

Justice, with suitable Conveniences, wherein to hold the Assizes and General Quarter Sessions of the Peace, and the County Courts and other Courts for the said County of *Hereford*, and to transact other judicial Business; and also to erect a new Shire Hall for the County of *Hereford*, and other proper Buildings for the Purposes of such County: And whereas a new Gaol for the said County of *Hereford*, was some Time since erected; and the Scite or Ground whereupon the old Gaol for the said County formerly stood, and the Buildings and Materials thereupon still remain unsold and undisposed of; and the same Scite or Ground is situate in the said City of *Hereford*, lying in Front next to *Saint Owen Street*, in the Parish of *Saint Peter*, in the said City, and being at a short Distance from the present Shire Hall, is well calculated for such new Erections, with Accommodations thereto, and affords an easy Communication with the present Gaol of the said County of *Hereford*; and it is expedient that the said Scite or Ground should be made use of for the said Purposes, but to adapt the same for such Purposes, and to make convenient Avenues and Approaches thereto, it will be necessary to purchase several Houses, Buildings, Tenements, Gardens, and Pieces of Ground adjacent and opposite thereto: And whereas it is expedient that better Accommodation should be procured for the King's Judges, when holding the Assizes in the said City of *Hereford*; and there appears to be no Mode of procuring permanent and suitable Accommodation for them, but by the Expenditure of a considerable Sum of Money, either in the purchase, repairing, or building of some House for that Purpose: And whereas it is expedient that the Expences of purchasing, repairing, altering, or building such Houses, Buildings, Tenements, Gardens, and Pieces of Ground, as shall be necessary for the several Purposes aforesaid, and of erecting and making the said new Courts of Justice, Shire Hall, Lodgings for His Majesty's Judges, and other Buildings and Accommodations, and of obtaining and passing this Act, and also all other Expences attending the Execution thereof, should be borne and paid by and raised by way of Rate upon the said County of *Hereford*; and it is expedient that such Expences should be borne in certain Proportions by and between the Proprietors and the Occupiers of Lands and Hereditaments within the said County; but as the several Ends and Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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 all Persons who now are or shall hereafter for the Time being be Justices of the Peace for the said County of *Hereford*, shall be and they are hereby appointed Commissioners for directing, ordering, and managing the Erection and building of new Courts of Justice, with suitable Conveniences, wherein to hold the Assizes and General Quarter Sessions of the Peace, and the County Courts and other Courts for the said County of *Hereford*, and to transact other judicial Business, and also of a new Shire Hall for the said County of *Hereford*, and other proper Rooms and Buildings for the Use and public Purposes of the said County, and for making, widening, beautifying, or improving the Avenues or Approaches to or surrounding the same respectively, and also the purchasing, adapting, or erecting of any proper and commodious Messuage or Messuages, with Gardens and other suitable Conveniences and Accommodations for the lodging of His Majesty's Judges when holding Assizes in the said City,

Commissioners appointed.

and repairing and fitting up the same, and the Application of the Scite or Ground whereon the old Gaol for the said County stood, or any proper Part or Parts thereof, and such other Messuages, Buildings, Land, Ground, and Hereditaments, as shall or may be purchased or acquired under the Powers of this Act, for such Erections and Buildings, or such other Purposes as aforesaid, and for selling such Parts of the said Scite, Buildings, Ground, and Premises, as shall not be wanted for the Purposes aforesaid, and for raising and defraying the Expences of such Erections and Buildings as aforesaid, and of all Sales, Purchases, and other Acts to be made and done under the Powers of this Act, and also the Expences of obtaining and passing this Act, and generally for carrying this Act, and the several Purposes thereof, into Execution.

II. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet at the Committee Room at the present Gaol of and for the said County of *Hereford*, and which is locally situate within the Liberties of the City of *Hereford*, on the *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten in the Forenoon and Two in the Afternoon; of which First Meeting at least Eight Days previous Notice shall be given by Five or more of the said Commissioners, in the Newspaper called *The Hereford Journal*; and the said Commissioners, or any Five or more of them, shall then and there proceed to put this Act into Execution, and then and from Time to Time afterwards adjourn themselves to meet or otherwise meet according to such Notice as is hereinafter directed to be given, at such Time or Times, and at such Place or Places within the said County of *Hereford*, as such Commissioners, or any Five or more of them, shall think proper and convenient; and if Five Commissioners shall not attend at the Time and Place appointed for any such Meeting, then the Commissioners or Commissioner present may make such Adjournment; and if no such Commissioner shall be present, or if at any Meeting an Adjournment be neglected to be made, then the Clerk of the Peace for the said County of *Hereford*, or his Deputy, may revive and continue the Meetings of the said Commissioners, by calling One or more Meetings for that Purpose, and causing such Notice to be given as is hereinafter directed; and every such Meeting so to be called for the Purpose of reviving and continuing the said Meetings, shall and may be adjourned in like Manner; and all such Adjournments, and the Revivals and Continuations of the said Meetings, shall be entered by the Clerk of the Peace of the said County, or his Deputy, in a Book to be kept for that Purpose; and notwithstanding any Adjournment of the Meetings of the said Commissioners, it shall be lawful for the said Commissioners, or any Five or more of them, or for the Clerk of the Peace, or his Deputy, under the Direction of the said Commissioners, or any Five or more of them, to convene a Meeting of the said Commissioners, at any Time prior in Date to the Time for which any Meeting shall have been adjourned; of which Meeting so to be convened, and the Purpose thereof, the like Notice shall be given as is hereinafter directed with respect to other Meetings of the said Commissioners.

III. Provided always, and be it further enacted, That no Orders, Contracts, Sales, Purchases, or other Acts or Proceedings of the said Commissioners, or any of them, in the Execution of this Act, shall be valid unless done or executed at a Meeting held in pursuance of this Act; and that previous Notice of all the Meetings to be held in pursuance

Meetings of Commissioners.

Proceedings to be done at Meetings.

Notice to be given of Meetings,

except those
by Adjourn-
ment.

Chairman to
be appointed.

Proceedings
to be entered.

Committees.

fuance of this Act (Meetings by Adjournment only excepted) shall be given in the said Newspaper by the said Commissioners, or any Five or more of them, or by the said Clerk of the Peace for the Time being, or his Deputy, Eight Days at least before such Meeting, which Notice shall specify the Time and Place of such Meeting, and at all such Meetings the said Commissioners shall pay their own Expences, and at every such Meeting One of the said Commissioners present shall be appointed Chairman, and all the Powers and Authorities by this Act granted to or vested in such Commissioners, shall and may be exercised by the major Part of the Commissioners present (the whole Number present not being less than Five) and the Chairman shall not only have a single Vote, but in case of Equality of Votes upon any Question, shall have the decisive or casting Vote; and all the Orders and Directions of the major Part of such Commissioners present at such Meetings, shall have the same Force and Effect as if the same were done by all such Commissioners for the Time being.

IV. And be it further enacted, That Entries shall be made by the Clerk of the Peace, or his Deputy, in a Book or Books to be provided for that Purpose, of all the Acts, Orders, Rules, Regulations, Directions, and Proceedings of the said Commissioners, relative to the Execution of this Act; and all such Entries shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts and other Places whatsoever, in all Causes, Suits, Actions or Disputes, touching any Thing done in pursuance of this Act; and such Book and Books shall be lodged with the Clerk of the Peace for the Time being, and shall and may be perused and inspected at all seasonable Times, by any Person contributing towards the Expence of carrying this Act into Execution, on Payment to such Clerk of the Peace of One Shilling for each Time of Inspection, and One Shilling more for every Hour after the First Hour during which such Inspection shall continue after the First Hour; and when all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall cease, in consequence of the final Execution of such Powers and Authorities, such Book or Books shall be deposited with the Clerk of the Peace for the said County of *Hereford*, and be by him kept and preserved amongst the Records of the said County.

V. And be it further enacted, That the said Commissioners may, if they think fit, nominate and appoint One or more Committee or Committees (consisting of any Number of their own Body) to superintend, regulate, and controul such Artificers, Officers, and Workmen as shall be employed by the said Commissioners or any of them, and to see to the due Performance of such Contracts and Agreements and Works as may be entered into for the Purpose of carrying this Act into Execution, or any of them; and also to do and execute all such other Business, Service, and Commission, as shall be committed or entrusted to its Care, Management, Superintendance or Execution, for the Purposes of this Act; and to nominate and appoint several such Committees (if necessary) for separate Departments of the said Works, or with separate Objects, and to give Instructions to such Committees accordingly; and all Acts, Instructions, Orders, and Directions, signed, done, or given by the Majority of any such Committee (provided they do not exceed the Limits of the Orders of the Commissioners at large) shall be binding on such Artificers, Officers, and Workmen as aforesaid, and all other Persons concerned therein, and good, valid and effectual for the Purposes to which the same shall relate.

VI. And

VI. And be it further enacted, That the said Commissioners, at any Meeting to be held in pursuance of this Act, (of the special Object of which such Notice as aforesaid shall be given) shall and may from Time to Time appoint a Treasurer or Treasurers, and such other Officers and Persons as they may think proper for assisting in the Execution of this Act, or for executing any Rules, Orders, or Regulations to be made in pursuance of the same, with such Salaries and Allowances, to be paid out of the Monies to be raised by this Act, as shall be thought reasonable by the said Commissioners, or any Five or more of them; and also shall and may take Security from such Treasurers, or other Officers and Persons, for the faithful Execution of their Office respectively, and for duly accounting for all such Sum or Sums of Money as shall be received by such Treasurer or Treasurers, Officers and Persons, and paying the Balances thereof, from Time to Time as the said Commissioners, or any Five or more of them, shall appoint; and also may from Time to Time remove such Treasurer or Treasurers, Officers and other Person or Persons, and appoint others in the Room of such of them as shall be so removed or shall die, and may when they the said Commissioners or any Five or more of them shall think proper, discontinue any such Treasurer or Treasurers, Officers and Persons so to be appointed as aforesaid.

Appointment
of Officers.

VII. And be it further enacted, That the said Commissioners may sue and be sued in the Name of the Clerk of the Peace for the Time being; and that no Action to be brought or commenced by or against the said Commissioners or any of them, by virtue of this Act, in the Name of the said Clerk of the Peace, shall abate or be discontinued by the Death or Removal of such Clerk of the Peace, or by the Act of the said Clerk of the Peace, without the Consent of the said Commissioners, or any Five or more of them, but that such Clerk of the Peace shall always be deemed the Plaintiff or Defendant in such Action, as the Case may be: Provided always, that every such Clerk of the Peace shall be reimbursed, out of the Monies to be raised by virtue of this Act, all such Costs, Charges, Damages, and Expences, as he shall be put unto or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid.

Commission-
ers may sue
and be sued
in the Name
of the Clerk
of the Peace.

Clerk of the
Peace indem-
nified.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners to cause the Scite of the old Gaol of the said County of *Hereford*, and the Buildings belonging thereto, (situated as herein-before mentioned) or any Part or Parts thereof, to be used as the Scite of the new Shire Hall, Courts, Offices, Messuages, and other Buildings to be erected and built under the Powers and Authorities of this Act, or any of them, and for such Yards, Gardens, and Outlets to the same, as shall be thought commodious and proper, or otherwise to sell and dispose of the said Scite or Ground, or any Part or Parts thereof, for the Purposes of this Act, as they the said Commissioners shall think fit; and for that Purpose, that all and singular the said Scite, Land, or Ground whereupon the said old Gaol, and the several Buildings belonging thereto, lately stood, and all the Yards, Courts, Outlets, Ways, Paths, Passages, Waters, Water-courses, Fences, Easements, Commodities, Hereditaments, and Appurtenances whatsoever to the same respectively belonging, or at any Time holden or occupied therewith, or taken or known as Part, Parcel, or Member thereof, and the Fee Simple and Inheritance thereof in Possession, shall (from and immediately after the passing of this Act) be, and the same

The Scite of
the old Gaol,
&c. may be
used for the
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Scite of the
old Gaol, &c.
vested in the
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Purposes of
this Act.

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are hereby vested and settled in and upon and to the Use of the said Commissioners, the Justices of the Peace for the County of *Hereford*, and their Successors for ever, upon Trust, and to the Intent that they do and shall cause or permit the same Premises, every or any Part thereof, to be converted, held, used, and disposed of, for the several Purposes of this Act, or any of them, or otherwise as by this Act directed or authorized, in such Manner as they the said Commissioners shall think expedient.

Commissioners to treat for other Premises upon which the new Buildings may be erected.

IX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, from Time to Time to treat, contract for, and agree with the several Owners, Occupiers of and Persons interested in any Messuages, Dwelling Houses, Tenements, Buildings, Gardens, Outlets, Ground, Easements, Lands, and Hereditaments whatsoever, which shall or may be conveniently used for any of the Purposes of this Act, or shall be deemed necessary for making, enlarging, or otherwise accommodating the new Buildings hereby directed to be built or provided, or widening, beautifying, or improving the Avenues and Approaches to the same respectively, or any other of the Purposes of this Act, for the Purchase thereof (to be conveyed to or to become otherwise vested in the said Commissioners in Manner herein-after mentioned, for the Purposes of this Act), and likewise with the Owners, Occupiers, and Persons interested in any other Messuages, Ground, or Buildings whatsoever, for any Loss or Damage which such Owners, Occupiers, and Persons interested, or any of them, shall or may sustain by or on account of the Execution of any of the Powers of this Act; and with the Monies to be raised in Manner hereinafter directed, to pay for the Purchase of such Houses, Lands, Tenements, Ground, and Hereditaments, and for such Losses or Damages such Sum or Sums of Money as shall be agreed upon between such Owners, Occupiers, and Persons interested as aforesaid, and the said Commissioners for the Time being, or any Three or more of them, or as shall be assessed by a Jury in the Cases and Manner hereinafter mentioned, and also the Costs and Charges attending such Agreements, Purchases, or Assessments.

All Persons and Bodies Politic, &c. may treat for Sale of Lands.

X. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole (on Behalf of themselves and their Successors) Tenants for Life, or *per autre vie*, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and any Person or Persons having a beneficial Estate or Interest for any Term or Terms of Years on Behalf of themselves and their Issue, their Executors or Administrators, and also of all Persons seized or entitled in Remainder expectant on their respective Estates and Interests, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of Lunatics and Idiots, and all other Trustees for and on Behalf of themselves, their Heirs, Executors, and Administrators, and also of their Cestuique Trusts, Wives, Wards, and other Persons in Trust, for or on Behalf of whom they may be respectively interested, (whether Infants, Issue unborn, Femmes Covert, Lunatics, Idiots, or other Person or Persons whomsoever) and to and for all Femmes Covert who are or shall be seized or possessed of or in anywise interested in their own Right, or for their separate Use, and to and for all and every other Person or Persons whomsoever, who are or is or shall or may be seized, possessed of, entitled to, or anywise interested in any such Houses, Buildings, Gardens,
Lands,

Lands, Tenements, Hereditaments, or Premises, as shall or may be deemed necessary for the Purposes of this Act (except Tenants at Rack Rents, or from Year to Year, or at Will,) to contract and agree with the said Commissioners, or any Three or more of them, for the Sale of such Houses, Buildings, Gardens, Lands, Tenements, Hereditaments, and Premises, every or any Part thereof, and the Fee Simple thereof, or other absolute Interest therein, and all and every or any Estate, Right, Title, and Interest whatsoever, at Law or in Equity, of, in, or to the same, for the Purposes of this Act; and to convey the same and the Fee Simple or absolute Interest thereof, every or any Part thereof, and every Estate, Right, Title, and Interest therein, to the said Commissioners and their Successors, Justices of the Peace for the said County, for ever, or to such Person or Persons in Trust for them, and in such Manner as the said Commissioners shall direct, and as Occasion shall require; and all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding.

XI. And be it further enacted, That if any such Owner, Proprietor, Occupier, Trustee or Trustees, Committee or Committees, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or any such other Person or Persons as aforesaid, seised of, entitled to, or interested in the Messuages, Dwelling Houses, Tenements, Ground, or Hereditaments, specified in the said Schedule to this Act, or any of them, shall neglect or refuse to treat, or shall not agree for the Sale of any of the said Houses, Lands, Tenements, Ground, Premises, or Hereditaments, mentioned or specified in the said Schedule, or any Part or Parts thereof, or for his, her, or their Interest therein, or by reason of Absence, Incapacity, or otherwise, shall be prevented from treating, then and in any such Case, it shall be lawful for the said Commissioners, or any Three or more of them, (Twenty-one Days at the least before any General Quarter Sessions of the Peace to be holden in and for the said County of *Hereford*), to give or cause to be given to such Owners or Persons interested, or his, her, or their Husbands, Trustees, Guardians, or Committees respectively, or to the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or to leave or cause to be left at the House of the Tenant in Possession of any such Houses, Lands, Tenements, or Hereditaments, Notice in Writing signed by the said Commissioners, or any Three or more of them, describing or denoting the Houses, Lands, Tenements, or Hereditaments, so intended to be purchased, and purporting that the Value thereof will be adjusted and settled by a Jury at the said Sessions; and the Justices at their Sessions, upon Proof to them made of such Notice having been so given or left, are hereby authorized and required to charge the Jury which shall attend at such Sessions, or some other Jury of Twelve honest Men, to be then and there impannelled and returned by the Sheriff of the said County, without Fee or Reward; and in Default of the Attendance of a sufficient Number of Jurymen so returned, then such other honest and indifferent Men of the Byestanders as the said Sheriff shall take, or of others that he can speedily procure, to attend that Service to make up the Number Twelve, and cause them to be sworn well and truly on their Oaths to assess the Value of the Houses, Lands, Tenements, or Hereditaments, mentioned in or referred to by the said Notice, and the Damages and Recompence to be given for the same, or such Part or Parts

If Parties refuse to treat, the Value to be settled by a Jury.

thereof as shall be intended to be used for the Purposes of this Act, to the respective Owners, Occupiers, and Persons interested, according to their respective Interests therein; which Oath the said Justices are hereby authorized and required to administer to such Jury; and the said Justices, if they shall think fit, shall and may cause the said Jury to view the Place and Places, Matter and Matters in Question; and to which said Jury, the said Commissioners and all Parties interested shall have their lawful Challenges, but shall not challenge the Array; and the said Jury being so charged and sworn as aforesaid, and after proper Evidence upon Oath given concerning the Nature, Quantity, and Value of such Houses, Lands, Tenements, and Hereditaments, or such Part or Parts thereof as aforesaid, shall by their Verdict assess the Damage and Recompence to be given for the same, to such respective Owners, Occupiers, and Persons, according to their respective Interests therein; and the said Justices, or the major Part of them, shall give Judgment for such Purchase Money or Recompence so to be assessed by such Jury; which Verdict of the said Jury, and Judgment of the said Justices upon the same, shall be entered in the Records of the Sessions, and shall finally bind and be conclusive on the said Commissioners and on all Persons and Parties interested in the said Houses, Lands, Tenements, and Hereditaments respectively, as fully and extensively, to all Intents and Purposes, as if such Persons and Parties had respectively consented to and joined in the Sale and Conveyance thereof, for the Purposes of this Act.

No Houses
to be taken,
except those
specified in
the Schedule.

XII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Commissioners, or any of them, or any other Person or Persons acting by or under their Authority, to take or use for the Purposes of this Act, any House, Building, Garden, Orchard, planted Walk or Avenue to a House, without the Consent of the Owners and Proprietors thereof, other than and except the Houses, Lands, Tenements, and Hereditaments, mentioned and comprised in the said Schedule to this Act annexed, and intended to be taken and used for the Purposes thereof.

Expences of
Jury, how to
be paid.

XIII. And be it further enacted, That in case any Jury shall give and deliver a Verdict or Assessment for more Money, as the Recompence, Price, or Value for any such Houses, Buildings, Ground, Lands, or Hereditaments, Easements, Privileges, Loss, or Damage as aforesaid, than what shall have been agreed to or offered by or on the Part of the said Commissioners, or any Three or more of them, before the returning or impannelling of the Jury, that then and in such Case the Costs and Expences of the Jury and Witnesses, and all other Expences respecting the taking the said Verdict or Inquisition, and the Judgment, Order, or Adjudication thereon, shall be borne and paid by the said Commissioners out of the Money to be by them raised by virtue of this Act; but if such Jury shall give and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to or offered by or on the Part of the said Commissioners, or any Three or more of them, before the taking of such Verdict or Inquisition as aforesaid, as the Recompence, Price, or Value for any such Houses, Buildings, Grounds, Lands, or Hereditaments, Easements, Privileges, Loss or Damage as aforesaid, that then the full Costs and Expences to be occasioned as aforesaid, and all other the Expences attending the hearing and determining of such Appeal or Difference, shall be borne and
paid

paid by the Person or Persons with whom the said Commissioners or any Three or more of them shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled by the Court of Quarter Sessions before which such Appeal or Matter shall be heard, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced towards and in Part of such Recompence, Price, or Value; and the Payment or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment and Tender of the whole Sum or Sums so assessed or adjudged; or otherwise such Costs and Expences, in case the same be not paid on demand, may be recovered by the said Commissioners, in the Name, Style, or Appellation of "The Justices of the Peace of the County of *Hereford*," by Action of Debt, in that Name, Style, or Appellation, in any of His Majesty's Courts of Record at *Westminster*, in which Action no Wager of Law, Essoign, or Protection, nor more than One Imparlance shall be allowed: Provided always, that in all Cases where any Person shall by reason of Absence from the Kingdom of *Great Britain*, have been prevented from treating, such Costs and Expences shall be borne and paid out of the Money to be raised or received by the said Commissioners under or by virtue of this Act.

XIV. And be it further enacted, That upon Payment or Tender of the Money so agreed, ordered, assessed, or adjudged to be paid for the Purchase of such Houses, Buildings, Grounds, Lands, or Hereditaments, Easements, or Privileges, or for such Recompence as aforesaid (subject to such Deduction for Costs as herein mentioned, or upon Investment or Payment thereof into the Bank of *England*, in Manner by this Act directed, as the Case may be, the said Houses, Buildings, Grounds, Lands, Tenements, Hereditaments, Easements and Privileges, so purchased, shall vest in the Justices of the Peace for the Time being for the said County of *Hereford*, for the Purposes of this Act; and it shall then be lawful for the said Commissioners, or any Five or more of them, their Workmen, Servants, or Agents, to enter upon and take Possession of and make use of such Houses, Buildings, Grounds, Lands, Tenements, Hereditaments, Easements, and Privileges, and every Part thereof, and also to pull down such Houses and Buildings, or so much of them as it shall be necessary or expedient to pull down; and all such Persons and Parties who were the Owners or Occupiers thereof, shall be divested of all Right and Title in and to the same and every Part thereof.

Upon Payment or Investment of Purchase Money, Commissioners may take Possession.

XV. And be it further enacted, That if any Money shall be agreed, ordered, or awarded to be paid for the Purchase of any Messuages, Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, and the same shall belong wholly or in Part to any Body Politic, Corporate, or Collegiate, or any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on Behalf or in Right of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Messuages, Lands, Tenements, or Hereditaments shall have been limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, 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

Application of Money belonging to Corporations, if amounting to 200l.

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the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* "The Justices of the Peace for the County of Hereford," 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 preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Messuages, Lands, Tenements, Rights, Hereditaments, or Premises, from which such Monies shall have arisen, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances affecting the said Messuages, Lands, Tenements, or Hereditaments, or any other Messuages, Lands, Tenements, or Hereditaments, standing settled therewith, or holden or liable upon or to the same or the like Title, Uses, Intents, or Purposes, or such Part thereof as the said Court shall authorize to be so paid and discharged; and 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 Messuages, 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 Messuages, Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, previously stood settled or limited, or to, for, or upon such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, or capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be 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 mean Time, 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 Messuages, Lands, Tenements, and Hereditaments, to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

If less than
the Sum of
200l. and not
less than 20l.

XVI. Provided always, and be it further enacted, That if any Money so agreed, ordered, or awarded to be paid for any Messuages, Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to 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 Messuages, 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, Idiocy, 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, and be placed to his Account as aforesaid, in order to be applied in Manner herein 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 Commissioners, or any Five or more

of them (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 therefrom, may be applied in Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XVII. Provided also, and be it further enacted, That where such Money so agreed, ordered, or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in every such Case the 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 Hereditaments so purchased, taken, or used for any of the Purposes of this Act, in such Manner as the said Commissioners, the Justices of the Peace for the Time being for the said County of *Hereford*, or any Five or more of them, shall think fit; or 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.

The Appli-
cation thereof
if less than 20l.

XVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be ordered or awarded to be paid for the Purchase of any Houses, Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Commissioners, the said Justices of the Peace for the Time being, or any Five or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered or awarded to be paid 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 Commissioners, the Justices of the Peace for the Time being for the said County, or any Five or more of them, to order the said Sum or Sums of Money so ordered or awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Houses, Lands, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, 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 same Court shall seem meet) to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest 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 such Sum or Sums of Money (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 Sum or Sums of Money into the Bank as aforesaid.

If Titles not
made out, &c.

XIX. And

Purchase
Money paid
into Chancery
on account of
defective
Titles, how
disposed of.

XIX. 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 said Court of Chancery, in pursuance of this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased in pursuance of 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 Possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person and Persons, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall be made to 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 Messuages, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court
may order
reasonable
Expences of
investing
Money in the
Purchase of
other Lands,
to be paid by
the Commis-
sioners.

XX. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Messuages, Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Expences of obtaining such Order, to be paid by the said Commissioners, out of the Monies to be assessed and raised upon the said County of *Hereford*, by and under the Authority of this Act, or by the Justices of the Peace for the Time being of the said County of *Hereford*, out of the County Rate of the said County, who shall from Time to Time pay such Sum of Money accordingly, for such Purposes as the said Court shall direct.

Tenants at
Will to de-
liver up Pos-
session on Six
Calendar
Months
Notice.

XXI. And be it further enacted, That every Tenant at Will, or for One Year, or from Year to Year, and every Person or Persons in Possession of any such Messuages, Lands, Tenements, and Hereditaments as shall be purchased by virtue and for the Purposes of this Act, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Commissioners, or any Five or more of them, or to such Person or Persons as they or any Five or more of them shall appoint to take Possession of the same, upon having not less than Six Calendar Months Notice to quit such Possession from the said Commissioners, or any Five or more of them, or the Clerk of the Peace for the said County for the Time being; and it shall be lawful and sufficient for the said Commissioners, or any Five or more of them, or the said Clerk of the Peace, to give such Notice, as well before as after the respective Purchases of the said
Messuages,

Messuages, Lands, Tenements, and Hereditaments, shall have been completed, or the Purchase Money thereof paid, tendered, or invested as hereinbefore mentioned; and such Person or Persons in Possession shall at the End of the said Six Calendar Months, whether such Notice be given with Reference to the Time or Times of such Tenant's Entrance or Holding, or not, or as soon after as he, she, or they shall be required by such Notice, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners or any Five or more of them, or to the said Clerk of the Peace, or any Person or Persons authorized by such Commissioners or any Five or more of them to take Possession thereof; they the said Commissioners making such Satisfaction and Compensation to every such Tenant or Lessee, or other Person or Persons in Possession as aforesaid, in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term in the Premises, as the said Commissioners or any Three or more of them shall deem just and reasonable; and if any Difference or Dispute shall arise touching the Amount of such Satisfaction and Compensation, then and in such Case the same shall be settled and ascertained by a Jury, in such and the like Manner as the Satisfaction and Compensation to be made by the said Commissioners for the Purchase of any Messuages, Buildings, Lands, Tenements, and Hereditaments, are hereinbefore directed to be settled and ascertained in case of any Difference or Dispute about the same; and that in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, it shall be lawful for the said Commissioners or any Three or more of them to issue their Precept or Precepts to the Sheriff of the County of *Hereford*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver such Possession accordingly of the same Premises, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any) to the Owner or Owners thereof.

XXII. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages upon any Messuages, Lands, Tenements, and Hereditaments, which shall be purchased by virtue and for the Purposes of this Act, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall (on Notice in Writing from the said Commissioners, or any Three or more of them, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages, at the End or Expiration of not less than Six Calendar Months, to be computed from the Day of giving such Notice, and on Payment of the Principal and Interest so due at the Time to be mentioned in such Notice,) convey, release, assign, and transfer his, her, or their Interest in the Premises so purchased, to or in Favour of the said Commissioners, the Justices of the Peace for the Time being for the said County; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid, on such Payment or Tender thereof, then all Interest on the Principal Money due on every such Mortgage shall thenceforth cease and determine.

Mortgagee, on being tendered Principal and Interest, to convey.

XXIII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Messuages, Lands, Tenements, Hereditaments, and

Form of Conveyance.

[Local.]

M m

Premises,

Premises, to be made to the said Commissioners, the Justices of the Peace for the said County of *Hereford*, shall be made in the Form or to the Effect following; (*videlicet*)

‘ I *A. B.* of _____ in Consideration of the
 ‘ Sum of _____ paid by the
 ‘ Commissioners acting by virtue of an Act of Parliament, passed in the
 ‘ Fifty-fifth Year of the Reign of King *George* the Third, intituled [*here*
 ‘ *insert the Title of this Act,*] do hereby grant and release unto the Com-
 ‘ missioners appointed by the said Act, the Justices of the Peace for the
 ‘ Time being of the County of *Hereford*, and their Successors for the Time
 ‘ being, Justices of the Peace for the said County, all [*here describe the Mes-*
 ‘ *suages, Lands, Tenements, and Premises to be conveyed,*] and all my Estate,
 ‘ Right, Title, and Interest of, in, and to the same and every Part thereof,
 ‘ to hold to the said Justices of the Peace for the Time being for the said
 ‘ County of *Hereford*, and their Successors for the Time being Justices of
 ‘ the Peace for the said County, for ever: In Witness whereof, I have
 ‘ hereunto set my Hand and Seal, this _____ Day of
 ‘ in the Year of our Lord _____ .’

And every such Sale, Conveyance, and Assurance so made, and every Contract and Agreement for such Sale, Conveyance, and Assurance, shall be good, valid, and effectual, to all Intents and Purposes whatsoever, not only to sell or convey the Estate or Interest of the Person or Persons conveying, but also to sell and to convey all Right, Estate, Interest, Use, Trust, Property, Possibility, Claim, and Demand whatsoever, of his, her, or their several and respective Cestuique Trusts, and all other Persons claiming or to claim by, from, or under him, her, or them respectively, and of all Persons entitled in Remainder or Reversion expectant upon such Particular or other Estate, and the same shall be deemed and considered to bar the Dower and Dowers of the Wife and Wives of such Person and Persons (if she or they shall be entitled to any Right of Dower), and all Estates Tail, and all Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person or Persons, and every Person claiming or to claim under them respectively, as effectually as Fines and Common Recoveries would do in Cases where a Fine and Common Recovery would acquire the absolute Fee Simple if levied or suffered by the Parties interested, and such Parties had been adult and without Impediment or Disability (any Law, Statute, Usage, or Custom, to the contrary notwithstanding); and all and every such Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, and all Tenants for Life or *per autre vie*, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, or having a beneficial Estate for Years, and all Feoffees in Trust, Husbands, Trustees, Executors, Administrators, Guardians, Committees, and all other Persons, shall be and are hereby indemnified for what they shall do or cause to be done by virtue or in pursuance of this Act; and it shall and may be lawful to and for the said Commissioners, the Justices of the Peace for the Time being of the said County of *Hereford*, to hold all Lands, Tenements, and Hereditaments to be taken, purchased, conveyed to, or otherwise vested in them by virtue of this Act, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, any Law, Statute, or Usage whatsoever to the contrary in anywise notwithstanding.

XXIV. And

XXIV. And be it further enacted, That when the said Messuages, Dwelling Houses, Tenements, Buildings, Gardens, Outlets, Grounds, Easements, Lands, and Hereditaments, with the Appurtenances, shall so as aforesaid be purchased or become vested in the said Commissioners, the Justices of the Peace for the Time being for the said County of *Hereford*, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to direct or cause the said Messuages, Dwelling Houses, and other Buildings to be taken down, and to sell the Materials thereof either when taken down or standing, or to use the same or any Part thereof in the new Buildings herein-after mentioned, as to such Commissioners or any Five or more of them shall seem most proper, and to apply the clear Monies arising from such Sale (if any) as the Monies to be raised on the said County of *Hereford* are herein-after directed to be applied, or in the several Contracts for the Purchase of such Messuages, Dwelling Houses, Tenements, Buildings, and Hereditaments, or any of them respectively, to agree that the Materials thereof, or any Part thereof, shall be taken down and removed by the Person or Persons respectively agreeing to sell the same, to his, her, or their own Use and Benefit; and also to cause to be erected, built, and made on the Scite of the said Messuages, Dwelling Houses, Tenements, Buildings, Gardens, Outlets, Ground, Lands and Hereditaments, or so much thereof as shall be necessary, and upon the Scite of the aforesaid old Gaol, and the Buildings and Premises belonging thereto, or any Part thereof, new Courts of Justice, a new Shire Hall, and an Office or Offices for the Use of the Clerk of the Peace, and for keeping of the Rolls, Records, Books, and Papers of the said County of *Hereford*, and a House for the Lodging or Accommodation of His Majesty's Judges at the Assizes for the said County of *Hereford*, together with such Buildings, Rooms, Additions, Courts, Yards, Gardens, Outlets, Avenues and other Accommodations to or for the same respectively, and to be completed and fitted up in such Manner as the said Commissioners or any Five or more of them shall judge requisite and proper, and also to widen and improve the Avenues and Approaches to the said new Shire Hall, Courts, Offices, Buildings and Premises, by throwing any Part or Parts of the Scites so to be purchased or acquired, into the public Streets near or surrounding the same or any of them, or any other Application of such Scites, or any Part or Parts thereof; and also to contract and agree with any Person or Persons for executing all or any of the aforesaid Works, or to cause and procure the same to be executed, without entering into such Contract or Contracts, in such Manner as the said Commissioners or any Five or more of them shall think proper: Provided always, that all such Buildings, Rooms, Additions, Courts, Yards, Gardens, Outlets, Avenues, and other Accommodations as aforesaid, shall be completed within Three Years, to be computed from the passing of this Act.

Old Buildings to be taken down and new Courts erected, &c.

XXV. And be it further enacted, That such House, Lodgings, or Accommodation for the said Judges as aforesaid, either shall and may be erected, built and made upon the Scite of the said old Gaol, and the Buildings and Premises belonging thereto, or any Part thereof, or of any Houses, Buildings, or Premises near or adjoining to the same, which shall be purchased and taken down as aforesaid, or by purchasing, repairing, fitting up, and adapting any other convenient and suitable Messuage or Dwelling House, or Messuages or Dwelling Houses, Yards, Gardens, and Premises, in the said City of *Hereford*, at such a Distance from

Lodgings for the Judges may be made on the Scite of the old Gaol, or near thereto, or by purchasing and fitting up any Messuage or Premises

at a Distance
from such
Scite.

the said Scite of the said old Gaol, as to the said Commissioners or any Five or more of them shall seem most expedient; all which Messuage or Dwelling House, or Messuages or Dwelling Houses, Yards, Gardens and Premises, shall and may be purchased, repaired, and fitted up under the Provisions and Directions herein-before contained.

Commissioners empowered to take Consideration for the Judges Lodgings.

XXVI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners of this Act for the Time being, to take and receive from the High Sheriff of the said County of *Hereford* for the Time being, as a Consideration for providing such Lodgings and Accommodation for His Majesty's Justices of Assize as aforesaid, at each and every Assize holden for the said County, such Sum or Sums of Money as hath or have usually been or shall hereafter be allowed, paid, or issued by or out of His Majesty's Exchequer to the said Sheriff, for providing such Lodgings and Accommodation.

Courts, Shire Hall, &c. vested in the Justices of the County for public Purposes.

XXVII. And be it further enacted, That when the said Courts, Shire Hall, Offices, and Buildings shall be completely finished and fitted up, the same, and the Ground thereof, and all other the Lands, Hereditaments, and Premises whatsoever which shall be respectively purchased by virtue of this Act, shall from thenceforth be vested in and the same are hereby from thenceforth vested in the Justices of the Peace for the Time being of the said County of *Hereford*, upon Trust, and to the End, Intent, and Purpose that the said Justices of the Peace shall and will from Time to Time and at all Times hereafter appropriate such Part or Parts of the said Buildings as they shall think proper, for the sole Purpose of an Office or Offices for the Use of the Clerk of the Peace for the Time being of the said County of *Hereford* and his Deputy, and for the safe keeping of the Rolls, Records, and Papers of the said County, and peaceably, quietly, and freely permit and suffer all the Courts of the Justices of Assize and Nisi Prius, Oyer and Terminer, and General Gaol Delivery, or Special Commissions for the said County of *Hereford*, and the General Quarter Sessions of the Peace for the said County of *Hereford*, and the County Courts of the said County of *Hereford*, (whether for the Purpose of Elections to be held therein, or for ordinary judicial Proceedings), and all Inquisitions, and Writs of Inquiry, of and for the said County of *Hereford*, and the Hundred Courts and other Courts of the said County of *Hereford*, to be holden in the said Courts of Justice, or one of them, or in the said Shire Hall, as the Occasion may require; and also permit and suffer the other Buildings and Premises to be erected or adapted as aforesaid, and the Appurtenances to be had and used at all such Times for the respective Purposes for which they may be designed and adapted; and also peaceably, quietly, and freely permit and suffer the Sheriff and Freeholders for the Time being of the said County of *Hereford* to meet and to hold all public Meetings of such County in the said Shire Hall (when and as often as they shall be there legally convened by the said Sheriff); and also peaceably, quietly, and freely permit and suffer the said Courts of Justice, Shire Hall, and other Buildings and Premises, to be had, used, and enjoyed for such other public Uses and Purposes as the Justices of the Peace for the Time being for the said County of *Hereford*, at the General Quarter Sessions of the Peace for the said County, or the major Part of them, shall from Time to Time direct, order, or appoint, with free Liberty, for all Persons whom it may concern, to act and officiate
in

in and to resort to and attend upon the said Courts and Meetings as they shall have Occasion; and when and as soon as the said Courts, Shire Hall, and other Buildings and Premises shall have been completed, and shall be fit for the Purpose for which the same are hereby directed to be made, the present Shire Hall called 'The Shire Hall,' with the Rooms, Buildings and Appurtenances thereto belonging, (which Premises belong to the Corporation of the said City of *Hereford*), shall from thenceforth be discharged of and from all Claims, Rights, and Privileges thereto or therein, which have heretofore existed, or been claimed or exercised for or on account of any of the Purposes or Occasions of the said County of *Hereford*; and the said County of *Hereford* shall for ever thereafter be wholly exonerated and discharged from any Liability to maintain or repair the said present Shire Hall, Rooms and Buildings, with the Appurtenances.

XXVIII. And be it further enacted, That when and as soon as the said Courts of Justice, Shire Hall, and other Buildings and Premises to be provided and erected under the Powers and Authorities of this Act, shall have been erected and completed as aforesaid, or made fit for transacting Business, then and from thenceforth the Justices of Assize and Nisi Prius, Oyer and Terminer and General Gaol Delivery for the said County of *Hereford*, and also the Justices of the Peace for the said County of *Hereford*, at their General Quarter Sessions and at all other Times, and the Sheriff of the County of *Hereford* for the Time being, as well for the ordinary Purposes of Jurisdiction as for electing Knights of the Shire to serve in Parliament for the said County of *Hereford*, and for electing Coroners for the said County of *Hereford*, and for executing all Writs of Enquiry for the said County of *Hereford*, and all Juries, Officers, Witnesses and others, of or acting for the said County of *Hereford*, shall and may lawfully sit, execute, and discharge their several Functions, Commissions, Processes, Duties and Services, in the said Courts of Justice, Shire Hall, and other Buildings and Premises so as aforesaid authorized to be erected, made or acquired by this Act, in the same Manner and under the same Circumstances as hath been used at the old Shire Hall and Courts of Justice in and for the said County; and that for removing all Doubts and Difficulties which might otherwise arise as to Jurisdiction in or upon the said Courts of Justice, Shire Hall, and other Buildings and Premises to be erected and built, made, or acquired by virtue of this Act, all and every the Process, Rules, Orders, Attachments, Judgments, Executions Records and Proceedings of the said Courts of Assize and Nisi Prius, Oyer and Terminer, and General Gaol Delivery, Quarter Sessions, County and other Courts whatsoever, as and when the said several Courts shall respectively sit or be holden at, in, or upon the said Courts of Justice, Shire Hall, and other Buildings and Premises to be erected, built, made and acquired under the Powers of this Act, shall be as binding, valid, legal, and effectual, and shall be deemed and considered, and are hereby declared to be as binding, valid, legal, and effectual, to all Intents and Purposes whatsoever, as if the said several Courts had not been removed, but had respectively continued to sit and be holden in the said old Shire Hall and Court Houses respectively, or the former Place or Places where the same several Courts respectively have heretofore sitten and been holden (any Law, Statute, or Practice to the contrary thereof in anywise notwithstanding).

Jurisdiction
given to the
Courts.

XXIX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners or any Five or more of them, at any Time or Times, to make Sale and dispose of any Part or Parts of the Scite
[Local.] N n or
Commissioners may sell or exchange any Part of

the Scites of
the old Gaol,
&c. not
wanted for
the Purposes
of this Act.

or Scites of the aforesaid old Gaol and the Buildings and Premises belonging thereto (if any) which shall not be wanted for the Purposes of this Act, such Sale to be made by public Auction or private Contract, and in such Lots; and for such Prices, as to the said Commissioners or any Five or more of them shall seem meet, and upon the Completion of any and every such Sale; it shall be lawful for the said Commissioners or any Five or more of them, by any Deed or Deeds sealed and delivered by them, and to be enrolled with the Clerk of the Peace for the said County of Hereford, to grant, appoint, convey or otherwise assure the Ground, Scites, Buildings, and Premises which shall be so sold as aforesaid with the Appurtenances, unto and to the Use of the Purchaser or respective Purchasers thereof, and his or their Heirs and Assigns, or otherwise to such Uses and in such Manner as he or they shall direct or require.

Monies to
arise by Sales,
to be paid to
Treasurer.

XXX. Provided also, and be it further enacted, That all the Monies to arise and be produced by any such Sales as aforesaid from Time to Time, shall be from Time to Time paid to the Treasurer for the Time being appointed for the Purposes of this Act, and shall be applied for all or any of the Purposes of this Act, in like Manner as is herein-after provided with respect to other Monies.

The Hall to
be insured
and support-
ed at the Ex-
pence of the
County.

XXXI. And be it further enacted, That when the said Courts, Shire Hall, Offices, Buildings and Premises shall be completed, finished, and fitted up, the same shall be for ever thereafter insured, supported, repaired, and kept and maintained in Repair, and provided with proper Accommodations and Furniture from Time to Time as Occasion shall require, at the Expence and Charge of the said County of Hereford; and that it shall and may be lawful for the Justices of the Peace for the said County, at any General Quarter Sessions of the said County, or the major Part of them then assembled, from Time to Time to order the said Courts, Shire Hall, Offices, Buildings, and Premises to be insured, supported, repaired, and kept and maintained in Repair, and provided with proper Accommodations and Furniture, and be repaired and altered in such Manner as they shall think fit; and the said Justices at such Quarter Sessions shall and may from Time to Time appoint one or more Person or Persons to look after and take Care of the said Courts, Shire Hall, Offices, Buildings, and Premises, and the several Apartments thereof, and shall and may order such Salary, or allow such Fees to such Person or Persons, as they the said Justices shall think proper, and also shall and may order the Expence and Charge thereof, and likewise of the Furniture, Insurance, and Repairs of the said Courts, Shire Hall, Offices, Buildings, and Premises as aforesaid (and also the Insurance of the same whilst building, if they think proper so to insure the same) from Time to Time to be defrayed and paid by and out of the Monies to be raised by the general Rates and Assessments made and to be made, assessed and levied in the said County by virtue of an Act of Parliament made and passed 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*, and by virtue of an Act made and passed in the Thirteenth Year of the Reign of His said Majesty King George the Second, intituled *An Act to continue several Laws therein mentioned; for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes; for repairing Highways or Locks or other Works erected by Authority of Parliament, for making Rivers navigable;*
for

for preventing Exactions of the Occupiers of Locks and Weirs upon the River Thames Westward, and for ascertaining the Rates of Water-carriage upon the said River; for preventing frivolous and vexatious Arrests; and for the better securing the lawful Trade of His Majesty's Subjects to and from the East Indies, and for the more effectual preventing all His Majesty's Subjects trading thither under Foreign Commissions; and for limiting the Time for suing forth Writs of Certiorari upon Proceedings before Justices of the Peace, and for regulating the Time and Manner of applying for the same; for the better and more speedy Execution of Process within particular Franchises or Liberties; and for extending the Powers and Authorities of Justices of the Peace of Counties, touching County Rates, to the Justices of the Peace of such Liberties and Franchises as have Commissions of the Peace within themselves, and in such Manner as is directed in and by an Act of the Ninth Year of His present Majesty, intituled *An Act to enable the Justices of the Peace in the 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.* 9 G.3 c. 20.

XXXII. And be it further enacted, That if any Person or Persons shall wilfully and maliciously break, pull down, or in any Manner destroy the said Courts, Shire Hall, Offices, Buildings and Premises so to be erected and built, or any of them, or any Part or Parts thereof respectively, or any of the Appurtenances thereunto belonging, such Person or Persons being lawfully convicted thereof, shall be adjudged guilty of Felony, and the Court before whom such Person or Persons shall be tried shall have full Power and Authority either to order such Person or Persons to be transported for the Term of Seven Years, to such Place and in such Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm, or to suffer such corporal Punishment, or such other Punishment by Fine, Imprisonment or otherwise, as the Court before whom such Person or Persons is or are so tried shall think proper to order or inflict; and the Justices of the Peace for the said County of *Hereford*, assembled in their General Quarter Sessions, or at any Adjournment or Adjournments thereof, or the major Part of them, are hereby authorized from Time to Time to order such Offender or Offenders as aforesaid to be prosecuted by Indictment or Indictments at the Assizes for the County of *Hereford*, and to direct the Expences of such Prosecutions to be paid by the Treasurer or Treasurers of the said County for the Time being, out of the public Stock or general County Rates of and for the said County; and in every such Indictment or Indictments, such Courts, Shire Hall, Offices, Buildings, Premises and Appurtenances, shall respectively be alledged, and described, and deemed and taken to be the Courts, Shire Hall, Offices, Buildings, Premises and Property respectively, (as the Case may happen) of 'The Justices of the Peace for the County of *Hereford*,' without particularly stating or specifying the Name or Names of all or any of the said Justices. Punishing Persons destroying Courts, Shire Hall, &c.

XXXIII. And be it further enacted, That from and immediately after the passing of this Act the said Commissioners or any Five or more of them shall have full Power and Authority, and they are hereby directed and required from Time to Time to assess and raise within and upon the said County of *Hereford*, (except the City of *Hereford* and the Borough of *Leominster*, and the Liberties thereof respectively, or such Parts thereof respectively as have not been usually assessed to the County Rate), such Sum Money for carrying the Act into Execution, how raised. 9 Sum

Sum or Sums of Money, not exceeding in the whole the Sum of Thirty-three thousand one hundred and fifty Pounds, as shall be requisite and sufficient for purchasing, acquiring, pulling down, rebuilding, repairing, and fitting up such Ground, Buildings, and Premises as herein-before mentioned, and for effecting and carrying into full Execution the several Powers and Purposes of this Act, and discharging the several Costs, Charges, and Expences incident to or attending the same, or to be occasioned thereby, and to that End, Intent, and Purpose the said Commissioners or any Five or more of them shall have Power and Authority, and they are hereby directed and required from Time to Time to cause to be levied and raised such Number of Rates as they shall think fit, of the like Nature and upon the like Plan as the ordinary County Rates for the said County of *Hereford*, and to be called 'Special Rates in the Nature of County Rates,' and for that Purpose from Time to Time to issue their Precept or Warrant to the High Constables of the respective Hundreds or Divisions of the said County of *Hereford*, except as aforesaid, notifying the Sum or Sums of Money which they the said Commissioners or any Five or more of them shall have rated or assessed upon the said County of *Hereford*; and also notifying in each of such Warrants or Precepts, the Share or Proportion of such Sum or Sums of Money which ought to be raised or levied upon each of the respective Hundreds in the said County, according to the ancient or usual Scale or Proportion by which the said several Hundreds in the said County have contributed, or been assessed or rated to the County Rates raised for the said County of *Hereford*, and in the Manner usually adopted in levying and raising the County Rates, together with the Time which the said Commissioners or any Five or more of them shall think proper to appoint for the Payment thereof, (and which Time it shall and may be lawful for the said Commissioners or any Five or more of them so to appoint), and thereupon it shall and may be lawful for the said respective High Constables, and they are hereby authorized and required to issue Warrants or Notices under their Hands to the respective Churchwardens and Overseers of the Poor of the Parishes, Towns, Liberties, Precincts, Villages, Hamlets, and other Places within their respective Hundreds or Divisions, to be delivered to such Churchwardens and Overseers respectively, or to be left at their respective Dwellings, or usual or last Places of Abode, requiring or directing them to raise, collect, levy and pay to such respective High Constables, within the Time specified in the said Precept or Warrant which shall have been issued by the said Commissioners or any Five or more of them, (such Time not being less than by the Laws now in force is allowed for the raising and paying of County Rates in the like Case), the Sum or Sums which ought to be paid and contributed by or rated or assessed upon such respective Parishes, Towns, Liberties, Precincts, Villages, Hamlets, and Places (Parochial and Extra-parochial), according to the Share and Proportion by which they respectively have anciently or usually contributed or paid, or have been rated or assessed, towards the County Rates raised or levied within such Hundreds respectively; which Sum or Sums such Churchwardens and Overseers are hereby required to pay to such High Constables respectively, whose Receipts shall be good and sufficient Discharges for the same; and for delivering or leaving such Warrant or Notice as aforesaid to the respective Churchwardens and Overseers, it shall be deemed and considered to be a sufficient Service of such Warrant or Notice, if the same shall have been delivered to or left at the Dwelling or usual or last Place of Abode of One of such Churchwardens

the Overplus (if any) after deducting the Charges and Expences of such Distress and Sale, to the Owner or Owners of such Goods and Chattels; and in case any such Distress and Sale shall be made, or if any Churchwarden or Churchwardens, Overseer or Overseers shall pay unto any High Constable any Sum or Sums of Money, which shall have been so as aforesaid rated and assessed by the said Commissioners, it shall be lawful for such Churchwarden and Churchwardens, Overseer and Overseers, and he and they is and are hereby authorized and empowered, for the Purpose of reimbursing himself and themselves all and every such Sum and Sums of Money for which such Distress shall have been taken, or which he or they shall have so paid, to raise and levy the same by a Rate or Assessment, in such and the like Manner as he or they is or are hereby authorized and empowered to raise and levy any Sum or Sums of Money which shall have been rated or assessed by the said Commissioners, or the Proportion thereof payable from or by the Parish, Town, Liberty, Precinct, Village, Hamlet, or Place of which he or they shall be the Churchwarden or Churchwardens, Overseer or Overseers.

Tenants in the Country may deduct Two-thirds of the Rate out of their Rents.

XXXV. Provided always, and be it further enacted, That every Tenant at Rack Rent of any House, Land, Tythe, Tenement, or Hereditament in the said County of *Hereford*, who shall pay any Rate or Assessment to be made in pursuance of this Act, shall and may (subject to the Proviso hereinafter contained) deduct Two-third Parts thereof out of his, her, or their respective Rent or Rents, and shall be acquitted or discharged for so much Money as such Two-thirds of such Rate or Assessment, or Rates or Assessments shall from Time to Time amount unto, as fully and effectually as if the Amount thereof had been actually paid to the Person or Persons to whom such Rent or Rents is or shall be payable, and such Person and Persons is and are hereby required to allow from Time to Time such Deductions upon the Receipt or Tender of the Residue of such Rent or Rents, (notwithstanding any Agreement or Covenant between any Landlord and Tenant to the contrary); but if it shall so happen that any of the said Premises shall be rated, for the Purposes of this Act, at a higher Value than the Sum paid as the Rack Rent for the same, then and in every such Case a relative Proportion of the Rate, with Reference to the Excess beyond the Amount of such Rent, shall be paid wholly by the Tenant.

Extending former Acts to this Act for raising the Rate upon the County.

XXXVI. And be it further enacted, That all and every the Clauses, Powers, Directions, Provisoes, and Authorities provided or given to Justices of the Peace and others, for making, collecting, and levying County Rates or otherwise, contained in and by the said several Acts of Parliament made and passed in the Twelfth and Thirteenth Years of his said late Majesty King *George* the Second, shall (except as far as the same are varied or altered by this Act, or are inconsistent with the Powers and Enactments in this Act contained, or any of them) be and are hereby applied and extended to the said Commissioners the Justices of the Peace for the Time being for the said County of *Hereford* hereby appointed, and to all the High Constables, Overseers, Petty Constables, and others, for the making, assessing, raising, levying, collecting, and recovering and enforcing the Payment of all and every the special Rate and Rates, Assessment and Assessments to be made for the Purposes of this Act as aforesaid upon the said County of *Hereford*, or upon any Parish, Town, Liberty, Precinct, Village, Hamlet, and Place, Parochial and Extraparochial therein, and shall extend to and be good,

good, valid, and effectual for the carrying of this Act into Execution to all Intents and Purposes, and as fully and effectually as if the said Clauses, Powers, Directions, Provisions, and Authorities were specifically repeated, inserted, and enacted in and by the present Act.

XXXVII. And be it further enacted, That the Monies to be raised and received by the said Commissioners the Justices of the Peace for the Time being for the said County of *Hereford*, upon and from the same County, or by any other Ways and Means by virtue of this Act, shall in the first Place be applied in discharging and paying all the Expences of obtaining and passing this Act, with Interest for all Monies advanced, and afterwards for the several Purposes of this Act, in such Manner as the said Commissioners, or any Five or more of them, shall from Time to Time think fit and direct; and that after all such Costs, Charges, and Expences, and the Expences of erecting and making the said Courts of Justice, Shire Hall, Offices, and Buildings, and Premises, and of all other Matters and Things by them authorized or directed to be done in and about the Execution of this Act, and all Debts incurred thereby, and all other Monies to be by them expended in pursuance of this Act, shall have been fully paid and satisfied, the Surplus of the Money (if any) raised and levied upon the said County of *Hereford*, or otherwise raised or received by virtue of this Act, shall by Order of the said Commissioners, or any Five or more of them, be paid into the public Stock of the said County, and be deemed and taken and shall and may be paid and applied as Part of the Common Stock, to and for such Uses as the County Stock can or may be applied.

Application
of the Money
to be received.

XXXVIII. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and they are hereby respectively required, between the First Day of *January* and the First Day of *July* in every Year, until the Powers of this Act shall be fully performed and executed, examine, audit and settle the Accounts of Monies received and paid by them respectively from Time to Time, by virtue and in Execution of this Act, of or by any Person or Persons whomsoever, and such Accounts shall from Time to Time be stated, examined, and settled, and shall also, if required by the said Commissioners, or any Five or more of them, be verified on the Oath of the Person accounting for the same, which Oath the said Commissioners, or any One of them, is hereby authorized and empowered to administer.

Commission-
ers, &c. to
audit Ac-
counts.

XXXIX. And, for the more speedily raising a Fund for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, at their First or any subsequent Meeting or Meetings to be held in pursuance of this Act, to borrow and take up at Interest, upon the Credit of the Rates and Assessments to be made by virtue of this Act on the said County of *Hereford*, any Sum or Sums of Money, which to them or any Five or more of them shall appear necessary or expedient for the Purposes of this Act, or for carrying the same into Execution; and for securing all and every Sum and Sums of Money so borrowed, the said Commissioners, or any Five or more of them, may and they are hereby empowered from Time to Time, by any Writing under their Hands, or the Hands of any Five or more of them, in the Form hereinafter contained, to mortgage, demise, grant, or assign the said Rates and Assessments upon

Rates may be
mortgaged.

the said County of *Hereford*, or any Part or Parts thereof, (the Charges of such Mortgages or Securities to be paid thereout) to any Person or Persons as a Security or Securities for the Money which shall be so borrowed, and the Interest thereof; and Copies of all such Mortgages, Demises, Grants, or Assignments respectively, shall be entered in a Book or Books to be kept for that Purpose by the Clerk of the Peace, or his Deputy, for each of which Copies he shall be paid the Sum of Two Shillings and Sixpence.

XL. And be it further enacted, That the Form of every Mortgage to be made by virtue of this Act as a Security for any Sum or Sums of Money to be borrowed on the Credit thereof, shall be in the Words following, or in any other Words to the like Purport or Effect; (that is to say),

Form of
Mortgage.

‘ BY virtue of an Act passed in the Fifty-fifth Year of the Reign of His
 ‘ Majesty King *George* the Third, intituled [*here insert the Title of this*
 ‘ *Act*] We the undersigned Commissioners appointed by the said Act, in
 ‘ Consideration of the Sum of _____ advanced
 ‘ and lent by *A. B.* upon the Credit and for the Purposes of the said Act,
 ‘ do grant, bargain, sell, and demise, unto the said *A. B.* his Executors,
 ‘ Administrators, and Assigns, such Proportion of the Rates and Monies
 ‘ to be by us raised or rated by virtue of the said Act, as the said Sum of
 ‘ _____ doth or shall bear to
 ‘ the whole Sum which may at any Time be borrowed, or become due
 ‘ and owing, or charged upon the Credit of the said Act, to be had and
 ‘ holden from this _____ Day of _____ in the
 ‘ Year of our Lord One thousand eight hundred and _____
 ‘ until the said Sum of _____ with Interest for
 ‘ the same, after the Rate of _____ *per Centum*
 ‘ *per Annum* shall be repaid and satisfied. Witness our Hands the
 ‘ _____ Day of _____ in the Year of our Lord
 ‘ One thousand eight hundred and _____’

Mortgages
to be Cre-
ditors in equal
Degree.

XLI. And be it further enacted, That all Persons to whom such Mortgages, Demises, Grants, or Assignments shall be made, shall, in Proportion to the Sum or Sums therein respectively mentioned, be Creditors on the said Rates and Assessments so to be mortgaged as aforesaid, in equal Degree One with another, and shall not have any Preference with respect to the Priority of any such Mortgages, or of the Dates of their said respective Mortgages, but the said Commissioners, or any Five or more of them, as to the Mortgages made by them, shall nevertheless have full Power and Authority to direct in what Order and Course such Mortgages respectively shall be discharged.

Mortgages
may be
assigned.

XLII. And be it further enacted, That all and every Person and Persons to whom any such Mortgage or Mortgages shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer or assign over his, her, or their Right, Title, and Interest to the Principal and Interest Money thereby secured, to any Person or Persons who.nsoever, by Indorsement on the back of such Security, or any Writing to be annexed thereto, in the Words following, or to the like Effect:

I DO

I DO transfer this [*or, the annexed*] Mortgage, with all my Right or Title to the Principal Money hereby [*or, thereby*] secured, and all Interest now due and to become due for the same, to C. D. his Executors, Administrators, and Assigns. Dated the _____ Day of _____ A. B.

Form of Transfer.

Which Transfer or Assignment shall be produced to the Clerk of the Peace, or his Deputy for the Time being, who shall register and enter the same in the said Book or Books to be kept for entering the said original Mortgages, for which he shall be paid Two Shillings and Sixpence by the Person requesting the same; and after such Entry thereof made, and not till then, every such Transfer shall entitle such Assignee, his, her, or their Executors, Administrators, or Assigns, to the Benefit thereof and Payment thereon; and such Assignees may in like Manner transfer and assign again from Time to Time (such Transfer being entered and paid for as aforesaid), and it shall not be in the Power of the Person or Persons who shall have made any such Assignment or Transfer of any such Mortgage or Mortgages as aforesaid, to make void, release, or discharge the same, or any Money due thereon; and in case any such original Mortgages, Assignments, or Securities shall be lost or destroyed, the Copies or Entries thereof, made as aforesaid, shall be deemed sufficient Evidence to entitle the Person or Persons to whom the Monies due thereon shall respectively belong to the Payment thereof, as fully and effectually as if the said original Mortgages and Assignments respectively were existing; and the Clerk of the Peace, or Person in whose Custody such Copies or Entries shall happen to be, is hereby required to produce the same for the Benefit of such Creditors respectively.

XLIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or in the Appointment of the Collector or Collectors, Receiver or Receivers, or of any other Agent or Person levying the same, or in any other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularities shall and may recover full Satisfaction for the special Damage which he, she, or they shall have sustained thereby, with usual Costs in an Action of Trespass, or upon the Case.

Persons aggrieved by Irregularity of Distress, to recover only Special Damages.

XLIV. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the said County of *Hereford*, or Place where the Offence shall be committed, either by the Confession of the Party or Parties offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justice is hereby empowered to administer), and in case of Non-payment thereof forthwith by the Offender or Offenders, be levied and recovered by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant for such Purpose), and the Over-

Recovery of Forfeitures.

[Local.]

P p

plus,

plus, after such Penalties, Forfeitures, and Fines, and the Costs and Charges attending such Distress and Sale are recovered and deducted, shall be returned upon Demand to the Owner or Owners of such Goods or Chattels; and in case sufficient Distress cannot be found, or such Penalties or Forfeitures, and all such Costs and Charges shall not be forthwith paid, it shall be lawful for such Justice and he is hereby authorized and required by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol for the County or Place where the Offence shall be committed, there to remain without Bail or Mainprize for such Time as such Justice shall direct, not exceeding Three Calendar Months, nor less than Twenty Days, unless such Penalties, Forfeitures, and Fines, and all such Costs and Charges attending the Recovery thereof, shall be sooner paid and satisfied; and such Penalties, Forfeitures, and Fines when levied (the Application whereof is not herein particularly directed) shall from Time to Time be paid to the Treasurer for the Time being under this Act, and be applied for the Purposes of this Act.

Application
of Penalties.

XLV. And be it further enacted, That all and every the Sum and Sums of Money arising from such Penalties and Forfeitures as shall and may be incurred or levied by virtue of this Act, shall be paid into the Hands of the Treasurer appointed by virtue of this Act, and shall be applied and disposed of to and for the Purposes of this Act, and to and for no other Uses or Purposes whatsoever.

Conviction of
Offenders.

XLVI. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the following Form, or in any other Form to the same Effect, as the Case shall happen; (that is to say),

Form of
Conviction.

to wit. } ' **B**E it remembered, That on [Time of Con-
[Place of Conviction] A. B.
' [Name of Offender] of [Addition of Offender] was duly convicted before
' me [or, us] [Name and Style of convicting Justice or Justices] for that the
' said A. B. [Name of Offender] on [Time of committing Offence] at [Place
' of committing Offence] did [here state the Offence against this Act, accord-
' ing to the Fact] contrary to the Form of the Statute made in the Fifty-
' fifth Year of the Reign of His Majesty King George the Third, intituled
' [here set forth the Title of this Act] and I [or, we] do therefore declare
' and adjudge that the said A. B. [Name of Offender] has forfeited for
' the said Offence the Sum of [Fine] or shall be committed to [Place of
' Imprisonment] for the Space of [Time of Imprisonment]. Given under
' my Hand and Seal [or, our Hands and Seals] the Day and Year first
' above written.'

Appeal to the
Quarter
Sessions.

XLVII. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Act, Matter or Thing done in pursuance of this Act, or the Powers hereby given, then and in every such Case, he, she, or they shall and may appeal to the said Justices of the Peace for the said County of *Hereford*, at their General Quarter Sessions to be holden next after any such Cause of Appeal shall have arisen; and the said Justices are hereby empowered to make such Order therein as to them, or the major Part of them then and there present, shall

shall seem meet; which Order shall be final and conclusive, and not removeable by *Certiorari* or otherwise.

XLVIII. And be it further enacted, That in all Cases where any Examination, Return, or Proceeding is herein directed to be taken, made, or done upon Oath, it shall be lawful for any One or more Justice or Justices of the Peace, or any One or more of the said Commissioners, or of the Members of the Committee or Committees, or of the Person or Persons (being respectively a Justice or Justices of the Peace) before whom such Examination, Return, or Proceeding is directed to be taken, made, or done, to administer such Oath; and that all and every Person and Persons who, upon any Oath to be taken by virtue or under the Authority of this Act, shall wilfully and corruptly swear falsely or take a false Oath, and all and every Person or Persons who in any Examination taken by virtue or under the Authority of this Act shall give false Evidence before any Justice or Justices of the Peace for the said County of *Hereford*, shall and may be respectively prosecuted for the same respectively, and upon Conviction thereof shall be subject to such Punishments and Disqualifications as any Person or Persons can or may be subject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Persons giving false Evidence guilty of Perjury.

XLIX. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode, Fourteen Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of good and sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought, nor if such Tender of Amends shall be made at any Time after the Action brought and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender, but shall pay Treble Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Orders, and Judgment shall be had, made, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiffs not to recover without Notice, or after Tender of Amends.

L. And be it further enacted, That no Action at Law shall be brought or commenced against any Person or Persons, for any Thing done or to be done by virtue of this Act, until after Twenty-one Days Notice of an Intention of bringing such Action shall have been given to or left at the usual Place of Abode of the Person or Persons against whom such Action is intended to be brought, thereby setting forth the particular Cause of such Action, or after Tender of sufficient Amends shall have been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact or Cause of Action shall have arisen, and every such Action shall be brought,

Limitation of Actions.

General Issue.

brought, laid, and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant and Defendants in such Actions shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be tried thereupon, and that the Act complained of, or the Subject Matter of such Action, was done by virtue and under the Authority of this Act; and if on the Trial of such Action it shall appear to have been so done, or that such Action was brought before the Expiration of such Twenty-one Days next after such Notice shall have been given or left as aforesaid, or after sufficient Tender of Amends shall have been made to the Party or Parties aggrieved, or after the End of Three Calendar Months next after the Fact or Cause of such Action shall have arisen, or if such Action shall be brought or laid in any other County than as aforesaid; then and in every of the said Cases, the Jury on the Trial of such Action or Actions shall find a Verdict for the Defendant or Defendants therein; and in all Cases where a Verdict shall be found for any Defendant or Defendants in such Action or Actions, or the Plaintiff or Plaintiffs therein shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if upon Demurrer, Judgment shall be given against such Plaintiff or Plaintiffs; then and in every such Case, the Defendant or Defendants in such Action shall have Treble Costs, and shall have such and the like Remedy for recovering the same, as any Defendant or Defendants hath or have for recovering his, her, or their Costs in any other Case by Law.

Treble Costs.

Public Act.

LI. 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.

The SCHEDULE referred to by this Act.

TENEMENTS.	OWNERS.	OCCUPIERS.
<p>No. 1.</p> <p>A Messuage and Public House, called The Catherine Wheel, with all the Houses, Outhouses, Buildings, Yards, Stables, and Appurtenances thereunto belonging, situate in Saint Owen's Street and Gaol Lane, having Saint Owen's Street on the East and South, Gaol Lane on the West, and Saint Peter's Church on the North and East Parts thereof - - -</p>	James Allen.	James Allen and Jas. Bosworth.
<p>No. 2.</p> <p>A Messuage situate in Saint Owen's Street, having the said Street on the South, a Messuage in the Occupation of John Aston on the East, and the Ground belonging to the Old Gaol on the North Sides thereof, with the Yard, Outbuildings, and Appurtenances - - - - -</p>	John Aston.	Late in the Occupation of Miss Powell, but now void.
<p>No. 3.</p> <p>A Messuage situate in Gaol Lane, having the said Lane on the South-west, the Land belonging to the Old Gaol on the North, a House called The Flower Pot on the North-west, and No. 4, next mentioned, on the East Sides thereof, with the Yard, Outbuildings, and Appurtenances - - - - -</p>	John Aston.	William Bruton.
<p>No. 4.</p> <p>So much of a Skittle Ground or Garden as lies behind, and of the same Breadth as the Messuage and Premises No. 3, having the same Premises on the West, the Ground belonging to the Old Gaol on the South, the Residue of the said Skittle Ground or Garden on the North, and No. 5, next mentioned, on the East Sides thereof - - - - -</p>	John Aston.	Wm. Morgan.
<p>No. 5.</p> <p>So much of a Garden as lies behind, and of the same Breadth as the Messuage and Premises No. 3, having the Residue of the said Garden on the North, the Ground belonging to the Old Gaol on the South and East, and the said Skittle Ground and Garden, No. 4, on the West Sides thereof - - - - -</p>	John Aston.	James Hill.

[Local.]

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TENEMENTS.	OWNERS.	OCCUPIERS.
<p style="text-align: center;">No. 6.</p> <p>A Messuage situated in Bye Street, having the said Street on the South, a Messuage in the Occupation of Mr. John Thackway on the West, a Messuage in the Occupation of William Symonds Esquire, and a Street or Lane called Gomond's Lane, on the East, and certain Stables, Outhouses, and Buildings, belonging to the said William Symonds and Joseph Woodhouse, and J. T. Woodhouse, on the North Sides thereof, with the Stable, Coach-house, Garden, Outbuildings, and Appurtenances - - -</p>	<p style="text-align: center;">Jos. Woodhouse and J. T. Woodhouse.</p>	<p style="text-align: center;">Joseph Woodhouse.</p>

All which Premises are situate in the Parish of Saint Peter, in the City of Hereford.

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