

Briington Chapel.

Darlington }
vs }
Lowe & Co }

Arrangement.

Judgment signed pursuant
of appearance 14 Dec 18.

Messrs Lewis Darbishire & Cunliffe.

Rivington

August 1860

Gentlemen,

Darbishire

v. Lowe and others.

Injunction

Co from mem
in R. S. S. hand, writing by him.

as all the premises in dispute in this action till 12th of May 1861.

for which occupation we are willing to pay rent at the rate of thirty pounds per annum from 12th of May last, we will at once withdraw our appearance and allow you to sign judgment against us in this action. We will pay your costs, and are much obliged by your kind offer to charge only expenses and agents charges. We promise quietly to quit the premises on the said 12th of May next and in the meantime will according to our duty as tenants keep the same in proper repair and will so leave them.

We are, Gentlemen

Your obedient Servants,

Rd Brownlow Esq.
Solicitor General

21 Brown St. Manchester
4th Decr 1860

Dear Sir,

Darbishire vs Lowe vs

I think it is a pity that the Messrs Lowe should forget their promise to me, which I presume was made before their resolution not to sign. When I met them at their house and they sent for Mr. B. Underdon they and he and I agreed to the form of memorandum and they would have signed it as I talked it, then and there but I preferred

My return to
W. Brownlow
17 Decr.

that they should not do so without first speaking to you
They then promised to shew it you and sign it for you
to send to me.

Allow me to say as to the present position of the matter
that it is not possession that we want but a proper recognition
of the right of the landlord.

You cannot wonder, that, having had the agreement I
sent you a copy of denied, and repudiated, and having had
the above mentioned promise superseded by the one to which
you refer I feel bound to insist upon the only means left open

My demand for a written memorandum has been
made in the interest of Miss Gove and her sisters, as well
as of the trustees.

If they still refuse the benefit of such an understanding
and will withdraw their appearance so that the trustees as
landlords may enter up judgment and regain their
proper authority over the premises, and will pay rent for the
year ending May 12th 1860 at the rate of £.30 per ann. And
will pay my costs out of pocket, our "proceedings shall be
at an end; and I will arrange to have an early trustees
meeting to consider the tenancy after May 12th 60. I do
not think the trustees are likely to disturb Miss Gove - if
she will pay the same rent as other people, and conduct
herself as a tenant is bound to do

We pleased to let me have your answer at once.

I am, dear Sir

Yours truly

R. D. Darbishire.

Messrs Lewis & Co

Solrs

Manchester

Gentl^r

Gove & Co. Darbishire

The Defendants have consented to
terms of peace, on the footing of the memorandum as altered
by you (but without giving their signature thereto) and on
the faith and footing of your letter to me of the 4th inst except

that in that letter you (by mistake) speak of the year
ending May 12. 1860 which ought to be 1861

And I have accordingly, by this post, instructed my
London Agent to withdraw the appearance on the
understanding, that no execution is to issue. Therefore
let the Jury go &c

Your acknowledgment of peace will oblige.

I am, Gent^l

Yours truly,

R. Brownlow

Horwich nr Bolton

7 Decr 1860.

R^d Brownlow Esq

Sol^r

Horwich

21 Brown St. Manchester

10th Decr 1860

Dear Sir,

Darbishire v. Lowe

We have your letter of the 7th inst: informing
us that the Defts have authorized the withdrawal of their
appearance, consenting on the footing of the memorandum
as altered by us and of our Mr. Darbishire's letter of the
4th inst, corrected by writing 1861 for 1860. "executions
not to be issued."

Before we finally accede, we must beg you to send us
the original memorandum, of which we have no copy,
and to take full notice that there is no assurance as to
the future after May next in Mr. D's letter of the 4th
beyond that of an individual trustee as to his own opinion,
and lastly to understand that our present arrangement
is not to prejudice our right to enforce judgment (in case
there is any repetition of the current year's misunderstanding
on Miss Lowe's part) after the 12th of May 1861 by execution
in the usual way.

We wait your immediate reply & are dear Sir

Yours truly

Lewis Darbishire H. uncliff

P. S. We will return you the memorandum after we have
taken a copy of it. The Dpts must excuse our declining to
acknowledge it until we have seen it again: I D W.

Messrs Lewis & Co
Sols
Manchester.

Gent^l

Love abts. Derbyshire.

Your letter posted on the 10th only arrived here on
the evening of the 11th instead of morning hence this delay
Inclosed I forward you the memorandum as requested

I have also forwarded to London the usual confession
signed by the Defendants

I am Gent^l

Yours truly

R Brownlow

Notwich 19 Dec 1866