wigan*, and that the ſaid Governors reſpectively, and their Succeſſors, ſhall and may hold the ſame, and alſo all other Meſſuages, Lands, Tenements, Rectories, Tythes, and other Hereditaments whatſoever, hereafter to be granted, releaſed, or conveyed to the Governors of the ſaid School, and their Succeſſors, for the Benefit of the ſaid School, upon ſuch and the ſame Truſts as in and by the ſaid herein-before mentioned or recited Indenture of the Firſt Day of *February*, in the Sixteenth Year of the Reign of King *Charles* the Second,

and alſo by this Act, are mentioned, expreſſed, and declared; and that not only the ſaid Eſtates hereby veſted in the ſaid Governors, and thoſe which may be ſo hereafter conveyed to them, but alſo the Eſtates hereinafter authorized to be purchaſed or taken in Exchange ſhall be held and enjoyed by the ſaid Governors and their Succeſſors, without any Licence or Writ of *Ad quod damnum*, the Statute of Mortmain, or any other Statute or Law to the contrary notwithſtanding.

Power to ſell Part of the Eſtates.

VII. And be it further enacted, That it ſhall and may be lawful to and for the Governors of the ſaid School or their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held in purſuance of this Act, and they are hereby empowered at any Time or Times hereafter, to make Sale and diſpoſe of and convey the aforeſaid Meſſuages, Lands, Tenements, and Hereditaments ſituate in *Aſpull* aforeſaid, and alſo all or any of the Cloſes and Parcels of Land in *Wigan* and *Wigan Woodhouſes* aforeſaid, or one of them, and alſo the aforeſaid Dwelling Houſe and Gardens herein-before mentioned to be ſituate on the Eaſtwardly Side of the *Millgate Street* in *Wigan* aforeſaid, with their and every of their Rights, Members and Appurtenances, (all which ſaid Premiſes next before mentioned to be ſituate in *Aſpull* and *Wigan* and *Wigan Woodhouſes* are particularly deſcribed in the Firſt Schedule to this Act), and the Fee Simple thereof, either entirely or in Parcels, and by public Sale or private Contract, unto any Perſon or Perſons who ſhall be willing to become the Purchaſer or Purchaſers thereof, for ſuch Price or Prices as can reaſonably be obtained or gotten for the ſame; and upon Payment of the Monies for which the ſame Premiſes or any Part or Parts thereof ſhall be ſold into the Bank of *England*, in the Manner herein-after directed, then to convey and aſſure the ſame unto and to the Uſe of the Purchaſer or Purchaſers thereof, and his, her, or their Heirs and Aſſigns reſpectively, or as he, ſhe, or they ſhall direct or appoint.

Purchaſe Money to be paid into the Bank.

VIII. And be it further enacted, That all and every Perſon and Perſons who ſhall or may become the Purchaſer or Purchaſers of all or any Part of the ſaid Meſſuages, Lands, Tenements and Hereditaments, hereby authorized to be ſold as aforeſaid, ſhall pay his, her, or their Purchaſe Monies 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 Purchaſers of the Eſtates of the Governors of the Free Grammar School of the Borough of *Wigan*, purſuant to the Method preſcribed by the Act of the Twelfth Year of the Reign of his late Majeſty King *George* the Firſt, Chapter the Thirty-ſecond, and the general Rules and Orders of the ſaid Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter Twenty-four, and that the Certificate and Certificates to be given by the ſaid Accountant General of the ſaid Court, together with the Receipt and Receipts of one of the Caſhiers of the Bank of *England*, to be thereto annexed and therewith filed in the Regiſter Office of that Court, of the Payment of the ſame into the Bank, ſhall from Time to Time, and at all Times thereafter be a good and effectual Diſcharge or Diſcharges to ſuch Purchaſer or Purchaſers, and to his, her, and their Heirs and Aſſigns, for ſo much of the ſaid Purchaſe Monies

for

for which ſuch Certificate or Certificates, and Receipt or Receipts ſhall be reſpectively given; and that after the filing of ſuch Certificate or Certificates, and Receipt or Receipts as aforeſaid, ſuch Purchaſer or Purchaſers, and his, her, and their reſpective Heirs and Aſſigns, ſhall be and is and are hereby abſolutely acquitted and diſcharged of and from the ſame, and every Part thereof, and he, they, or any of them ſhall not afterwards be anſwerable or accountable for any Loſs, Miſapplication or Non-application of the ſame or any Part or Parts thereof.

Coſts to be paid out of Purchaſe Monies.

IX. And be it further enacted, That out of the Monies to ariſe from the Sale of the ſaid Premiſes as aforeſaid, all the Coſts, Charges and Expences preparatory to and attending the applying for and obtaining and paſſing of this Act, and alſo the Coſts, Charges, and Expences incident to and attending the Sale and Diſpoſition of the ſaid Meſſuages, Lands, Tenements, and Hereditaments hereby authorized to be ſold as aforeſaid, or any Part thereof, and all other reaſonable Coſts, Charges and Expences incident to the Execution of the Truſts hereby repoſed in the ſame Truſtees reſpectively concerning the ſaid Premiſes hereby authorized to be ſold, ſhall be in the firſt Place paid and ſatisfied; and in the next Place the ſaid Principal Sum of One hundred and thirteen Pounds, due and owing on the ſaid Mortgage of the Second Day of *May* One thouſand ſeven hundred and forty-eight, ſhall be paid; and that the Reſidue of the Monies to ariſe by ſuch Sale or Sales of the ſaid Premiſes as aforeſaid, after making the ſeveral Payments aforeſaid, ſhall, with all convenient Speed, with the Conſent of the Governors of the ſaid School, or their Succeſſors, or the major Part of the Governors preſent at a Meeting to be held as aforeſaid, be laid out and inveſted, under and ſubject to the Direction of His Majeſty's High Court of Chancery, in purſuance of an Order or Orders for that Purpoſe, to be obtained upon Motion or Petition in a ſummary Way, in the Purchaſe of Freehold Manors, Meſſuages, Farms, Lands, Tenements, or Hereditaments in the Counties of *Lancaſter* and *Cheſter*, or one of them, of a clear and indefeaſible Eſtate of Inheritance in Fee Simple in Poſſeſſion, and of ſuch Copyhold Meſſuages, Lands, Tenements, and Hereditaments as ſhall happen to be intermixed therewith or be contiguous thereto, and ſhall not exceed in Value One Sixth Part of the Freehold Premiſes ſo to be purchaſed, free from all Incumbrances (except Quit Rents, Fee Farm Rents, or other uſual Outgoings or Payments); and that all and ſingular the Meſſuages, Farms, Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed as aforeſaid, ſhall be conveyed, ſettled, limited, and aſſured to and to the Uſe of the Governors of the ſaid School, and their Succeſſors for ever, upon the Truſts and for the Intents and Purpoſes following; (that is to ſay), as to the Premiſes to be purchaſed with the Monies to ariſe by Sale of the ſaid Meſſuages, Lands, Tenements, and Hereditaments in *Aſpull* and *Wigan* and *Wigan Woodhouſes* aforeſaid, other than the ſaid Dwelling Houſe and Gardens on the Eaſtwardly Side of the *Millgate Street* aforeſaid, upon ſuch Truſts, and to and for ſuch Ends, Intents, and Purpoſes, as in and by the aforeſaid recited Indenture of the Firſt Day of *February* in the Sixteenth Year of the Reign of King *Charles* the Second, and this Act, are mentioned, expreſſed and declared of and concerning the Hereditaments in that Indenture comprized, and as to, for, and concerning the Hereditaments to be purchaſed with the clear Monies ariſing from the Sale

Sale of the ſaid Dwelling Houſe and the Gardens and Appurtenances here-in-before mentioned to be ſituate on the Eaſtwardly Side of the *Millgate Street* in *Wigan* aforeſaid, in Truſt for, and that the Rents and Profits thereof may at all Times hereafter be received by the Head Schoolmaſter of the ſaid School for the Time being, and his Succeſſors for ever.

Till Purchaſe made the clear Surplus Monies to be inveſted in Navy, Victualling, or Exchequer Bills.

X. And be it further enacted and declared, That after Payment of the aforeſaid Coſts, Charges and Expences, and until ſuch Purchaſe ſhall be made as aforeſaid, the Reſidue or Surplus of the Monies ariſing from ſuch Sale or Sales as aforeſaid, ſhall be laid out in the Purchaſe of Navy or Victualling Bills or Exchequer Bills, and the Intereſt ariſing from the Money ſo laid out in the ſaid Navy or Victualling Bills or Exchequer Bills, and the Money received for the ſame as they ſhall be reſpectively paid off by Government, ſhall be laid out in the Name of the ſaid Accountant General in the Purchaſe of other Navy or Victualling or Exchequer Bills; all which Navy and Victualling and Exchequer Bills ſhall be depoſited in the Bank in the Name of the ſaid Accountant General, and ſhall there remain until proper Purchaſes be found and approved as before directed, and until the ſame ſhall upon a Petition ſetting forth ſuch Approbation, to be preferred to the ſaid Court of Chancery in a ſummary Way by the ſaid Governors of the ſaid School or their Succeſſors, or the major Part of the Governors to be aſſembled at a Meeting as aforeſaid, be ordered to be ſold by the Accountant General, for the completing ſuch Purchaſes reſpectively, in ſuch Manner as the ſaid Court ſhall think juſt and direct: Provided always, that it ſhall and may be lawful to and for the ſaid High Court of Chancery to make an Order from Time to Time for raiſing, out of the Monies ſo paid into the Bank, or by Sale of a ſufficient Part of the ſaid Navy or Victualling or Exchequer Bills which ſhall be purchaſed as aforeſaid, or by and out of the Principal and Intereſt thereof when paid off by Government, ſo much Money as the clear yearly Income of the Truſt Eſtates of the ſaid School, and of the Head Maſter thereof for the Time being, remaining unſold, ſhall, or may happen to fall ſhort of the clear yearly Sum of One hundred and ſixty-nine Pounds and Four Shillings, being the Amount of the aforeſaid yearly Sum of One hundred Pounds for the Head Maſter's Salary, and of the aforeſaid yearly Sum of Twenty-nine Pounds and Four Shillings, the preſent clear yearly Rent of his ſaid Houſe and Gardens in *Millgate Street*, and of the yearly Sum of Forty Pounds as the Salary of the Head or only Uſher of the ſaid School; and to order ſuch Deficiency to be paid to the Governors of the ſaid School or any Three or more of them, in Truſt for the Head Maſter and Head or only Uſher of the ſaid School for the Time being, in Proportion to ſuch Deficiency of the ſaid Three laſt mentioned Sums accordingly: Provided always, that it ſhall and may be lawful to and for the ſaid High Court of Chancery from Time to Time to make an Order for taxing the Coſts, Charges and Expences herein-before authorized to be paid, and alſo the Coſts of the ſeveral Applications to be made to that Court reſpecting the Matters aforeſaid, and the Coſts of taking the ſaid Monies out of the Bank, and of inveſting ſuch Monies in a new Purchaſe or Purchaſes as aforeſaid, and for Payment of ſuch taxed Coſts out of the ſaid Monies, or out of the Monies ariſing by Sale of the Navy Victualling or Exchequer Bills ſo to be paid off as aforeſaid.

A Survey, Plan and Valuation to be made on Oath.

XI. And be it further enacted, That before any Sale, Diſpoſition or Conveyance, or any Demiſe or Leaſe, ſhall be made of any Part of the Premiſes compriſed in the Firſt Schedule to this Act, a Survey and Map thereof, and a Valuation of the actual and *bona fide* Value in Fee Simple of the Premiſes ſo to be ſold, and of the yearly Value of the Premiſes ſo to be leaſed, ſhall be made in Perſon by Two Surveyors of Experience and Repute in their Profeſſion, of ſuch Part of the Eſtate as ſhall be ſo to be ſold or let, and ſuch Surveyors ſhall ſeverally atteſt and ſign ſuch Survey and Map and Valuation, and ſuch Survey, Map and Valuation, and alſo the Oath herein-after mentioned, ſhall be produced to the ſaid Governors of the ſaid School for the Time being, or the major Part of ſuch of them as ſhall be aſſembled at ſome Meeting to be held under this Act, before ſuch reſpective Sales, Diſpoſitions or Demiſes ſhall take Place.

Surveyor's Oath.

XII. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Surveyor for the making of ſuch Survey, Map and Valuation, until he ſhall have taken and ſubſcribed an Oath or Affirmation in the following Form of Words; (that is to ſay),

'I do ſwear, [*or*, being one of the People called *Quakers*, do ſolemnly affirm] That I will faithfully, impartially and honeſtly, according to the beſt of my Skill and Ability, execute and perform the Duties incumbent on me as Surveyor for the Purpoſes of an Act paſſed in the Fifty-ſecond Year of the Reign of King *George* the Third, intituled *An Act for incorporating the Governors of the Free Grammar School of the Borough of* Wigan, *in the County Palatine of* Lancaſter, *and for enlarging the Truſts and Powers of the ſaid Governors for the Benefit of the ſaid School*, and without Favour or Affection, or Prejudice or Malice to any Perſon or Perſons whomſoever. 'So help me GOD.'

And which Oath or Affirmation it ſhall and may be lawful for the Mayor of the ſaid Borough of *Wigan*, or any Juſtice of the Peace of the ſaid Borough, or of the ſaid County Palatine of *Lancaſter*, to adminiſter, and ſuch Oath or Affirmation, ſo ſubſcribed, ſhall be annexed to the ſaid Survey, Map and Valuation; and an Entry ſhall be made in a Book to be kept by the Agent of the ſaid Governors for the Time being of ſuch Valuation on Oath, and of ſuch Oath having been ſo made as aforeſaid; and a true Copy thereof ſhall and may be received in Evidence before any Court or Magiſtrate taking Cognizance of the ſame.

Till certain Eſtates ſhall be ſold, the Head Maſter of the School to receive the Rents and Profits.

XIII. Provided always, and be it further enacted, That in the mean Time and until the ſaid Dwelling Houſe and Gardens herein-before mentioned to be ſituate on the Eaſtwardly Side of the *Millgate Street* in *Wigan* aforeſaid and their Appurtenances hereby authorized to be ſold, ſhall be ſold in purſuance of the Truſts aforeſaid, the ſame ſhall be held and enjoyed, and the Rents, Iſſues and Profits thereof ſhall be had, received and taken by the Head Schoolmaſter of the ſaid School for the Time being and his Succeſſors, in the ſame Manner as if this Act had not been paſſed.

Power to leaſe for 999 Years.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the Governors of the ſaid School and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, and they are hereby authorized and empowered at any Time or Times hereafter, before the Sale herein-before authorized to be made

made of the ſaid Cloſes or Parcels of Land in *Wigan* and *Wigan Woodhouſes* ſhall take place, (in caſe they ſhall deem it for the Benefit of the ſaid Truſt Eſtate), by Indenture or Indentures duly executed under their Common Seal, to grant, demiſe or leaſe any Part or Parts of the ſaid Cloſes, or Pieces or Parcels of Land in *Wigan* and *Wigan Woodhouſes* aforeſaid, mentioned or deſcribed in the ſaid Firſt Schedule to this Act, unto any Perſon or Perſons who ſhall from Time to Time be willing to take the ſame upon a Building Leaſe or Building Leaſes, in ſuch Lots and Parcels as the Governors of the ſaid School for the Time being, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, ſhall from Time to Time judge proper in that Behalf, for any Term or Number of Years, not exceeding Nine hundred and ninety-nine Years in Poſſeſſion, and alſo to lay out and appropriate any Part of the Premiſes ſo to be demiſed, as and for a Way or Ways, Paſſage or Paſſages, for the Uſe and Convenience of ſuch Leſſee or Leſſees, and other the Tenants and Occupiers of the Premiſes, in ſuch Manner as ſhall be mentioned and agreed on in ſuch Leaſe or Leaſes, ſo as in and upon every ſuch Leaſe there be reſerved and made payable the beſt and moſt improved Rent or Rents that can reaſonably be had or got, without taking any Thing by Way of Fine, Premium or Foregift for the ſame, and ſo as the reſpective Leſſees execute Counterparts of their reſpective Leaſes, and thereby enter into Covenants to build and keep in Repair the Dwelling Houſes and Buildings intended and agreed to be built, and to make and repair the Ways and Paſſages to be laid out and appropriated for the Purpoſes aforeſaid, in ſuch Manner as the Governors of the ſaid School for the Time being, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, ſhall agree upon, in and by ſuch Leaſe or Leaſes, and ſo as in every ſuch Leaſe there be contained a Condition of Re-entry for Non-payment of the Rent or Rents thereby reſerved; but that it ſhall not be lawful to or for the Governors of the ſaid School or their Succeſſors, to make, and they are hereby reſtrained from making any Demiſe or Leaſe (ſave and except ſuch Building Leaſes as aforeſaid, and alſo except the leaſing by any Five or more of the Governors of the ſaid School for the Time being, for any Term or Time not exceeding Twenty-one Years in Poſſeſſion and not in Reverſion, at the beſt and moſt improved yearly Rent or Rents, without any Fine, Premium, Foregift or other Conſideration being paid or given) of any Part or Parts of the Truſt Eſtates that now are or ſhall from Time to Time be veſted in them by virtue of the ſaid herein-before mentioned or recited Indentures, or this Act; and the Head Maſter for the Time being is alſo hereby reſtrained from leaſing the Premiſes which may become veſted in him and his Succeſſors under the Truſts of this Act, for any Term or Time whatſoever not exceeding Nine Years, to take Effect in Poſſeſſion and not in Reverſion; and that all and every ſuch laſt mentioned Leaſe or Leaſes as ſhall be by them or him reſpectively made, ſhall be at the beſt and moſt improved yearly Rent that can be reaſonably had or obtained for the ſame, without any Fine, Premium or Foregift, or other Conſideration being paid or given for the making or granting any ſuch Leaſe or Leaſes.

Governors may appoint Maſters and Uſhers.

XV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Governors of the ſaid School and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, to elect, nominate and appoint ſuch or ſo many Perſon

Perſon or Perſons to be Maſter or Maſters, to teach and inſtruct the Children and Youth who ſhall be educated at the ſaid School, not only in Grammar and Claſſical Learning, but alſo in the modern Languages, Writing, Arithmetic, Geography and Mathematics, and in ſuch and ſo many other Branches of Literature and Education as ſhall from Time to Time, in the Judgement of the ſaid Governors or their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, be proper and neceſſary to render the ſaid Foundation of the moſt general Uſe and Benefit, and as the State of the Revenues of the ſaid School will admit, nevertheleſs, there ſhall be always One Head Maſter and One Uſher at leaſt; and that it ſhall and may be lawful to and for the Governors of the ſaid School and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, from Time to Time, out of the Revenues of the Eſtates, Poſſeſſions and Monies of and belonging to the ſaid School, to pay and allow to ſuch Perſon or Perſons reſpectively who ſhall be elected, nominated and appointed the Head Maſter and Uſher of the ſaid School, and to ſuch Perſon and Perſons as ſhall be nominated and appointed additional Maſter or Maſters, or Uſher or Uſhers, to teach and inſtruct the Children and Youth who ſhall be educated at the ſaid School in ſuch Branches of Literature and Education as aforeſaid, ſuch annual Stipends from Time to Time as to the ſaid Governors or their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, for the Time being, ſhall ſeem meet, ſo as the Salary of the Head Maſter of the ſaid School for the Time being be not leſs than after the Rate of One hundred Pounds *per Annum*, clear of all Deductions (except the Property Tax), and ſo as the Salary of the Head or only Uſher be not leſs than after the Rate of Forty Pounds a Year, clear of all Deductions, except the Property Tax.

Maſters and Uſhers may be removed for Immorality, &c.

XVI. And be it further enacted, That when and ſo often as in the Judgement of the Governors of the ſaid School or their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, it ſhall be thought proper and neceſſary that the Head Maſter or Uſher of the ſaid School, or any other Maſter or Maſters to be nominated and appointed as aforeſaid, ought to be removed or diſplaced by Reaſon of Immorality, Neglect of Duty, Incapacity, or other juſt or reaſonable Cauſe, it ſhall and may be lawful to and for the Governors of the ſaid School and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, from Time to Time to diſplace, remove and diſcharge any ſuch Head Maſter or Uſher, or other Maſter or Maſters, and to nominate, elect and appoint any other Perſon or Perſons, properly qualified, to ſucceed ſuch Head Maſter or Uſher, or other Maſter or Maſters, who ſhall be ſo diſplaced, removed or diſcharged as aforeſaid, which Perſon or Perſons ſo to be appointed to ſucceed ſuch Head Maſter or Uſher, or other Maſter or Maſters, ſhall be paid and allowed ſuch Salary or Salaries as the ſaid Governors or their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, ſhall think proper to appoint as aforeſaid, ſo as the Salary of ſuch Head Maſter or Uſher reſpectively be not leſs than as before mentioned, and ſo as that Three Calendar Months previous Notice in Writing under the Hands of the ſaid Governors or their Succeſſors, or any Three or more of them, ſhall be given to or left

left with or for such Head Master or Usher, so to be removed or displaced as aforesaid, at his or their then reputed Place of Abode if the same can be found, but if not, then at the then last reputed Place or Places of Abode of such Head Master or Usher as aforesaid, of the Intention of the said Governors or their Successors, or the major Part of such of them as shall be present at a Meeting to be held under this Act, to displace, remove, or discharge such Head Master or Usher before mentioned: Provided always, that in case it shall happen that any Head Master or Usher of the said School for the Time being, shall be displaced, removed, or discharged for Incapacity (through the Visitation of God), it shall and may be lawful to and for the Governors of the said School, or their Successors, or the major Part of such of them as shall be present at a Meeting to be held under this Act, from Time to Time, at their Discretion, to allow out of the Revenues of the said School, to such Head Master or Usher as aforesaid, having been such Head Master or Usher during the Term of Fifteen Years, (who shall be so displaced, removed, or discharged), during his or their natural Life or Lives, or for so long Time as the said Governors or their Successors, or the major Part of such of them as shall be present at a Meeting to be held under this Act, shall think proper, such yearly or other Sum of Money as to the said Governors or their Successors, or the major Part of such of them as shall be present at a Meeting to be held under this Act, shall seem reasonable, not exceeding in the Whole the clear yearly Sum of Fifteen Pounds to such Head Master, and the clear yearly Sum of Ten Pounds to such Usher, and so as the Salary of the succeeding Head Master, and of the Usher or Ushers for the Time being, shall not, by reason of such Allowance, be reduced to less than as before mentioned.

Allowances may be made to Masters removed for Incapacity.

XVII. Provided always, and it is hereby further enacted, That no Head Master or Usher, or any additional Master or Masters, or Usher or Ushers of the said School, to whom any Salary or Stipend shall be paid or allowed by the said Governors out of the Revenues of the said School, shall during the Time he shall so continue Head Master, Usher, or additional Master or Usher as aforesaid, teach or instruct, or accept or take any Stipend or Payment whatsoever for teaching or instructing any Person or Persons whatsoever besides the Children belonging to the Borough of *Wigan* aforesaid, without the Leave of the Governors or their Successors, or Three or more of them, first had and obtained in Writing for that Purpose, and that the Head Master or Usher, or additional Master or Masters, or Usher or Ushers to be chosen and appointed to the said School from Time to Time, or any of them, shall not be or officiate as Curate or Lecturer of, in or to the Parish Church of *Wigan* aforesaid, at any Time or Times whilst he or they shall respectively be or continue such Head Master or Usher, or additional Master or Masters as aforesaid, at or in the said Grammar School, and that he, they, or any of them shall not at any Time or Times whilst he or they shall remain, continue, or be such Head Master or Usher, or such additional Master or Masters or Usher or Ushers of or at the said School, do or perform any clerical or official Duty at or in any Church or Churches whatsoever, within or during the usual Hour or Hours used or to be appointed by the said Governors or their Successors, for teaching at the said School, at any Time or Times whatsoever, without the Leave of the said Governors of the said School, or the major Part of such of them as shall be assembled at a Meeting holden under the Authority of this Act, first had and obtained in Writing for that Purpose.

Masters not to teach for Pay any Children belonging to Wigan.

That Under-Maſters ſhall be under the Controul of the Upper Maſters.

XVIII. Provided always, and be it further enacted, That the Under Maſter or Under Maſters, and the Uſher or Uſhers of the ſaid School for the Time being, ſhall be under the Direction of the Head Maſter of the ſaid School, with regard to the Children and Youth to be by him or them taught and inſtructed, and as to the Ways and Methods of teaching, inſtructing, and ordering all ſuch Children and Youth as ſhall be by the ſaid Head Maſter from Time to Time put under the Care, Inſtruction, and Management of the ſaid Under Maſter or Under Maſters, Uſher or Uſhers, and which ſuch Head Maſter for the Time being is hereby declared to have a Power to do, order, and direct in that Behalf, ſubject nevertheleſs to ſuch Alterations, Regulations, Rules, Orders, and Directions as ſhall be made and given to the ſaid Head Maſter, Under Maſter or Under Maſters, and Uſher or Uſhers, or any of them, in that Reſpect, by the ſaid Governors or their Succeſſors.

Appointment of Officers and Receivers.

XIX. And be it further enacted, That it ſhall and may be lawful to and for the Governors of the ſaid School and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, to lay out, expend, and employ ſo much and ſuch Part of the Rents and Profits of the ſaid Truſt Eſtates, Monies, and Revenues (except of the Premiſes belonging excluſively to the Head Maſter of the ſaid School for the Time being), as they ſhall from Time to Time deem neceſſary or expedient for the Support and Improvement of the ſame Eſtate and Revenues, and alſo by Writing under their Common Seal, to appoint an Agent or Receiver of the Rents, Profits, and Intereſt of the ſaid Truſt Eſtates, Monies, and Effects, (except as aforeſaid), and to allow ſuch Agent or Receiver, out of the Revenues of the ſaid School, ſuch yearly Salary for his Trouble as the ſaid Governors ſhall think reaſonable and proper, ſo as the ſame exceed not the Sum of One Shilling in the Pound of ſuch clear Rents and Intereſt of ſuch Truſt Eſtate, and Monies as ſuch Agent or Receiver ſhall yearly receive, and ſo as the reſpective Salaries of the Head Maſter and Under Maſter or Uſher of the ſaid School, be not thereby reduced to leſs than as before mentioned; and that it ſhall and may be lawful for the ſaid Governors and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, from Time to Time, at Pleaſure, to diſplace ſuch Agent or Receiver, and to appoint another inſtead of the Perſon ſo diſplaced.

Governors may appoint a Treaſurer, and may alſo remove him.

XX. Provided always, and it is hereby further enacted, That it ſhall and may be lawful to and for the Governors of the ſaid School for the Time being and their Succeſſors, or the major Part of ſuch of them as ſhall be aſſembled at a Meeting to be held in purſuance of this Act, by Writing under their Hands from Time to Time to elect from among the Governors of the ſaid School for the Time being, ſome Perſon to act as their Treaſurer; and alſo that it ſhall be lawful for the Governors of the ſaid School for the Time being and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, from Time to Time to remove any ſuch Treaſurer and to appoint another in his ſtead, as often as to them ſhall ſeem meet, but ſuch Treaſurer is not in any Caſe to receive or to be paid any Compenſation or Reward for his Trouble for being ſuch Treaſurer as aforeſaid.

Receiver to give Security.

XXI. And be it further enacted, That from Time to Time the Governors of the ſaid School for the Time being, or any Five or more of them,

them, ſhall and they are hereby authorized and required to take ſuch ample Security or Securities, as to ſuch Governors or any Five or more of them ſhall ſeem meet, from the Agent or Receiver for the Time being of the Rents, Profits, and Intereſt of the ſaid Truſt Eſtates, Monies, and Effects, and alſo from the Treaſurer for the Time being to be appointed under this Act, for the due Execution of their ſaid ſeveral Offices, and for the accounting for, applying, and diſpoſing of all Monies, Goods, and Effects (which ſhall belong to the Truſt Premiſes, and ſhall be received or come to their Hands reſpectively), as the Governors of the ſaid School, or the major Part of ſuch of them as ſhall be preſent at any Meeting to be held under this Act, ſhall order or direct.

Maſters to give up Poſſeſſion of School Houſe.

XXII. And be it further enacted, That in caſe the Head Maſter or Uſher of the ſaid School, or any other Maſter or Maſters or Uſher or Uſhers, to be appointed as aforeſaid (who ſhall be diſcharged as aforeſaid) ſhall, at the Time of ſuch Diſcharge, be in the Poſſeſſion of the ſaid School or any of the Rooms belonging thereto, or any other Room or Rooms already or hereafter to be erected or uſed as an Addition or Additions to the ſaid School, or which is, are, or ſhall be occupied therewith, or ſhall inhabit any of the Meſſuages or Dwelling Houſes belonging to the ſaid School, or Truſt Premiſes, or ſhall be in the Poſſeſſion thereof, or of any Buildings, Land, or Ground belonging thereto or to the ſaid School, or of any Meſſuages or Lands ſettled upon the Schoolmaſter of the ſaid School for the Time being, and ſhall refuſe to deliver up Poſſeſſion of the ſaid Premiſes or any Part thereof reſpectively to the ſaid Governors, or to ſuch Perſon or Perſons as they or their Succeſſors ſhall appoint and direct to receive the ſame, Three Calendar Months Notice to quit the ſame Premiſes having been firſt given to him or them, or left at his or their then or laſt Place of Abode, under the Hands of the ſaid Governors or their Succeſſors, or any Three or more of them, it ſhall and may be lawful to and for Two or more of the Juſtices of the Peace in and for the ſaid County of *Lancaſter*, upon the Complaint and at the Requeſt of the ſaid Governors, or any Five or more of them, or their Agent or Receiver for the Time being, to enter into and upon the Premiſes of which Poſſeſſion ſhall be ſo refuſed to be delivered as aforeſaid, and to put the ſaid Governors or their Succeſſors, or ſuch other Perſon or Perſons as they ſhall direct and appoint as aforeſaid, into Poſſeſſion of the ſame Premiſes reſpectively, of which Poſſeſſion ſhall be ſo withheld as aforeſaid.

Governors to make Statutes and Bye Laws.

XXIII. And be it further enacted, That it ſhall and may be lawful to and for the Governors of the ſaid School and their Succeſſors, or the major Part of ſuch of them as ſhall be preſent at a Meeting to be held under this Act, from Time to Time to make fit and wholeſome Statutes and Ordinances in Writing, touching and concerning the ordering and directing of the Head Maſter and other Maſter or Maſters, and Uſher or Uſhers, and the Scholars of the ſaid School for the Time being, and alſo touching and concerning the Stipend and Salaries of the ſaid Maſter and Uſher, and additional Maſter and Maſters, and Uſher or Uſhers, appointed and to be appointed to the ſame School, and the ordering and governing, Preſervation and Diſpoſition of the Eſtates, Rents, Monies and Revenues, and ſuſtaining of the ſame School, and the repairing, improving, managing, and directing of the ſaid Truſt Eſtates and Premiſes, and touching and concerning all other Matters whatſoever for the Regulation and Management of the ſaid School, School Eſtates and Truſt Premiſes, and relating thereto,

thereto, all which Statutes and Ordinances, not being contrary to the Proviſions in this Act, or the Laws of that Part of the United Kingdom called *England*, ſhall be binding to and upon and obſerved by all Perſons, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame.

Proceedings of the Governors to be entered in Books.

XXIV. And be it further enacted, That all Orders and Proceedings of the Governors of the ſaid School ſhall be made and entered in a Book or Books to be kept for that Purpoſe by their Agent, and ſigned by the major Part of the Governors preſent at the Meetings at which ſuch Orders or Proceedings ſhall be had or made, which ſaid Book and Books ſhall and may be produced and read in Evidence in all Courts whatſoever.

All the Buſineſs of the School to be done at regular Meeting of Governors.

XXV. And be it further enacted, That no Buſineſs in anywiſe relating to the ſaid School or Truſt Premiſes, or any Act, Matter, or Thing under or by virtue of this Act, ſhall be tranſacted or done by the Governors of the ſaid School, or their Succeſſors, except at a Meeting at which at leaſt Five Governors ſhall be preſent (ſave in the Caſes otherwiſe provided for by this Act), and that the Determination and Act of the major Part of the Governors preſent at ſuch Meeting from Time to Time, ſhall be conſidered as the Determination and Act of all the Governors of the ſaid School, and ſhall be binding accordingly; and if it ſhall happen that the Governors of the ſaid School then preſent ſhall be equally divided in their Opinions upon or concerning any Matter in Queſtion, in ſuch Caſe the Mayor of the Borough of *Wigan* aforeſaid for the Time being, if preſent, but if not preſent, then the Senior Governor preſent at ſuch Meeting, or in caſe of there being no Mayor nor any Governor ſenior to the reſt preſent at ſuch Meeting, then the Chairman at ſuch Meeting ſhall determine ſuch Matter ſo in Queſtion, and ſuch Determination ſhall be conſidered and taken as the Determination of a Majority of the ſaid Governors.

Time for the Meeting of the Governors.

XXVI. And be it further enacted, That there ſhall be a Meeting of the Governors of the ſaid School once a Year; *videlicet*, on the Second *Wedneſday* in every Month of *June*, between the Hours of Ten and Twelve in the Forenoon, in the ſaid School, otherwiſe in the Old or New Town Halls in the ſaid Borough, or ſome public Place within the ſaid Borough, as the Mayor for the Time being ſhall appoint by Notice under his Hand, to be poſted on the South Door of the Pariſh Church of *Wigan*, and in Two conſpicuous Places in or near the Market-place in *Wigan* aforeſaid, on the *Sunday* next preceding any ſuch Meeting; and further, that it ſhall and may be lawful for any Mayor of the ſaid Borough of *Wigan* or any Two Governors of the ſaid School, to call and require a Meeting of the Governors of the ſaid School, by giving Notice in Writing under his or their Hand or Hands of the Day and Place when and where ſuch Meeting ſhall be held, and the Purpoſe or Purpoſes for which the ſame Meeting ſhall be held, and cauſing ſuch Notice to be poſted on the South Door of the ſaid Pariſh Church, and Twelve Copies thereof to be poſted in the ſaid Town of *Wigan* Fourteen Days at the leaſt before each ſuch Meeting; and that the Governors of the School aſſembled at any ſuch Special Meeting, or the major Part of thoſe preſent, ſhall and may from Time to Time adjourn any ſuch Meeting to ſuch Day and Time and Place as they ſhall think fit: Provided always, that all Meetings of the Governors of the ſaid School ſhall be held in the ſaid School, or in one of the ſaid Town Halls, or in ſome public

Place within the ſaid Borough, to which the ſaid Governors and every of them ſhall and may have free Acceſs; and that no Adjournment of any Meeting ſhall be made but by Three or more of the Governors of the ſaid School for the Time being, and that no Adjournment ſhall be made for leſs than Sixteen Days, and Fourteen Days Notice of the Time and Place of Adjournment ſhall be given in like Manner as for a Special Meeting of the ſaid Governors, unleſs in Caſes where an Adjournment to a ſhorter Time ſhall be required by the Majority of Governors preſent at a Meeting, conſiſting of at leaſt Five Governors.

Paying the Expences of the Act.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend, to reſtrain the Governors of the ſaid School for the Time being, from making ſuch Increaſe of the reſpective Salaries of the Head Maſter and Uſher, as the ſaid Governors of the ſaid School or their Succeſſors ſhall think proper, and as the Revenues of the ſaid School will admit.

If Proviſions of the Act ſhall hereafter be found inconvenient, Application may be made to the Court of Chancery.

XXVIII. And be it further enacted, That in caſe any Doubts, Diſputes, or Difficulties ſhall ariſe touching the Application of the Rents, Iſſues, and Profits of the ſaid Charity Eſtates, or the leaſing or improving the ſame Eſtates, or the carrying of this Act into Execution, or touching the Conſtruction of any of the Rules, Orders, and Bye Laws to be hereafter made by the Governors in purſuance or by virtue of this Act, that then and in any of the ſaid Caſes it ſhall and may be lawful to and for the ſaid Governors or their Succeſſors to prefer a Petition or Petitions from Time to Time, as Occaſion may require, to the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the Lords Commiſſioners of the Great Seal of *Great Britain*, who is and are hereby authorized, if the ſaid Court ſhall think fit, to cauſe the ſame to be heard in a ſummary Way; and ſuch Order or Orders as the High Court of Chancery ſhall think fit to make therein, or upon the Hearing thereof, ſhall be obſerved and obeyed by, and ſhall be final and concluſive to all Perſons whomſoever.

Governors anſwerable for their own Acts only.

XXIX. Provided always, and be it further enacted, That the ſaid Governors and their Succeſſors, or any of them, ſhall not be anſwerable or accountable for any Misfortune, Loſs, or Damage, which may happen in the Execution of any of the aforeſaid Truſts, or in relation thereto, unleſs the ſame ſhall happen by or through their own wilful Defaults reſpectively; and alſo that they the ſaid Governors and their Succeſſors ſhall and may, by and out of ſuch Monies as ſhall come to their reſpective Hands, by virtue of the Truſts aforeſaid, retain and reimburſe themſelves reſpectively, and pay or allow to their Co-Governors, all ſuch Coſts, Charges, Damages, and Expences, as they or any of them ſhall or may ſuffer, ſuſtain, expend, diſburſe, be at, or be put to in the Execution of the aforeſaid Truſts or in relation thereto.

General Saving.

XXX. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politic and Corporate, and his, her, and their Heirs, Succeſſors, Executors and Adminiſtrators, (other than and except ſuch Perſon or Perſons as is or are or may be ſeiſed or poſſeſſed of any Meſſuages, Lands, Tenements, or Hereditaments, or any Goods, Chattels, or Perſonal Eſtate upon the Truſts of the herein-before recited Indentures, or any of them, and his and their Heirs, Executors, and Adminiſtrators, or in Truſt for the ſaid

Free Grammar School, or the Scholars, Maſters, or Uſhers thereof, or any of them, and alſo the ſaid *Henry Johnſon*, the Head Maſter of the ſaid School, and his Heirs and Succeſſors,) all ſuch Eſtate, Right, Title, Intereſt, Claim, and Demand, of, in, to, or out of the Premiſes hereby veſted in the ſaid Governors and their Succeſſors, as he or they, or any of them, had before the paſſing of this Act, or could or might have had in caſe this Act had not been made.

Public Act. XXXI. And be it further enacted, That this Act ſhall be printed by the ſeveral Printers to the King's moſt Excellent Majeſty, duly authorized to print the Statutes of the United Kingdom, and a Copy thereof ſo printed by any of them, ſhall be admitted as Evidence thereof by all Judges, Juſtices, and others.

The FIRST SCHEDULE referred to by the foregoing Act.

		Yearly Rent. £. s. d.
No. 1.	TWO Meſſuages and Tenements, and the Lands and Hereditaments thereunto belonging, called Blackſhaye or Backſhaye, ſituate and lying in Aſpull, in the County of Lancaſter, containing Fifteen Acres Three Roods and Seven Perches, or thereabouts, after Eight Yards to the Perch, and in the ſeveral Occupations of Robert Longworth and William Fell, and all Appurtenances to the Premiſes belonging, let at the clear yearly Rent of Thirty-eight Pounds - - - - - -	38 0 0
No. 2.	Two Cloſes or Parcels of Land in Wigan and Wigan Woodhouſes (or One of them) in the County of Lancaſter, called the White Rydeings or Browne Meadows, containing Three Acres, or thereabouts, after Eight Yards to the Perch, and in the Occupation of James Tyldeſley, with the Appurtenances, let at the clear yearly Rent of Twenty-eight Pounds - - - - - -	28 0 0
No. 3.	A Plot, Croft or Parcel of Land lying in Wigan aforeſaid, on the Eaſtwardly Side of or abutting to a certain Highway there, called Scholefield Lane, and containing Half an Acre, or thereabouts, after Eight Yards to the Perch, with the Appurtenances, now untenanted - - - - -	
No. 4.	A Meſſuage and Gardens ſituate on the Eaſtwardly Side of the Millgate Street in Wigan aforeſaid, late in the actual Poſſeſſion of the Reverend John Croudſon, deceaſed, and his Tenant Edward Glaſsbrook, and the Appurtenances, let at the clear yearly Rent of Twenty-nine Pounds and Four Shillings - - - - -	

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The SECOND SCHEDULE referred to by the foregoing Act.

	Yearly Rent. £. s. d.
THE New School built on part of Cockerham's Croft in Wigan, and the School Yard or Croft belonging thereto - - - - - -	
A Cottage, with the Appurtenances, ſituate in Scholefield Lane in Wigan, in Poſſeſſion of Bryan Aſhton -	4 4 0
A Cottage, with the Appurtenances, ſituate in Scholefield Lane aforeſaid, in Poſſeſſion of Chriſtopher Santers -	4 4 0
A Cottage, with the Appurtenances, ſituate in Scholefield Lane aforeſaid, in Poſſeſſion of Catharine Heys -	5 5 0
A Houſe, Outbuildings, and Garden, with the Appurtenances, ſituate in the Millgate Street in Wigan, in Poſſeſſion of James Tyldeſley - - - -	12 0 0
A Houſe, with the Appurtenances, ſituate in Millgate Street aforeſaid, in Poſſeſſion of Ralph Tipping - -	6 16 6
A Cottage, with the Appurtenances, ſituate in ſaid Millgate Street, in Poſſeſſion of Thomas Fairhurſt - -	4 4 0
A Cottage, with the Appurtenances, ſituate in ſaid Millgate Street, now or late in Poſſeſſion of Edward Gilbert -	6 16 6
A Shop in ſaid Millgate Street, in Poſſeſſion of Richard Hibbert - - - - - -	2 2 0
A Cottage, with the Appurtenances, in ſaid Millgate Street, in Poſſeſſion of Jane Swift - - -	5 5 0
A Cottage, with the Appurtenances, ſituate at School Common in Wigan, in Poſſeſſion of Edward Glaſsbrook or his Undertenant - - - - -	6 0 0
A Yearly Rent Charge on a Meſſuage in Thames Street and Mincing Lane, London - - - -	20 0 0
A Yearly Rent Charge on Ackhurſt Eſtate in Orrell, in the County of Lancaſter - - - -	6 13 4
	83 10 4

Wm CLAYTON.

The

The THIRD SCHEDULE referred to by the foregoing Act.

		£. s. d.
Amount of the First Schedule to N° 1. - - - £38 0 0 N° 2. - - - £28 0 0		66 0 0
Amount of the Second Schedule - - - -		83 10 4
		149 10 4
Annual Deductions:		
The Interest on £113. due on Mortgage, after deducting Property Tax - -	£ 5 0 0	
For Repairs of Cottages, Houses and Buildings, about - -	5 0 0	
The Property Duty estimated on £149. 10 -	14 19 0	
		24 19 0
	£.	124 11 4

Wm CLAYTON.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1812.