ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. x.

An Act for enabling the Justices of the Peace for the County of *Essex* to raise Money for defraying certain Expences incurred under an Act, passed in the First Year of the Reign of His present Majesty, intituled *An Act for building an additional Gaol for the County of* Essex, *and for enlarging, improving, and altering the existing Prisons for the same County*; and for amending the said Act, and for extending the Powers thereof, and for other Purposes relating thereto.

[2d *April* 1827.]

WHEREAS an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act for building an additional Gaol for the County of* Essex, *and for enlarging, improving, and altering the existing Prisons for the same County*; whereby it was enacted, that from and after the passing of the said Act it should be lawful for the Justices of the Peace for the County of *Essex*, or their Surveyor, under their Authority and Direction, to lay out, design, make, build, and erect an additional Gaol for the said County of *Essex*, with proper and sufficient Buildings, Outoffices, Yards, Courts, Outlets, Passages, Watercourses, and other Conveniences for the same, and also any Enlargements, Improvements, or Alterations 1 G. 4. c. 102.

Alterations of or in any of the existing Prisons of the said County, with such Powers and Provisions in relation to the Premises, and under such Regulations as are therein mentioned and contained; and it was thereby also enacted, that the said Justices should have full Power and Authority to purchase any Houses, Buildings, Lands, Tenements, or Hereditaments which should be considered by them to be necessary or proper for the Purpose of erecting such additional Gaol, with the Buildings, Outoffices, Yards, Courts, Outbuildings, Passages, Watercourses, and other Conveniences for the same, and for carrying into effect such Enlargements, Improvements, and Alterations, and that the Premises so to be purchased should be conveyed to such Person or Persons as the said Justices should think fit, for the Uses and Purposes of that Act; and by the said Act the said Justices, at their General or Quarter Sessions assembled, were authorized for the Purposes of that Act to raise any Sum or Sums of Money, not exceeding in the whole the Sum of Forty thousand Pounds, by imposing Levies or Rates upon the said County in the Manner and under the Restrictions in the said Act mentioned: And whereas in exercise of the Powers of the said recited Act the said Justices have purchased a Piece of Ground, containing by Estimation Six Acres, or thereabouts, at *Springfield* in the said County, and have erected thereupon an additional Gaol for the said County: And whereas the said Sum of Forty thousand Pounds by the said recited Act authorized to be raised has been found insufficient for defraying all the Expences which have been incurred under the Provisions of the same Act, in purchasing the said Piece of Ground, and in building the said additional Gaol, and in enlarging, improving, and altering certain of the existing Prisons for the said County: And whereas it is intended, that under the Powers of an Act passed in the Fourth
4 G. 4. c. 64. 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, a new House of Correction should be built in the Half Hundred of *Beccontree* in the said County: And whereas it is expedient that the Powers, Provisions, Regulations, and Directions contained in the said Act of the First Year of the Reign of His present Majesty, in relation to the Purchase of Houses, Buildings, Lands, Tenements, and Hereditaments, for the Purposes of the same Act, should be extended and made applicable to the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments for the Purpose of erecting the said intended new House of Correction, and for altering, enlarging, or repairing, or building or rebuilding, upon the same or other Sites, any other Gaols or Houses of Correction, under the Powers and Provisions of the said Act of the Fourth Year of the Reign of His present Majesty; and that the Purchases for the Purposes above mentioned of Houses, Buildings, Lands, Tenements, or Hereditaments, for long Terms of Years, should be expressly authorized and provided for: And whereas it is expedient, for the Purpose of defraying so much of the Expences incurred under the Provisions of the said Act of the First Year of the Reign of His present Majesty as the said Sum of Forty thousand Pounds has been found insufficient to pay, and for purchasing the Site of a new House of Correction for the Half Hundred of *Beccontree*, and for building such

such new House of Correction, and for altering, enlarging, or repairing, or building or rebuilding, on the same or other Sites, any other Gaols or Houses of Correction for the said County, under the Powers and Provisions of the said Act of the Fourth Year of the Reign of His present Majesty, including the Purchase of any Sites which may be wanted for any of such last-mentioned Purposes, a further Sum, not exceeding in the whole Forty-five thousand Pounds, should be authorized to be raised, by imposing Rates upon the said County, in the Manner and under the Restrictions herein-after mentioned: And whereas some of the Objects herein-before mentioned cannot be obtained under the Provisions of either of the said Acts or any other Act or Acts now in force: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Justices of the Peace for the County of *Essex* shall have full Power and Authority from Time to Time to purchase, either for an Estate of Inheritance in Fee Simple, or for any long Term or Terms of Years, and whether subject or not being subject to any reserved Rent or Rents, any Houses, Buildings, Lands, Tenements, or Hereditaments which shall be considered by them to be necessary or proper for the Purpose of erecting the said intended new House of Correction, with the Buildings, Outoffices, Yards, Courts, Outbuildings, Passages, Watercourses, and other Conveniences for the same, or for altering, enlarging, or building or rebuilding, under the Powers or Provisions of the said Act of the Fourth Year of the Reign of His present Majesty, any other Gaol or Gaols, House or Houses of Correction in the said County, with the Buildings, Outoffices, Yards, Courts, Outbuildings, Passages, Watercourses, and other Conveniences for the same respectively; and the said Premises so to be purchased shall be conveyed or assigned to such Person or Persons as the said Justices shall think fit, (subject to the reserved Rent or Rents, if any,) in trust for the Uses and Purposes of the said Act of the Fourth Year of the Reign of His present Majesty.

Justices of Essex may purchase Houses, &c. as Site for erecting House of Correction in the Half Hundred of Beccontree.

II. And whereas it is expedient, with a View to prevent the erecting of Buildings which might be found inconvenient to the said new-erected Gaol at *Springfield*, that the Justices of the Peace for the said County should be authorized to purchase additional Ground, not exceeding Three Acres, to be held with the same Gaol; be it further enacted, That it shall be lawful for the said Justices of the Peace for the said County to purchase, under the Powers and Provisions of this Act, such additional Ground as the said Justices shall think necessary for such last-mentioned Purposes, not exceeding Three Acres.

Justices may purchase additional Ground to prevent the Erection of Buildings inconvenient to the Gaol.

III. Provided always, and be it further enacted, That any Houses, Buildings, Lands, Tenements, or Hereditaments which may be purchased under any of the Powers contained in this Act, shall for the Purposes of the said Act of the Fourth Year of the Reign of His said

As to Houses, &c. purchased under this Act.

said present Majesty be taken and considered to have been purchased under the Powers and Provisions of that Act.

Powers of the Act 1 G. 4. concerning Purchase of Houses, &c. to extend to this Act.

IV. And be it further enacted, That all the Powers, Provisions, Regulations, and Directions contained in the said recited Act of the First Year of the Reign of His present Majesty, which in anywise relate to or concern the Purchase of Houses, Buildings, Lands, Tenements, or Hereditaments for the Purposes of that Act, or the conveying or vesting the same to or in such Person or Persons as should be nominated to take or hold the same, or the Resale of all or any Part or Parts of any Houses, Buildings, Lands, Tenements, or Hereditaments to be so purchased, shall be taken to extend and be applicable to the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or Estate or Interest in Houses, Buildings, Lands, Tenements, or Hereditaments, to be respectively purchased under the Powers of this Act, and the conveying or assigning the same to or in such Person or Persons as shall be nominated by the said Justices to take or hold the same, and to the Resale of all or any Part or Parts of such Houses, Buildings, Lands, Tenements, or Hereditaments, or Estate or Interest, in such and the same Manner, to all Intents and Purposes, as if the same Powers, Provisions, Regulations, and Directions (*mutatis mutandis*) had been inserted in this Act, with reference to such last-mentioned Purchases.

Application of Compensation Money if amounting to 200*l.*

V. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act of the First Year of the Reign of His present Majesty or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Act or this Act particularly mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Justices of the Peace for the County of *Essex*, for executing the said recited Act or this Act, and pursuant to the Method prescribed by an Act of the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be made in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, or any Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, and Hereditaments, or affecting other

1 G. 4. c. 35.

Lands, Tenements, and Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereunto, by invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments by the said recited Act or this Act directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and amounting to 20*l.*

VI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, to be placed to his Account as aforesaid, in order to be applied in manner before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Justices of the Peace for executing the said recited Act and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When less than 20*l.*

VII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same

same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Act and this Act, in such Manner as the said Justices of the Peace shall think fit; and in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Directions in Cases of not making out Titles.

VIII. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, and Hereditaments to be purchased by virtue of the said recited Act or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Justices; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Justices to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Control or Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interests of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for the same (mentioning and specifying for what and for whose Use the same is or are received,) to such Person or Persons as shall pay any such Sums of Money into the Bank as aforesaid.

Respecting disputed Titles.

IX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of the said recited Act or this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Act or this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in the Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled

to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Monies, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court of Exchequer may order Justices of the Peace to pay Expences.

X. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of the said recited Act or this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Act or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Justices, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to Justices in Session to raise Money for the Purposes of the Act.

XI. And be it further enacted, That for raising Money for the several Purposes herein-before mentioned, it shall be lawful for the Justices of the Peace for the said County of *Essex*, at their General or Quarter Sessions of the Peace to be holden for the said County next after the passing of this Act, or at any subsequent General or Quarter Sessions, or at any Adjournment or Adjournments thereof, or the major Part of the said Justices present, (such major Part not to be less in Number than Seven,) to conclude and agree upon, and to assess such Sum or Sums of Money as they shall from Time to Time find necessary for any of the Purposes herein-before mentioned, so as the whole of such Assessments shall not exceed the Sum of Forty-five thousand Pounds; and the same shall be rated and assessed in the same Manner, and according to such and the same Proportions, upon every Town, Parish, Hamlet, or Place within the Limits of the said County, and be collected, raised, levied, and paid, and be accounted for by the Persons making such Collections, in such Manner and by such Means, with such Powers of levying or for enforcing the Collections and Payment thereof, and for punishing all Persons whose Duty it shall be to collect or account for the same and shall make Default therein, as the County Rates have been usually, or may, by an Act made in the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the more easy assessing, collecting, and levying of County Rates*, or by an Act made in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend an Act of His late Majesty King* George *the Second, for the more easy assessing, collecting, and levying of County Rates*, or by an Act made in the Fifty-sixth Year

Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to explain and amend an Act passed in the last Session of Parliament, for the more easy assessing, collecting, and levying of County Rates*, or by another Act made in the Fifty-seventh Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to amend an Act of the last Session of Parliament, for the more easy assessing of County Rates*, be assessed, collected, received, levied, paid, and accounted for within the said County; and such Assessments when received shall from Time to Time be paid by the Treasurer or Treasurers of the said County to the said Justices so assembled as aforesaid, or to such Person or Persons as they shall by Order or Orders of Court from Time to Time direct to receive the same; and the Receipt of such Justices, or of such Person or Persons as shall be so appointed, shall be a full and sufficient Discharge to such Treasurer or Treasurers for the Payment of such Monies: Provided always, that no Rates and Assessments to be made in pursuance of this Act shall in any one Year exceed Two-pence in the Pound on the yearly Value of the Property rated as assessed to the County Rate.

No Rates in any one Year to exceed 2*d.* in the Pound.

As to levying Rates.

XII. And be it further enacted, That the several and respective Parochial Officers, or other Persons who shall pay or be liable to pay the Rates or Assessments which shall be made and rated under this Act upon any Parish, Town, or Place, and also all such Parochial Officers and Persons upon whom any such Rate or Assessments shall be levied, shall and may from Time to Time, after Notice shall be given of the Amount of the Rates or Assessments upon such Town, Parish, or Place, by the High Constable or High Constables, either before the Payment thereof by such Parochial Officers or Persons, or after the same shall have been actually paid by or levied upon such Officers or Persons, rate and levy such Monies by a separate and distinct Rate and Assessment upon every such respective Town, Parish, or Place, in such Manner and Proportion, and with such Power for recovering thereof, as any County or Parochial Rate may be assessed or levied; and that every Tenant of any House, Land, Tithe, Tenement, or Hereditament, at the full or improved Rent, who shall pay any Rate or Assessment to be made in pursuance of this Act by such respective Persons within any such Town, Parish, or Place, or upon whom any such Rate or Assessment shall be levied, shall and may deduct One Moiety or Half Part thereof, and no more, out of his or her Rent, and shall be acquitted and discharged for so much Money as the Half Part of such Rates or Assessments shall from Time to Time amount unto, as fully and effectually as if such Money had been actually paid to the Person or Persons to whom such Rent is or shall be made payable; and such Person and Persons is and are hereby required to allow from Time to Time such Deductions upon the Receipt of the Residue of the Rent, notwithstanding any Agreement or Covenant between any Landlord and Tenant to the contrary.

Tenants may deduct One Moiety or Half Part of Rate from Rent.

Expences of Act.

XIII. And be it further enacted, That all such Charges and Expences as shall have been or shall be sustained or expended in or about procuring this Act, shall (in the first place) be satisfied and paid out of the Monies to be raised by virtue or in pursuance of this Act;

Act; and that after such Charges and Expences, and the Charges of making such Purchases as aforesaid, and of erecting, completing, and finishing such intended new House of Correction, and of altering, enlarging, or repairing, or building or rebuilding, on the same or any other Site or Sites, any other Gaol or Gaols, or House or Houses of Correction in the said County as aforesaid, and all Debts incurred thereby, and all other Monies to be payable in pursuance of this Act, shall be fully paid and satisfied, the Surplus (if any) of the Monies to be raised and levied by virtue of this Act shall, by Order of the said Justices, assembled in their General or Quarter Sessions as aforesaid, be paid into the Public Stock of the said County, and be deemed and taken and shall and may be applied and paid as Part of the Common Stock, to and for such Uses as the County Stock can or may be applied unto or for.

If not paid in Six Months, Treasurer for the County to pay them.

XIV. Provided always, and be it further enacted, That in case all the Charges and Expences of obtaining and passing this Act shall not be paid within Six Months next after the passing of the same, the Treasurer or Treasurers of the said County of *Essex* shall and is and are hereby required, within Two Months after the Expiration of the said Six Months, to pay and defray all such Charges and Expences; and the said Justices are hereby authorized and required to allow the same in the Account of such Treasurer or Treasurers.

Accounts of all Receipts and Payments under this Act to be kept, &c.

XV. And be it further enacted, That some Time between the First and Twenty-fifth Days of *March* in every Year, a fair and just Account shall be made and wrote out of all Monies received and paid by virtue and in pursuance of this Act, and how and to whom, and when and for what Purposes the same shall have been laid out, paid, and expended, a Copy or Duplicate of which Account, signed by the said Justices, or any Three of them, so assembled as aforesaid, shall be deposited with the Clerk of the Peace of the said County for the Time being, to be kept among the Records of the Sessions of the Peace, who shall permit any Person so taxed as aforesaid to inspect the same at all seasonable Times, paying One Shilling for such Inspection, and shall, upon Demand, forthwith give Copies of the same, or any Part thereof, to such Person, paying at the Rate of Fourpence for every Seventy-two Words, and so in proportion for any greater or less Number of Words: Provided always, that nothing herein contained shall be construed to supersede or prevent the annual Publication of such Account in like Manner as other County Accounts.

Appeal.

XVI. Provided always, and be it enacted, That all Persons who shall apprehend themselves overcharged or otherwise aggrieved by any Assessment or other Act to be made or done by virtue of this present Act, may appeal to the Justices of the Peace assembled at their next Quarter Sessions held for the said County, after Demand of the Monies assessed, or after such other Act done, who shall and may make such Order therein as to them, or the major Part of them then and there present, shall seem meet, which Order shall be final and conclusive, and not removable by Certiorari or otherwise.

On Appeal from any Rate, the Quarter Sessions may amend it without quashing it.

XVII. Provided also, and be it further enacted, That upon all Appeals from any Rate or Assessment to be made by virtue of this present Act, the Court of General or Quarter Sessions of the Peace for the said County shall, and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or by altering the Sum or Sums therein charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of Opinion that it is necessary, for the Purpose of giving Relief to the Person or Persons appealing, that the Rate or Assessment should be wholly quashed, then the said Court may quash the same; but nevertheless all and every the Sum and Sums of Money in and by such Rate or Assessment charged on any Person or Persons shall and may be levied and recovered by such Ways and Means, and in such and the same Manner, as if no Appeal had been made against such Rate or Assessment; and all and every the Sum and Sums of Money which any Person or Persons charged in such Rate or Assessment shall pay, or which shall be levied upon or recovered from him, her, or them, shall be deemed and taken as Payments on account of the next effective County Rate or Rates.

All Acts, &c. to be done by Order of Justices in Quarter Sessions assembled.

XVIII. And be it further enacted, That (except where the same is hereby otherwise expressed or directed) all Acts, Matters, or Things by this Act authorized to be done by the said Justices of the Peace for the said County of *Essex*, shall or may be done from Time to Time by the Order or Direction of the major Part of the Justices of the Peace for the said County, assembled at their General or Quarter Sessions or any Adjournment thereof, such major Part not being less than Five in Number.

How Towns, &c. having separate Jurisdictions, shall pay Maintenance, &c.

XIX. And whereas by the said Act of the First Year of the Reign of His present Majesty it was enacted, that from and after the passing of that Act it should be lawful for the Justices acting in and for the Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions within the said County respectively, to commit to the said County Gaol Offenders charged with or convicted of Offences committed within the Liberties of such Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions; and it was further enacted, that from and after the passing of the said Act, the Treasurer or Treasurers of the said County of *Essex* should, and he and they was and were thereby respectively authorized to demand and receive of and from the Treasurers or other Officers who should receive the Rates or Levies collected within and for such Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions respectively, such Sum and Sums of Money as the Justices of the said County of *Essex* should, at the Quarter Sessions to be holden by them next after the Close of *Easter* in each Year, determine to be Double the Average Amount of Expence *per Diem* of feeding and clothing a Prisoner in their County Gaol, for each and every Day any Offender charged with or convicted of an Offence committed within the Limits of the said Boroughs,

Towns Corporate, Liberties, and other distinct Jurisdictions respectively, should be confined or imprisoned, under such Commitments as before mentioned, in the said County Gaol; and for the Recovery thereof the Treasurer or Treasurers of the said County of *Essex* should have the same Remedy and Remedies against the Treasurers and other Officers of the said Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions respectively, as he or they then had for recovering or enforcing the Payment of the County Rate from any Parish of the said County; and the said Treasurer or other Officer who should receive the Rates or Levies collected within and for the aforesaid Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions respectively, was thereby required to pay the same accordingly out of the said Rates or Levies: And whereas it has occurred that Persons charged with Offences committed within the Limits of the said Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions, having fled from such Boroughs, Towns Corporate, Liberties, or distinct Jurisdictions, have been committed to the County Gaol for such Offences by Justices acting in the Commission of the Peace for the said County, and it is reasonable that in such Cases the Expences for clothing and feeding the Prisoners so committed should be provided for in the same Manner as if such Prisoners had been committed by the Justices acting for such Boroughs, Towns Corporate, Liberties, or other distinct Jurisdictions; be it therefore further enacted, That from and after the passing of this Act, when Persons charged with Offences committed within the Limits of any of the said Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions, shall be committed to the County Gaol by Justices acting in the Commission of the Peace for the said County of *Essex*, the Treasurer or Treasurers of the said County of *Essex* shall, and he and they is and are hereby authorized to demand and receive of and from the Treasurers or other Officers who shall receive the Rates or Levies collected within or for such Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions respectively, such Sum and Sums of Money as by virtue of or under the Provision in that Behalf contained in the said Act of the First Year of the Reign of His said present Majesty, he or they would or might in such Cases respectively have been authorized to demand and receive if such Prisoners respectively had been committed to the County Gaol by the Justices acting in and for such Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions respectively, and shall have the same Remedy and Remedies for the Recovery thereof; and the said Treasurer or other Officer who shall receive the Rates or Levies collected within and for the aforesaid Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions respectively, is hereby required to pay the same accordingly out of the said Rates or Levies: Provided always, that nothing in this Act shall be construed to alter, in any way, any existing Law or Statute as to the general Liability to Assessment to the County Rates of any of the said Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions, or in any way to abridge or alter their peculiar Rights and Privileges.

Not to affect the Powers of 4 G. 4. c. 64.

XX. Provided always, and be it further enacted, That nothing in this Act contained shall repeal or prejudice or affect any of the Powers

or 1 G. 4. c. 102. except so far as may be necessary for this Act.

Powers or Provisions contained in the said Act of the Fourth Year of the Reign of His said present Majesty, or the said Act of the First Year of the Reign of His said present Majesty, except so far as may be necessary to give effect to the Powers and Provisions contained in this Act.

Public Act.

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

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