ANNO SEPTIMO

GEORGII IV. REGIS.

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C A P. XVIII.

An Act to authorize the Disposal of unnecessary Prisons in *England*. [11th *April* 1826.]

WHEREAS by an Act passed in the Fourth Year of His present Majesty's Reign, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales, Provision is made for the Sale, in certain Cases, of the Sites of old Prisons which are no longer necessary; and it is expedient to extend the same Power to Cases not therein provided for: 4 G. 4. c. 64.

Be it therefore 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 in case it shall appear to the Justices of the Peace who shall be assembled at any General or Quarter Session of the Peace to be henceforth holden for any County, Riding, or Division in *England*, that by reason of any Gaol or House of Correction for such County, Riding, or Division having been lately built or considerably enlarged, any other Gaol or Gaols, House or Houses of Correction therein hath or have or shall have become unnecessary, the said Justices, or the Justices who shall be assembled at the then next General or Quarter Session to be holden for the same County, Riding, or Division, shall order Notice to be given Three Times at least in some public Newspaper circulating in such County, Riding, or Division, that the Propriety of selling such unnecessary Gaol or Gaols,

If Justices shall consider any Gaol, &c. unnecessary, they shall order Notice to be given that the Sale thereof will be taken into consideration at the next Session; when they

may order the Sale thereof.

Gaols, House or Houses of Correction, will be taken into consideration at the next ensuing General or Quarter Sessions; and in case the Justices at such last-mentioned Session, or the Majority of them, shall resolve that such last-mentioned Gaol or Gaols, House or Houses of Correction, ought to be sold, then it shall be lawful for such Justices, and they are hereby required, to take such Measures for selling the same, together with all Outhouses, Land, and Appurtenances to the same belonging (unless they or any Part thereof shall be the Property of His Majesty, His Heirs or Successors, or of any private Individual), for the best Price or Prices that can be obtained for the same, either by public Auction or private Contract, and subject to such Conditions and in such Manner as they shall think proper.

Contracts for the Sale of Gaols, &c. entered into before the passing of this Act, may be confirmed by Justices, after Notice given in like Manner.

II. And be it further enacted, That in case any Contract shall, before the passing of this Act, have been entered into by or on behalf of the Justices of the Peace of any County, Riding, or Division in *England*, in which any Gaol or House of Correction has been lately built or considerably enlarged, for the Sale of any other Gaol or House of Correction therein, and of the Outhouses, Land, and Appurtenances thereto belonging (not being the Property of His Majesty or of any private Individual), it shall be lawful for the Justices who shall be assembled at any General or Quarter Session of the Peace to be henceforth holden for such County, Riding, or Division, to order Notice to be given, in the Manner herein-before directed, that the Propriety of confirming and completing such Contract will be taken into consideration at the next ensuing General or Quarter Session; and in case the Justices at such last-mentioned Session, or the Majority of them, shall resolve that the Contract so entered into ought to be confirmed and completed, either with or without any Modification of the Conditions thereof, then it shall be lawful for such Justices, and they are hereby required, to order that such Contract be confirmed and completed accordingly.

Prison, when sold, to be conveyed by the Trustees, &c. to the Purchaser; and such Conveyance shall give a valid Title.

III. And be it further enacted, That whenever a Sale of any Gaol or House of Correction shall be made, or the Contract heretofore entered into for any such Sale shall be ordered to be confirmed and completed, pursuant to the Directions in this Act contained, and the Purchase Money for the same paid to the Treasurer of the County, Riding, or Division hereby authorized to dispose thereof, it shall be lawful for the Trustees or Trustee of every such Gaol or House of Correction, if any, and the Clerk of the Peace of such County, Riding, or Division, to convey or surrender such Gaol or House of Correction, with the Outhouses, Land, and Appurtenances thereto belonging, unto and to the Use of the Purchaser thereof, and his or her Heirs, or to such Uses as he or she shall direct or appoint; and every such Conveyance or Surrender, together with the Treasurer's Receipt for the Purchase Money, shall give a good and valid Title to the Purchaser; and the Purchase Money shall be applied, by the Treasurer, towards discharging the Expence which shall have been incurred in building or enlarging any Gaol or House of Correction for the same County, Riding, or Division, or in aid of the Rate of the same, as the Justices of the Peace for such County, Riding, or Division, in General or Quarter Session assembled, shall direct.

Application of Purchase Money.

IV. Provided always, and be it further enacted, That if in the Event of any Sale being effected or confirmed in pursuance of this Act, it shall appear to the Justices by whom the Resolution for making or confirming such Sale shall be entered into, that the Property so sold has never been vested in any Trustees, or that the Trustees thereof are dead, then it shall be lawful for the said Justices to order that such Property shall be conveyed by the Clerk of the Peace to the Purchaser thereof; and in such Case a Conveyance thereof by the Clerk of the Peace, by Indenture of Bargain and Sale, (of which no Inrolment shall be necessary) shall be valid and effectual to all Intents and Purposes.

When Property is not vested in Trustees, Justices may order Clerk of the Peace to convey such Property to Purchaser.

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