

ANNO SEPTIMO

GEORGII IV. REGIS.

****

CAP. LXIII.

An Act to provide for repairing, improving, and rebuilding Shire Halls, County Halls, and other Buildings for holding the Assizes and Grand Sessions, and also Judges Lodgings, throughout *England* and *Wales*. [26th *May* 1826.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Justices of the Peace, in their General Quarter Sessions of their respective Counties and Divisions, to repair the Shire Halls, County Halls, or other Buildings wherein the Assizes or Grand Sessions are usually held*: And whereas it is expedient that the said Act should be repealed, and that more effectual Provisions should be made for the rebuilding, enlarging, improving, and repairing of Shire Halls, County Halls, and other Buildings for holding the Assizes or Grand or other Sessions, and for providing Lodgings for the Accommodation of His Majesty's Judges of Assize, within the several Counties, Ridings, and Divisions in *England* and *Wales*; 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Authority of the same, That from and after the passing of this Act the said recited Act shall be and the same is hereby repealed. 9 G. 3. c. 20. Recited Act repealed.

All Acts commenced under repealed Act declared valid, and may be completed under the Provisions of this Act.

II. Provided always, and be it enacted, That all Acts, Matters, and Things relating to the building or repairing of Shire Halls, County Halls, or other Buildings, which shall have been commenced or done under or by virtue of the said Act so hereby repealed, shall remain as good and valid, to all Intents and Purposes, as if this Act had not been made; and that the Clauses and Provisions of this present Act shall be applied and put in execution for the completing of the building or repairing of such Shire Halls, County Halls, or other Buildings, as if such Acts, Matters, and Things had been commenced and done under the Authority or according to the Directions of this present Act.

If Justices, upon Presentments made, shall deem any Shire Hall, &c. insufficient, or in want of Repair, they shall give Notice that the same will be considered at some future Sessions, when they may take such Measures as shall appear requisite for the Purpose.

III. And be it further enacted, That whenever it shall appear to the Justices at any General or Quarter Sessions of the Peace, to be holden at any Time after the passing of this Act, in any County, Riding, or Division in *England* or *Wales*, by any Presentment to be made by the Grand Jury at any Assizes or Great Session or Session of Gaol Delivery or Session of the Peace, to be holden for any such County, Riding, or Division, or by any Presentment to be at any Time made by any Two or more Justices of the Peace in and for such County, Riding, or Division, and laid before the Justices at any such General or Quarter Sessions of the Peace, that any Shire Hall, County Hall, or other Building accustomably made use of for holding the Assizes or Grand or other Sessions of the Peace, or that any Lodgings for the Accommodation of His Majesty's Judges of Assize in and for such County, Riding, or Division, shall be insufficient, inconvenient, deficient, or in want of Repair or Improvement, or that there is a Necessity for the Erection of a new Shire Hall, County Hall, or other Building, or of Lodgings for His Majesty's Judges of Assize, it shall and may be lawful for the Justices assembled at the General or Quarter Sessions at which such Presentment shall be laid before such Justices, or at the then next General or Quarter Sessions or Adjournment thereof, for such County, Riding, or Division, and they are hereby required to cause Notice to be given Three Times at least in some public Newspaper circulating within such County, Riding, or Division, of such Report or Presentment having been laid before them at such Sessions, and of their Intention to take the same into consideration at the next ensuing or some subsequent General or Quarter Sessions or Adjournment thereof; and in case the Justices at such last-mentioned Sessions, or the major Part of them, shall resolve that such Report or Presentment is well founded, then it shall and may be lawful for such Justices, and they are hereby required, at the Sessions mentioned in such Notice, or at some subsequent Sessions or Adjournment thereof, with the like Notice, to take such Measures, either by Contract or otherwise, as shall appear to them to be requisite and proper for the altering, enlarging, repairing, or improving of any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, or for the pulling down of any such Shire Hall, County Hall, or other Building, or Lodgings, or any Part thereof, and for the building of any new Shire Hall, County Hall, or other Building, or Lodgings of His Majesty's Judges, or any Part thereof, in lieu of any Building or any Part of any Building which shall be so pulled down, Regard being had, in the Case of Contracts, to the Reasonable-

ness of the Price and Responsibility of the Contractors; and every Contractor shall give sufficient Security for the due Performance of his Contract to the Clerk of the Peace for such County, Riding, or Division; and such Contract may be inspected at all reasonable Times by any Justices, or by any other Person contributing to the Rate of such County, Riding, or Division, without Fee or Reward.

Justices may purchase Houses, &c. for the Purpose of building or enlarging any Shire Hall, &c.

IV. And be it further enacted, That after such Presentment and Notice as aforesaid, it shall and may be lawful for the Justices in General or Quarter Sessions assembled, or the major Part of them, and they are hereby empowered to purchase any Houses, Lands, Tenements, or Hereditaments, for the Purpose of enlarging, improving, or rendering more commodious, or for the building or rebuilding any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, or any Part thereof, and to direct the Property so purchased to be conveyed to such Person or Persons as the said Justices shall think fit, in trust for the Purposes aforesaid, under the Regulations and Directions in this Act contained; and such Houses, Lands, Tenements, or Hereditaments shall, when inclosed and added to such Shire Hall, County Hall, or other Building, or Lodgings, be deemed and taken to be Parts of such Shire Hall, County Hall, or other Building, or Lodgings, and to be within the County, Riding, or Division to the Use of which such Shire Hall, County Hall, or other Building, or Lodgings, may be applied, to all Intents and Purposes whatever, so long as the same shall be used by such County, Riding, or Division for the Purposes of this Act, and no longer.

Justices may remove the Site of Shire Halls upon express Presentment that the old Shire Hall was unfit and inconvenient.

V. And be it further enacted, That in case any Presentment shall be expressly made by any Grand Jury, that the Place wherein any old Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, is situated, is improper, and that the Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, ought therefore to be removed to some other Place within the County, Riding, or Division, or in case any Presentment shall be made by any Grand Jury, that any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, shall be in such a State that the same ought to be pulled down, and a new Building erected, it shall be lawful for the Justices at their General or Quarter Sessions assembled, and they are hereby required to take such Presentment into their Consideration; and if it shall be resolved by the Justices assembled at Two successive General or Quarter Sessions, or the major Part of them, that any old Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, ought to be removed or pulled down, and that such new Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, are necessary, it shall be lawful for the Justices so assembled to contract for the building of a new Shire Hall, County Hall, or other Building, in any Part of the County, Riding, or Division which they may deem most eligible, (not being more than One Mile from the Site of the Shire Hall, County Hall, or other Building, in lieu of which the same shall be built); and whenever the Building of any Court of Justice is or shall be so attached to any Shire Hall, County Hall, or other Building, as to render it impracticable or inconvenient to repair, enlarge, improve, or

or rebuild the said Shire Hall, County Hall, or other Building, without also altering or pulling down the Building of the said Court, then and in such Cases it shall be lawful for the Justices in General or Quarter Sessions assembled, to cause such Courts to be altered or pulled down, or to be rebuilt, either on the same or on any other Site, subject to the same Provisions as are by this Act appointed with respect to Shire Halls, County Halls, or other Buildings as aforesaid.

Sites of such Shire Halls may be applied to the Improvement of the Roads or Streets, &c.

VI. Provided always, and be it enacted, That if the said Justices so assembled in Two successive General or Quarter Sessions shall see fit, it shall and may be lawful for such Justices to give, grant, or convey gratuitously, the whole of the Ground or Soil of any such Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, or any Part or Parts of the same respectively, for the Purpose of widening, opening, or otherwise improving any Road, Street, Way or Passage, or Roads, Streets, Ways or Passages, in any County, Riding, or Division, or in any City or Town, within or adjoining to which such Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, shall be situate; and if the whole of such Ground or Soil shall not be necessary for making the Improvement or Improvements, then to sell or dispose of the Residue thereof in manner herein provided.

All Matters performed in new Shire Halls, &c. shall be as valid as if done in the old Shire Halls, &c.

VII. And be it further enacted, That all Matters and Things whatever, which might or ought to be lawfully done, performed, and executed in any Shire Hall, County Hall, or other Building, or in the Lodgings of His Majesty's Judges as aforesaid, which shall be wholly or in part pulled down, or the Site of which shall be removed under the Provisions of this Act, shall and may be lawfully done, performed, and executed in any new Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, which may be built or rebuilt in the lieu and stead of any Shire Hall, County Hall, or other Building, or Lodgings, so pulled down, or in any Shire Hall, County Hall, or other Building, or Lodgings, which shall be built, rebuilt, repaired, or enlarged, in lieu of any Part of any former Shire Hall County Hall, or other Building, or Lodgings, in lieu of or addition to any Part of any former Shire Hall, County Hall, or Building, or Lodgings as aforesaid; and that all Matters and Things done, performed, or executed in such new Shire Hall, County Hall, or other Building, or Lodgings, shall be as good, valid, and effectual, to all Intents and Purposes whatever, as if they had been done, performed, and executed in such former Shire Hall, County Hall, or other Building, or Lodgings as aforesaid.

Lodgings of the Judges at County Assizes.

VIII. And whereas the Courts of Assize, Nisi Prius, Oyer and Terminer, and Gaol Delivery, for several Counties at large, are often held in or near Cities or Towns that are Counties of themselves, and at the same Time with the like Courts for the said Cities or Towns; and Inconveniences frequently arise in transacting the Business of the several Courts, for that the Lodgings of the Judges are situate either only in the County at large, or only in the County of such City or Town; be it therefore enacted, That whenever the Courts of Assize, Nisi Prius, Oyer and Terminer, or Gaol Delivery, for any County

County at large in *England*, shall be held in or near any City or Town which is also a County of itself, and at the same Time with the like or any of the like Courts for the said City or Town, the Lodgings of the Judge or Judges shall be construed and taken to be situate both within the County at large, and also within the County of such City or Town, for the Purpose of transacting the Business of the Assizes for such County at large, and for the County of such City or Town, during the Time that such Judge or Judges shall continue therein for the Execution of their several Commissions.

Justices may order occasional Repairs, and report the same to the Sessions.

IX. Provided always, and be it enacted, That in case it shall at any Time happen that any such Shire Hall, County Hall, or other Building, or Lodging, shall be injured by means of Fire or any sudden Accident, between the several Times of holding the General or Quarter Sessions for such County, Riding, or Division, it shall and may be lawful for any Two or more Justices of the Peace for such County, Riding, or Division, to make an Order that such Repairs shall be immediately done and made, as may be necessary and sufficient for the upholding of any such Shire Hall, County Hall, or other Building, or Lodgings; and such Order of such Two Justices, together with an Account of any Proceedings which may have taken place in consequence thereof, shall be laid before the next Court of General or Quarter Sessions to be holden for such County, Riding, or Division; and it shall be lawful for such Court, and such Court is hereby authorized and required, to order the Payment of such Sum or Sums of Money as in the Opinion of such Court shall appear to have been properly expended in such Repairs as aforesaid.

When the Amount of Estimate for building exceeds One Half of the annual County Rate, Justices may borrow Money on Mortgage of the Rates.

X. And be it further enacted, That when it shall apear that the Amount of any Estimate approved by the Justices for the building or rebuilding, repairing, improving, or enlarging any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, under the Powers of this Act, shall exceed One Half of the Amount of the ordinary annual Assessment for the Rate of any County, Riding, or Division, (such ordinary Assessment to be taken on an Average of such Rate for the last Seven Years preceding), it shall and may be lawful for the Justices in Quarter Sessions assembled, from Time to Time to borrow and take up, on Mortgage of such Rate, by Instrument in the Form contained in the Schedule to this Act annexed, marked (A.), or to the like Effect, any Sum of Money not exceeding the Amount of such Estimate, in Sums not less than Fifty Pounds each, at Interest, as to the said Justices shall appear necessary and expedient for the Purposes aforesaid, and to secure every such Sum of Money so borrowed upon the Credit of the said Rates; and it shall and may be lawful for the Justices so assembled, and they are hereby authorized, to treat and agree with any Person for the Loan of any such Sums of Money, and by their Order to confirm every such Agreement; and every such Agreement, signed by the Chairman and Two or more other Justices present at the Time of making such Order, shall be and the same is hereby declared to be effectual for securing every Sum of Money so advanced, with Interest thereon, to the Person or Persons advancing

the same, on such Terms as in and by such Agreement shall be stipulated, and Copies or Extracts of all such Agreements shall be kept by the Clerk of the Peace; and it shall and may be lawful for every Person who shall be entitled to the Money thereby secured, and such Person is hereby empowered, by indorsing his Name on the Back of such Security, to transfer the same, and his Right to the Principal Money and Interest thereby secured, unto any other Person; and every such Assignee may in like Manner transfer the same again, and so *toties quoties*; and the Person to whom such Security or any such Assignment thereof shall be made, and his Executors, Administrators, and Assigns, shall be Creditors upon the said Rate in an equal Degree one with another, and shall not have any Preference with respect to the Priority of any Monies so advanced.

Justices may charge the County Rates with Interest on the Money borrowed, and form a Sinking Fund to repay the whole in Fourteen Years.

XI. And be it further enacted, That it shall and may be lawful for the said Justices, and they are hereby authorized and required to charge the Rate to be raised upon such County, Riding, or Division, not only with the Interest of the Money so borrowed, but also with the Payment of such further Sum as shall ensure the Payment of the whole of the Sum borrowed within Fourteen Years from the Time of borrowing the same; and such Sums shall be assessed on the County, Riding, or Division, in such Manner as County Rates are directed to be assessed under the Laws in force for that Purpose, and shall be paid and applied under the Direction of the Justices, in discharge of the Interest, and of so many of the Principal Sums on the said Securities as such Money will extend to discharge in each Year, until the whole of the Money for which such Securities shall be made, and the Interest thereof, shall be fully paid and discharged; and the Justices shall and they are hereby required to fix One or more Day or Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide for the regular Payment thereof; and such Justices shall also, and they are hereby required to appoint a proper Person to keep an exact and regular Account of all the Receipts and Payments under the Authority of this Act, in a Book or Books, separate and apart from all other Accounts, and the same to adjust and settle in such Manner that it may easily be seen what Interest is growing due, and what Principal Money has been discharged, and what remains due, and the Books or Book so adjusted and settled to deliver into Court at every General or Quarter Sessions to be held for such County, Riding, or Division; and the Justices shall also, and they are hereby required at every such Sessions, carefully to inspect all such Accounts, and to make Orders for carrying the Purposes of this Act into Execution, in such Manner as to them shall seem meet; and if at any Time it shall appear to the Justices that the Person appointed for the Purposes aforesaid has neglected to perform any Matter or Thing required by this Act, or by the Order of such Justices, or has not duly and without Delay applied all Money in his Hands to the Purposes directed by this Act, such Person shall forfeit a Sum equal to One Half the Amount of the Money which shall not have been applied to the Purposes of this Act; and the Justices so assembled in Sessions as aforesaid, shall direct in what Order such

Books to be kept of Receipts and Payments.

Securities shall be discharged, by drawing Lots or otherwise, as they shall think fit, taking care to discharge, in the first Place, all such Securities as shall bear the highest Rate of Interest.

Powers of 6 G. 4. c. 40. applied to this Act.

XII. And be it further enacted, That an Act made in the Sixth Year of His present Majesty's Reign, intituled *An Act to enable Justices of the Peace in* England, *in certain Cases, to borrow Money on Mortgage of the Rate of the County, Riding, or Place for which such Justices shall be then acting*, and the several Clauses, Powers, and Provisions in the said recited Act contained, relating to the paying off of any Debt or Debts, and the borrowing of any Money for such Purpose, shall and may be applied in the paying off any Money borrowed under the Provisions or for the Purposes of this Act, as fully and effectually as if such Clauses, Powers, and Provisions were repeated and re-enacted in this Act.

Persons or Districts liable to repair or furnish Shire Halls &c. shall continue so liable.

XIII. Provided always, and be it enacted, That in Cases where any Shire Hall, County Hall, or other Building, accustomably made use of for holding the Assizes or Great or other Sessions, or any Lodgings for the Accommodation of His Majesty's Judges of Assize, in any County, Riding, or Division in *England* or *Wales*, hath for Time out of Mind been maintained, repaired, or provided at the Expence of any particular Person or Persons, or of any Riding or Ridings, or Division or Divisions, or Part or Parts of any County or Shire, or City or Town Corporate, such Shire Hall, County Hall, or other Building, or Lodgings, shall continue to be maintained, repaired, or provided at the Expence of the Person or Persons so liable thereto, or at the Expence of such Riding or Ridings, or Division or Divisions, or Part or Parts of any County or City or Town Corporate, so liable thereto, in like Manner as heretofore to all Intents and Purposes whatever, any thing in this Act to the contrary in anywise notwithstanding; and that all Cities, Towns, Boroughs, Corporations, Rapes, Lathes, Wapentakes, Ports, Parishes, Townships, or other Places or Divisions, and all and every Person and Persons, and Body or Bodies Politic or Corporate, which shall by Law or ancient Usage be bound or obliged to maintain, repair, or provide any such Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, or to furnish and provide the same with Benches, Tables, Rails, or other Fixtures or Furniture, and to keep the same in repair, shall continue and be bound and obliged so to do; and all and every Sum and Sums of Money to be laid out in rebuilding, repairing, maintaining, providing, or furnishing any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, for the rebuilding, repairing, maintaining, providing, or furnishing of which any Riding, Division, or Part of any County or Shire, City or Town Corporate, Person or Persons, Body or Bodies Politic or Corporate, shall be bound to provide as aforesaid, shall be procured or provided by, assessed and rated on, and levied and collected by such Riding, Division, or other Part of such County or Shire, City or Town Corporate, Person or Persons, Body or Bodies Politic or Corporate, and not on the County at large; any thing herein-before contained to the contrary in anywise notwithstanding.

XIV. And

Powers of Prison Act, 4 G. 4. c. 64. extended to this Act.

XIV. And be it further enacted, That all the Clauses, Powers, and Provisions contained in an Act passed in the Fourth Year of the Reign of His present Majesty, 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, with relation to the Sale, Purchase, and Conveyance of Houses, Lands, Tenements, or Hereditaments, by any Person or Persons, or Body or Bodies Politic or Corporate, or by any Guardians, Committees, Husbands, Trustees, or Attornies of Infants, Lunatics, Idiots, or Persons under Coverture or any other Disability, and with relation to the Valuation of such Houses, Lands, Tenements, or Hereditaments, and the Application of the Money for such Purchase, shall, so far as the same are or can be applicable, be applied and extended to the Sale and Purchase, Conveyance and Valuation of Houses, Lands, Tenements, or Hereditaments, for the Purposes of this Act, in as full and ample a Manner to all Intents and Purposes as if such Clauses, Powers, and Provisions had been repeated and re-enacted in this Act.

Sale of former Shire Halls or Lodgings.

XV. And be it further enacted, That in case it shall appear to the Justices of the Peace assembled at any General or Quarter Session of the Peace holden for any County, Riding, or Division, that by reason of any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, for such County, Riding, or Division, having been lately built or considerably enlarged, any other Shire Hall, County Hall, or other Building, or Lodgings, within such County, Riding, or Division, shall have become unnecessary, it shall be lawful for such Justices, or for the Justices assembled at the then next General or Quarter Session to be holden for the same County, Riding, or Division, and they are hereby authorized, empowered, and required to 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 Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, 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 unnecessary Shire Hall, County Hall, or other Building, or Lodgings, ought to be sold, then and in such Case it shall be lawful for such Justices, and they are hereby authorized and empowered to take such Measures for selling such Shire Hall, County Hall, or other Building, or Lodgings, together with all Outhouses, Land, Tenements, and Hereditaments to the same belonging, (unless such Building, Outhouses, Land, Tenements, or Hereditaments, or any Part thereof, shall be the Property of His Majesty, His Heirs or Successors, or of any City or Town Corporate, Body or Bodies Politic or Corporate, 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 such Justices shall think proper.

Shire Halls, &c. when sold, to be conveyed by

XVI. And be it further enacted, That whenever a Sale of any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, shall be made pursuant to the Directions in this Act contained, the Purchase

chase Money for the same shall be paid to the Treasurer of such County, Riding, or Division, and it shall be lawful for the Trustees or Trustee (if any) of every such Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, together with the Clerk of the Peace of such County, Riding, or Division, to convey such Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, with the Outhouses, Land, Tenements, and Hereditaments thereto belonging, unto and to the Use of the Purchaser thereof, and to the Heirs and Assigns of such Purchaser, or to such Uses as such Purchaser or Purchasers shall direct or appoint; and every such Conveyance, 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, enlarging, or improving any Shire Hall, County Hall, or other Building, or Lodgings as aforesaid, for the same County, Riding, or Division, or in aid of any Rate of such County, Riding, or Division, as the Justices of the Peace for such County, Riding, or Division, in General or Quarter Session assembled, shall direct.

the Trustees, &c. to the Purchaser; and such Conveyance shall give a good Title.

Application of Purchase Money.

XVII. Provided always, and be it further enacted, That whenever, in the Event of any Sale being agreed upon in pursuance of this Act, it shall appear to the Justices by whom the Resolution for making such Sale shall be entered into, that the Lands, Tenements, or Hereditaments to be sold have never been vested in any Trustee or Trustees, or that the Trustee or Trustees thereof are dead, and that there is Difficulty in ascertaining the surviving Trustee, or the Heir or Heirs of such surviving Trustee, it shall appear that such Heir or Heirs is or are under any Disability, then and in any such Case it shall be lawful for the said Justices to order that a Conveyance of such Lands, Tenements, or Hereditaments shall be made and executed 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 Enrolment shall be necessary), shall be valid and effectual to all Intents and Purposes.

Clerk of the Peace may convey.

XVIII. And be it further enacted, That all the Powers and Provisions contained in an Act of the Fifth Year of the Reign of His present Majesty, intituled *An Act to facilitate, in those Counties which are divided into Ridings or Divisions, the Execution of an Act of the last Session of Parliament, for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales, shall extend to the several Matters and Things required by this Act to be done by the Justices of the Peace at any General Quarter Session of the Peace, in as full and ample a Manner as if the same had been inserted in and made Part of this Act.

Powers of 5 G. 4. c. 12. applied to this Act.

XIX. Provided always, and be it further enacted, That the Powers in this Act contained shall not extend or be construed to extend to any Halls or other Buildings not belonging to and not being the Property of Counties, Ridings, or Divisions of Counties, or holden in trust for them, but which belong to and are the Property of Cities

Not to authorize the Sale of Halls belonging to Cities, &c.

and Towns Corporate, although such Halls and other Buildings may have been accustomably made use of for holding the Assizes or Great or other Sessions of the Counties, Ridings, or Divisions wherein they are respectively situate.

Recovery and Application of Fines and Penalties.

XX. And be it further enacted, That all Fines, Forfeitures, and Penalties imposed by this Act shall, on Conviction of the Offender before any one Justice of the Peace within his Jurisdiction, be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice of the Peace, who is hereby authorized to hear and examine Witnesses on Oath or Affirmation on any Complaint, and to determine the same; and all such Fines, Forfeitures, and Penalties shall be paid from Time to Time to the Treasurer of the County, Riding, Division, District, City, Town, or Place for the Time being, and shall be applied and disposed of in aid of any Rate applicable to the Use of any such County, Riding, Division, District, City, Town, or Place, and to or for no other Use or Purpose whatsoever; and for Want of sufficient Distress the Offender shall be committed to the Common Gaol or House of Correction for any such Term or Time, not exceeding Three Calendar Months, as such Justice shall think proper.

General Issue.

XXI. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person for any thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by Authority of this Act; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue his or her Action after Issue joined, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall recover Treble Costs, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and if a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action and of the Verdict obtained thereon.

Treble Costs.

SCHEDULE (A.) to which this Act refers.

FORM of Mortgage and Charge upon the County Rate, for securing Money borrowed.

WE, *A. B.* One of His Majesty's Justices of the Peace, and Chairman of the Court of Quarter Sessions of the Peace holden at on the Day of for theCounty, etc. of [*as the Case may be*] *C. D.* and *E. F.* Esquires, Two other of His Majesty's Justices of the Peace acting for the said County, &c. and assembled in the said Court, in pursuance of the Powers to us given by an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled, etc. [*insert the Title of this Act*] do hereby in open Court mortgage and charge all the Rates to be raised within the said County, &c. [*as the Case shall be*] under the Description of County Rates, by the Laws now in being, with the Payment of the Sum of which *G. H.* of hath proposed and agreed to lend, and hath now actually advanced and paid towards defraying the Expences of building, repairing, etc. [*as the Case shall be*] the Shire Hall, County Hall, or other Buildings, or Judges Lodgings, [*as the Case shall be*] for the said County, etc.; and we do hereby assign the same unto the said *G. H.*, his Executors, Administrators, and Assigns, for securing the Payment of the Sum of and Interest for the same after the Rate of *per Centum per Annum*, and do order the Treasurer for the said County, &c. or other Person [*as the Case shall be*] to pay the Interest of the said Sum of Half-yearly as the same shall become due, until the Principal shall be discharged, pursuant to the Directions of the said Act.

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