ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

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C A P. LXXXV.

An Act for better Payment of Fines and Forfeitures impoſed by Juſtices out of Seſſion, in *England*.

[27th *June* 1801.]

Preamble.

FOR the better bringing to Account and making Payment of ſuch Share of Fines, Forfeitures, and Penalties due to His Majeſty, which are not by Law payable to any particular Perſons, Commiſſioners, or others, levied before Juſtices of the Peace acting out of Seſſion; 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, it ſhall be lawful for every Juſtice of the Peace acting out of Seſſion for any County, Riding, City, Borough, Diviſion, or Place, in *England*, to receive all Fines, Forfeitures, and Penalties, impoſed by him or any other Juſtice of the Peace as aforeſaid, acting out of Seſſions, and not made payable to any Body or Bodies Corporate, or any Commiſſioners of any Publick Boards, or any other Perſon or Perſons, and to give Receipts for the ſame, which Receipts ſhall be a ſufficient Diſcharge to the Parties by whom the ſaid Fines ſhall be payable; and every ſuch Juſtice ſhall, by himſelf or Clerk, keep an Account in a Book, to be provided for that Purpoſe, of the Amount of every Fine, Forfeiture, or Penalty, which ſhall have been ſet or impoſed by any Adjudication or Order made by every ſuch Juſtice, ſpecifying the Place and Time and Manner of ſuch Adjudication

Any Juſtice in *England* out of Seſſion may receive and give a Receipt for Fines and Forfeitures impoſed by him or any other Juſtice, which are not payable to any Body Corporate, *etc.* or other Perſon, and ſhall enter an Account thereof in a Book in Manner herein directed.

or Order, the Nature of the Offence, and the Act or Acts under which the ſame was adjudged, and the Name or Names of the Perſon or Perſons on whom ſuch Fine, Forfeiture, or Penalty was ſet or impoſed; diſtinguiſhing whether the ſame was paid or levied, and what Part or Share thereof, if any, has been or ſhall be paid or payable to any Body or Bodies Corporate, Commiſſioners, or Perſon or Perſons, with the Name and Deſcription of ſuch Body or Bodies, Commiſſioners, Perſon or Perſons, and the Authority under which he, ſhe, or they claimed ſuch Part or Share; and ſhall annually, previous to the *Michaelmas* Seſſion, pay into the Hands of every Sheriff of the County or City, and Town and County having a ſeparate Sheriff, for which ſuch Juſtice ſhall have acted in impoſing ſuch Fines, all ſuch Fines, Forfeitures, or Penalties, or the Parts or Shares of ſuch Fines, Forfeitures, or Penalties as ſhall be due to His Majeſty, His Heirs or Succeſſors; and the Sheriff or his Under Sheriff is hereby required to give an Acquittance for the ſame, which ſhall be a full Diſcharge to every ſuch Juſtice, his Heirs, Executors, and Adminiſtrators, for ſuch Fines, Forfeitures, or Penalties, or Parts or Shares thereof.

The Juſtice ſhall alſo tranſmit an Account of ſuch Fines and Forfeitures to the Clerk of the Peace or Town Clerk, that the Sheriff may be charged therewith in his Appoſal, &c.

II. And be it further enacted, That any Juſtice of the Peace ſhall, previous to the *Michaelmas* Seſſions, annually tranſmit to the Clerk of the Peace of the County, City, or Town, or Clerk of the Town within which ſuch Fine, Forfeiture, or Penalty ſhall have been impoſed, an Account in Writing, ſtating the ſeveral Fines, Forfeitures, and Penalties, which have been impoſed by him, and ſhewing which have been received by him, and from whom, and for what Offences; which Account the Clerk of the Peace or Town Clerk ſhall enter in his Eſtreats with the Names of the Juſtices, that the Sheriff may be charged with the ſame in his Appoſal before the Foreign Appoſer, to the End that the ſame may be ſet over and anſwered to the Crown, in like Manner as in the Caſe of Fines and Forfeitures ſet or impoſed at any Seſſion of the Peace.

Where Two Juſtices ſhall impoſe Fines, the Account ſhall be kept, &c and Payment made by the One reſident at the Place of Adjudication.

III. And be it further enacted, That as often as Two or more Juſtices ſhall act together in ſetting or impoſing any Fine, Forfeiture, or Penalty, then the ſaid Account ſhall be kept, and a Copy of it ſhall be delivered or tranſmitted, and the Payment as aforeſaid ſhall be made by ſuch One of the ſaid Two or more Juſtices, as ſhall reſide at or near the Place where ſuch Adjudication or Order was made, or at or neareſt the Place where ſuch General Quarter Seſſions ſhall be held.

Conſtables on receiving Accounts of ſuch Fines to give Notice to the Perſons entitled thereto.

IV. And be it further enacted, That the ſaid ſeveral Clerks of the Peace or Town Clerks, or their Deputies, ſhall, within Ten Days next after any ſuch General Quarter Seſſions of the Peace in which ſuch Juſtice ſhall have returned any Conviction as aforeſaid, deliver to the Bailiff or Chief Conſtable of the Diſtrict where any Perſon ſhall reſide who ſhall by Law be entitled to any Share or Proportion of any Fines, Forfeitures, or Penalties which ſhall have been had and received by any ſuch Juſtice as aforeſaid, an Account in Writing of ſuch Fines, Forfeitures, and Penalties; which Bailiff or Chief Conſtable ſhall tranſmit an Account thereof to the Petty Conſtable of the Pariſh, Townſhip, or Place where ſuch Perſon ſhall reſide, that Notice may be given to the

Perſon ſo entitled, that he may, without Delay, apply to ſuch Juſtice for his Share of ſuch Fine, Forfeiture, or Penalty.

V. Provided always, That nothing in this Act ſhall be conſtrued to extend to prevent the Officers of the Crown from allowing any Fines, Forfeitures, or Penalties, levied by Juſtices of the Peace for Juſtices Wages, in the ſame Manner as other Fines are now allowed by Law; and provided alſo, that it ſhall be lawful for Sheriffs, or any other Perſons empowered to allow the ſame, to have an Allowance of the ſame Poundage on the Balance of ſuch Fines charged on them after an Allowance for Juſtices Wages, in like Manner as for Fines at the Aſſizes.

Act not to prevent Officers of the Crown from allowing Fines as heretofore, *etc.*

VI. And be it further enacted, That nothing herein contained ſhall be conſtrued to prevent the Payment to the Receiver of Fines, Penalties, and Forfeitures, by the Juſtices or their Clerks, in any of the Seven Publick Offices appointed by virtue of an Act, paſſed in the Thirty-ſecond Year of His preſent Majeſty's Reign, intituled, *An Act for the more effectual Adminiſtration of the Office of a Juſtice of the Peace, in ſuch Parts of the Counties of* Middleſex *and* Surrey, *as lie in and near the Metropolis, and for the more effectual Prevention of Felonies.*

Nor to prevent the Payment to the Receiver of Fines by the Juſtices or their Clerks, in any of the Seven Publick Offices, appointed by 32 *Geo.* III, Cap. 53.

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