



ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.



Cap. 185.

An Act to enable His Majesty to grant the Moot-hall, Grand Jury Room, and certain Grounds and Buildings adjoining thereto, in the Castle Garth, within the Scite of the Old Castle of *Newcastle-upon-Tyne*, to the Justices of the Peace for the County of *Northumberland*; for building Courts of Justice, and also a Gaol for the said County; and for other Purposes therein mentioned relating thereto.

[19th June 1809.]

WHEREAS the Assizes for the County of *Northumberland* have, for Time immemorial, been held in an ancient Building called *The Moot-hall*, which, together with the Grand Jury Room, and other Appurtenances made use of for the public Purposes of the said County, as well as the Gaol wherein the Prisoners brought from the County Gaol at *Morpeth*, in the same County, for Trial, are lodged during the Assizes, are all situate and standing in the Castle Garth, upon Part of the Scite of the Old Castle of *Newcastle-upon-Tyne*, and within the said County of *Northumberland*: And whereas the said Moot-hall and Grand Jury Room are much out of Repair, and otherwise inconvenient for the Administration of Justice, and the Judges of Assize have repeatedly so represented the same in their Charges to the Grand Juries; and the said temporary Gaol is not only out of Repair, but also unwholesome for the temporary Confinement

[*Loc. & Per.*]

ment of Prisoners : And whereas the Grand Jury of the County of *Northumberland* having taken the same into Consideration, are of Opinion that the most fit and convenient Place within such the Scite of the Old Castle of *Newcastle-upon-Tyne*, for building Courts of Justice, Grand Jury Room, and other suitable Offices thereto, and also a Gaol, will be the Scite of the said Moot-hall and present Grand Jury Room, and the Scites of divers other Buildings, together with certain Parcels of Waste Ground situate in the Castle Garth aforesaid, adjoining or near to the said Moot-hall and Grand Jury Room, and lying contiguous to each other, without any Property or Premises intermixing, and bounded as follows, that is to say; on or towards the North-west by the open Parts of the Castle Garth aforesaid; on or towards the South-west by a Passage or Entry leading down to the Gaoler's late House, and on the said House; on or towards the South-east by the Passage leading from the Castle Stairs, to the Steps leading from the Top of a Part of the said Waste Ground, called the *Tenter Garth*, towards the said Castle Stairs; and also on or towards the South-east, and on or towards the East, North-east, and North, by Freehold Property within the Town and County of *Newcastle-upon-Tyne*; and on or towards the North and North-west, by other Freehold Property, situate within the said Scite of the said Old Castle of *Newcastle-upon-Tyne*, the Property of *John Turner* Esquire : And whereas the King's most Excellent Majesty, in Right of His Crown, is seised in Fee Simple of the said Moot-hall, Grand Jury Room, Buildings, and Parcels of Waste Ground, and of the Scites thereof respectively : And whereas the Stones of the said Moot-hall and Grand Jury Room are of small Value, but would be of Use to the County of *Northumberland*, for the Purposes aforesaid : And whereas upon the Memorial of the Right Honourable *Hugh Percy*, commonly called *Earl Percy*, Foreman of the Grand Jury of the said County of *Northumberland*, His Majesty has been graciously pleased to signify His Royal Will and Pleasure, that so far as His Majesty's Interest is concerned, the said Moot-hall and Grand Jury Room, together with the other Buildings and Parcels of Waste Ground aforesaid, and bounded as before-mentioned, should be absolutely vested in His Majesty's Justices of the Peace for the Time being, acting in and for the said County of *Northumberland*, for the Purpose of pulling down the same Moot-hall, Grand Jury Room, and other Buildings, and erecting proper and convenient Courts of Justice, with a Grand Jury Room, and other suitable Offices; and also a Gaol for the Confinement of Prisoners brought from the County Gaol of *Morpeth* aforesaid, for Trial, and for such other necessary Public Buildings and Purposes as the said Justices for the Time being, or the major Part of them, at the General Quarter Sessions of the Peace to be holden for the said County of *Northumberland*, or at any Adjournment thereof, respectively shall, from Time to Time, order, direct, and appoint : And whereas it is expedient that the Justices of the Peace for the said County of *Northumberland*, should be empowered to defray the Expence of building, erecting, and furnishing such Courts of Justice, Grand Jury Room, and other suitable Offices thereto, with a Gaol, and Gaoler's or Keeper's House, and of purchasing such other Lands, Tenements, and Hereditaments adjoining to the above described Premises, as may be necessary for such Purposes, by an equal Rate or Assessment on all Messuages, Lands, Tenements, Tithes, Mines, and Hereditaments rateable to the Relief of the Poor, in any Parish, Township, or Place within the said County of *Northumberland*, in Manner herein-after-mentioned; but as such Purposes cannot be effected without

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 from and after the passing of this Act, the said Moot-hall, Grand Jury Room, and other the Buildings and Parcels of Waste Ground, described and bounded as herein-before set forth, and the Stones of the said Moot-hall and Grand Jury Room, so far as His Majesty's Interests are concerned therein, shall be, and the same is and are hereby granted and confirmed unto, and shall be vested for ever in His Majesty's Justices of the Peace for the Time being, acting in and for the said County of *Northumberland*, freed and absolutely discharged from all Claim, Right, and Title of His Majesty, in Right of His Crown, His Heirs and Successors.

Moot-hall,
Grand Jury
Room, etc.
vested in the
Justices.

II. And be it further enacted, by the Authority aforesaid, That at the next General Quarter Sessions to be held for the said County of *Northumberland*, after the passing of this Act, or any Adjournment thereof, and afterwards at any subsequent General Quarter Sessions for the said County, or any Adjournments thereof, or at any Special Sessions held by the Justices of the Peace for the said County, it shall and may be lawful to and for the Justices of the Peace for the said County, assembled at any such General Quarter Sessions of the Peace or Adjournments thereof, or Special Sessions respectively, and they are hereby authorized and empowered, from Time to Time, to make such Order or Orders, and to contract with such Persons as they shall think proper, for pulling down the said Moot-hall, Grand Jury Room, and other Buildings standing and being upon the Parcels of Ground hereby granted to, and vested in, the said Justices, and for clearing the Ground thereof, and for the erecting a new Moot-hall or Shire-hall, or proper and convenient Courts of Justice, with a Grand Jury Room; and other suitable Offices thereto, and a Gaol for the Confinement and safe Custody of Prisoners brought from the County Gaol at *Morpeth* aforesaid, for Trial at the Assizes, from Time to Time, to be held for the said County of *Northumberland*, and all other suitable Offices and Accommodations for the same respectively on the Lands and Grounds hereby vested in them, or to be purchased by or to be given in Exchange to them, in pursuance of this Act, for the more convenient holding the said Assizes, and for other public Purposes of the said County, and for the completely finishing and furnishing the same, as to them the said Justices, or the major Part of them, so assembled as aforesaid, shall from Time to Time appear expedient and necessary.

Justices to
make Orders.

III. And be it further enacted, That it shall and may be lawful to and for the said Justices, at any General Quarter Sessions of the Peace to be held for the said County, or at any Adjournment thereof, or the major Part of them then and there assembled, and they are hereby authorized and empowered from Time to Time to treat, contract, and agree with the Owners and Occupiers of, and all other Persons interested in, any Messuages, Buildings, Lands, Tenements, and Hereditaments, with their Appurtenances, situate, lying, and being adjoining or near to the Lands and Grounds granted to and vested in the said Justices by this Act, which such Person or Persons may be willing to dispose of, and which they the said Justices or the major Part of them so assembled as aforesaid, shall judge

Justices to
purchase
Buildings,
etc. for the
Purposes of
this Act.

judge to be proper and necessary for any of the Purposes of this Act, or for the more easy, open, and convenient Approach to the said Moot-hall, Shire-hall, or Courts of Justice, and other Buildings to be erected in pursuance of this Act, and by and out of the Monies to be received as herein-after directed and mentioned for that Purpose, either to pay or cause to be paid for the Purchase of such Messuages, Buildings, Lands, Tenements, or Hereditaments, such Sum or Sums of Money as shall be agreed upon between such Owners and Persons interested as aforesaid, and the said Justices, or the major Part of them, and also the Costs and Charges attending such Agreement and Purchase as aforesaid, and the respective Conveyances in respect thereof.

New Street
not to exceed
Twenty five
Feet in Width
unless, etc.

IV. Provided nevertheless, and be it further enacted, That nothing herein contained shall extend to enable the said Justices to make the new Street intended to lead from the End of *Bailey Gate* to the open Part of the Castle Garth aforesaid, agreed to be opened by the said *John Turner*, under a Contract entered into between him and the Surveyor General of His Majesty's Land Revenue, on the Ninth Day of *September* last past, more than Twenty-five Feet Wide, without the Consent of the said *John Turner*, his Heirs or Assigns, in Writing for that Purpose first obtained, or unless if the said *John Turner*, his Heirs or Assigns shall require it, the said Justices shall, for the Purpose of widening the said Street, purchase the Whole of any Messuages, Buildings, or Pieces or Parcels of Waste Ground adjoining or lying near to the said Street, and not so much thereof only as the said Justices may deem sufficient for the Purpose of this Act: Provided also, that nothing in this Act contained shall be construed to abridge, defeat, or affect the said Contract so entered into as aforesaid, any further or otherwise than is herein-before particularly expressed, but that the same shall be observed and performed as well by or on the Part of the said Justices, as by and on the Part of the said *John Turner*, his Heirs and Assigns, in the same Manner as if this Act had not been made.

Power to exchange.

V. And be it further enacted, That it shall and may be lawful to and for the said Justices at any General or Quarter Sessions of the Peace to be held for the said County, or at any Adjournment thereof, or the major Part of them then and there assembled, and they are hereby authorized and empowered to contract and agree with the Owners and Occupiers of, and all other Persons interested in, any Messuages, Buildings, Lands, Tenements, and Hereditaments, with their Appurtenances, situate, lying, and being adjoining or near to the Lands and Grounds granted to and vested in the said Justices by this Act, and who may be willing to enter into any such Contract or Agreement, and which they the said Justices, or the major Part of them so assembled as aforesaid, shall judge to be proper and necessary for any of the Purposes of this Act, or for the more easy, open, and convenient Approach to the said Moot-hall, Shire-hall, or Courts of Justice, and other Buildings to be erected in pursuance of this Act, and to give in exchange for such Messuages, Lands, Tenements, and Hereditaments, situate, lying, and being adjoining or near to the Lands and Grounds hereby vested in the said Justices, such fair and proportionable Part of such last-mentioned Lands and Grounds as they may think unnecessary for the Purposes of this Act, in order to save as much as possible the Assessments to be made as herein-after mentioned.

VI. And be it further enacted, That it shall and may be lawful to and for the said Justices of the Peace, at any General Quarter Sessions of the Peace or at any Adjournment thereof, or the major Part of them then and there assembled, to sell and dispose of all or any Part or Parts of the Messuages, Lands, Tenements, and Hereditaments vested in them by this Act, or which may have been purchased or received in Exchange by them in pursuance of this Act, as shall in the Judgement of the said Justices not be wanted for the Purposes of this Act, and any Three or more of such Justices shall and may, and they are hereby authorized to convey the Premises so sold and disposed of, and the Fee Simple and Inheritance thereof to the Purchaser or Purchasers thereof respectively, by Indentures or Indenture under their Hands and Seals, and enrolled with the Clerk of the Peace for the said County of *Northumberland*, within Six Calendar Months next after the Execution thereof; and upon Payment of the Purchase Money arising by or from the Sale or Sales of such Messuages, Lands, Tenements, and Hereditaments, or any Parcel or Parcels thereof, it shall and may be lawful for the Treasurer or Clerk of the Peace for the said County, or his Deputy, to sign and give Receipts for such Purchase-money, and such Person or Persons shall not afterwards be answerable or accountable for any Losses, Misapplication, or Non-application of such Purchase Money, or any Part thereof,

Justices may
sell Lands,
etc.

VII. And be it further enacted, That the Monies arising from the Sale of all or any Part of such Lands, Tenements, and Hereditaments shall be applied and disposed of by the said Justices towards paying and defraying the Costs, Charges, and Expences of carrying the several Purposes of this Act into Execution.

Money to be
applied in
carrying this
Act into Exe-
cution.

VIII. And be it further enacted, That all the Stones, Bricks, Timber, Iron, Lead, and other Materials for building and erecting the said Moot-hall, Shire-hall, or Courts of Justice, Grand Jury Room, and other suitable Offices, Gaol, and all other necessary Buildings and other Conveniences, or any of them, or any Part or Parts thereof; and all Furniture, Articles, Matters, and Things used in and about the same respectively, bought, procured, or supplied by the Order of the said Justices in their General Quarter Sessions, or at any Adjournment or Adjournments thereof, or of the major Part of them then and there assembled, or bought, procured, or supplied by the Order of any Person or Persons whomsoever, acting by or under the Authority of such Justices for such Purposes as aforesaid, or any of them, shall belong to and be the Property of, and the same is and are hereby vested in the said Justices of the Peace for the said County of *Northumberland*, for the Time being, and it shall be lawful for the said Justices to bring, or cause to be brought any Action or Actions in the Name of the Treasurer of the said County of *Northumberland*, for the Time being, or direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who shall steal, spoil, injure, or destroy, the said Moot-hall, Shire-hall, or Court Houses, Grand Jury Room, Gaol, Buildings, and other Conveniences, or any of them, or any Part or Parts thereof, or shall steal, take, carry away, spoil, injure, or destroy the Stones, Bricks, Timber, Iron, Lead, Furniture, Materials, Articles, Matters, and Things hereby vested in them, the said Justices of the Peace of the said County of *Northumberland*, for the Time being as aforesaid or any of them, or any Part or Parts thereof; and in all such Action-

Materials for
building Court
Houses vest-
ed in the Jus-
tices

and Bills of Indictment it shall be, and be deemed and taken to be sufficient to state generally that the said Moot-hall, Shire-hall, or Courts of Justice, Grand Jury Room, and other suitable Offices and Buildings, Gaol, Stones, Bricks, Iron, Lead, Furniture, Article or Articles, Thing or Things, for or on Account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property "of the Justices of the Peace for the County of *Northumberland*," without particularly stating or specifying the Name or Names of all or any of the said Justices.

Vesting the Court-houses in the said Justices.

IX. And be it further enacted, That all and every the said Moot-hall, Shire-hall, Court Houses, Grand Jury Room, Offices, Gaol, and Buildings, so to be provided or erected as aforesaid, and the Buildings, Lands, or Hereditaments, by this Act vested in the said Justices, or which may have been so purchased or received in Exchange by them as aforesaid, and every Matter or Thing appertaining or in anywise relating thereto, or to any of them, shall at all Times be deemed, and the same are hereby declared to be vested in the Justices of the Peace for the County of *Northumberland* for the Time being, upon the Trust, and to the End, Intent, and Purpose that the said Justices shall, and do from Time to Time, and at all Times for ever hereafter, peaceably and quietly allow, permit, and suffer the Assizes, Courts of Quarter Sessions of the Peace, and all other Courts and Meetings to be held for the public Administration of Justice, or for transacting the public Affairs and Business of the said County of *Northumberland*, to be holden and kept in the said Moot-hall, Shire-hall, or Courts of Justice, Grand Jury Room, and other Buildings, and the Appurtenances thereunto belonging, and also allow, permit, and suffer the same to be had, used and enjoyed for all such other public Uses and Purposes as the Justices of the Peace for the said County of *Northumberland*, or the major Part of them, at their General Quarter Sessions of the Peace, shall from Time to Time direct, order, or appoint, with free Liberty for all Persons whom it shall or may concern, to act and officiate in and to resort and attend upon the said Courts and Meetings, as they shall have occasion or think proper.

X. And be it further enacted, That all and every the said Moot-hall, Shire-hall, Court Houses, Grand Jury Room, Offices, Gaol, and Buildings, so to be provided and erected as aforesaid, and also such open Space of Ground as shall or may be laid out and attached thereto as a Court Yard, and bounded as before-mentioned, shall from and immediately after the same shall be so erected and laid out, respectively be, and be deemed to be, within and Parcel of the said County of *Northumberland* to all Intents and Purposes whatsoever, and that all and every other Part and Parts of the said Castle Gaith and Scite of the said Old Castle of *Newcastle-upon-Tyne*, shall from thenceforth be deemed and taken to be within and Parcel of the Town and County of the Town of *Newcastle-upon-Tyne*, to all Intents and Purposes whatsoever; any Law, Usage, Custom, or Grant whatsoever to the contrary in anywise notwithstanding.

Costs of this Act, and of executing the same.

XI. And whereas the Payment of the Expences of the passing of this Act and carrying the Purposes of the same into Execution, by and out of the Public Stock or Public Rates of the said County of *Northumberland*, would principally fall upon and be made by the Occupiers of Messuages, Mills, Lands, Tenements, and Hereditaments within the same County, who have no permanent Interest in the Effects of this Act; be it therefore further

further enacted, That for the Purpose of paying and defraying of all the Expences, Costs, and Charges of applying for and passing this Act, and attending the erecting and building such new Moot-hall, Shire-hall, Courts of Justice, Grand Jury Room, and other Offices, Gaol, and other necessary Erections, and the purchasing, providing, and furnishing of the same, and all other incidental Expences in the effecting and carrying into Execution the several Purposes of this Act; it shall and may be lawful to and for the Justices of the Peace for the said County of *Northumberland*, or the major Part of them, at the next General Quarter Sessions of the Peace, to be holden after the passing of this Act, or at any Adjournment thereof, and afterwards from Time to Time, at every or any subsequent General Quarter Sessions of the Peace, or at any Adjournment of the same, respectively and as often as they shall think expedient; and they are hereby authorized and empowered to make an Order or Orders for the Justices of the Peace acting in and for the said County of *Northumberland*, to meet within the several Wards and Divisions of the said County for which they respectively act, and any Two or more Justices assembled at any such Meeting shall issue their Precepts under their respective Hands and Seals, to all and every the Overseers of the Poor, as well within Boroughs or Franchises as otherwise, within such their respective Wards and Divisions, thereby commanding them to attend at a Day and Place or Days and Places, to be limited and appointed for that Purpose by such Precepts, and before the then next General Quarter Sessions to be holden in and for the said County of *Northumberland*, and to produce to the Justice or Justice, then and there present, the several Rates and Assessments made for the Relief of the Poor within the several Parishes, Townships, and Places in the said County of *Northumberland*, maintaining their own Poor, for which such Overseers respectively act and are appointed, and in case such Justice or Justice upon Examination of such Rates and Assessments shall be of Opinion that the same are fair and equal, then the said Justice or Justice are and is hereby required to certify under their or his Hands or Hand, the gross Amount of the respective Sums on which the said Poor's Rates are made and assessed in each Division of the Ward, in the said County of *Northumberland*, for which such Justice or Justice respectively act or acts, to the then next General Quarter Sessions of the Peace for the same County, to the Intent that at such next General Quarter Sessions of the Peace, or at some Adjournment thereof, or at some subsequent General Quarter Sessions, or Adjournment thereof respectively, the Justices assembled at any such General Quarter Sessions, or Adjournment, may from Time to Time and as often as they shall deem it necessary, and they are hereby authorized and empowered to make a Rate or Rates, Assessment or Assessments, upon all and every the Messuages, Mills, Lands, Tythes, Mines, or other Tenements and Hereditaments whatsoever, in and throughout the said County of *Northumberland*, rated or liable to be rated to the respective Poor's Rates in the said County of *Northumberland*, in any Sum or Sums of Money not exceeding at any one Time the Sum of Two-pence in the Pound, of the several annual Values at which such Messuages, Mills, Lands, Tythes, Mines, or other Tenements and Hereditaments, are at the Time respectively rated and assessed to the Poor's Rates in the respective Parishes, Townships, or Places within which they are respectively situate; and, for that Purpose, it shall and may be lawful for, and they the said Justices are hereby authorized and empowered to order Warrants to be, from Time to Time issued, in the same Manner as now practised for collect-

Justices to
make Orders
at Sessions or
Adjournment,
&c.

ing

ing the County Rates, to the several High Constables within the same County of *Northumberland*, ordering and requiring them to issue their Warrants to the respective Overseers of the Poor, within their respective Divisions, to levy and collect, and pay to the High Constables, within a Time to be named and limited in the Warrants to be issued from the Sessions as aforesaid, all such Rate or Rates, Assessment or Assessments; which Rate or Rates, Assessment or Assessments, each High Constable shall, and he is hereby directed and required to pay, before the then next General Quarter Sessions of the Peace, to the Treasurer for the Time being of the said County of *Northumberland*; and in case any Overseer or Overseers of the Poor, liable to pay the same, shall neglect or refuse to make Payment thereof, within the Time to be specified and limited for that Purpose as aforesaid, to the High Constable of the Division within which such Overseer or Overseers, so liable and neglecting to pay as aforesaid, shall live, it shall and may be lawful for any Justice of the Peace for the said County of *Northumberland*, upon Complaint thereof made by any such High Constable, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of the Offender's Goods, not only in the County of *Northumberland* but in any other County, Town, Borough, Franchise or Place, (the Warrant or Warrants for levying the same being, in such last-mentioned Case, first countersigned by some Justice of the Peace for the County, or Mayor, or other Head Officer of the Town, Borough, or Franchise where any Goods of the respective Offenders shall be found), returning the Overplus (if any) after such Rate and the Charges of the Distress and Sale, shall be paid to the Owner or Owners of the Goods so distrained and sold; and the Overseers and Overseer of every Parish, Township, or Place maintaining its own Poor within the said County of *Northumberland*, shall and may, and is and are hereby authorized and empowered to levy and raise, by an equal Rate or Assessment upon all and every the Messuages, Mills, Lands, Tythes, Mines, Tenements, and Hereditaments, rateable to the Relief of the Poor, within their respective Parishes, Townships, or Places, such Sum and Sums of Money as shall be required and necessary, in order to raise the several Sums assessed or imposed upon such Parishes, Townships, or Places respectively, or to reimburse such Overseers or Overseer such Sum or Sums as they shall respectively have paid on Account of the same, such Rate or Assessment to be paid by the Occupier or Occupiers for the Time being, of such Messuages, Mills, Lands, Tythes, Mines, Tenements, and Hereditaments, respectively: Provided always, that every Tenant or Occupier, paying such Rate as aforesaid, may deduct and retain, out of the Rent payable to his Landlord for the Premises in respect of which such Rate is payable, the full Amount of Two-Third Parts of all and every Sum and Sums of Money so paid, it being the Intent and Meaning of this Act that Two-thirds of such Rate shall be borne by the Landlord, and the remaining One-third only by the Tenant; and every Landlord and Owner of such Messuages, Mills, Land, Tythes, Mines, Tenements, and Hereditaments shall, and are hereby required to allow and make such respective Deductions and Payments accordingly; and every such Tenant paying, or having levied upon him or her, such Part of the said Rates or Assessments as are herein-before directed to be borne by the Landlord, shall be, and is hereby acquitted and discharged of and from so much Money as the same shall amount unto, as fully and effectually as if the same had been actually paid to any such Landlord or Landlords, in Part of the Rent due from such Tenant;

Tenant; and if any Person or Persons shall refuse or omit to pay the Sum or Sums of Money rated or assessed upon him, her or them, by virtue of this Act, for or in Respect of the Messuages, Mills, Lands, Tythes, Mines, Tenements, and Hereditaments occupied by him, her, or them as aforesaid, it shall and may be lawful for any Justice of the Peace for the said County of *Northumberland*, upon Complaint thereof made by any such Overseer or Overseers, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of the Offender's Goods, not only in the County of *Northumberland*, but in any other County (the Warrant or Warrants for recovering and levying the same, in such last-mentioned Case, being first countersigned by some Justice of the Peace for the County where any Goods or Chattels of the respective Person or Persons shall be found), returning the Overplus (if any) after such Rate, and the Charges of the Distress and Sale shall be paid, to the Owner or Owners of the Goods so distrained and sold.

XII. Provided always, and it is hereby further enacted, That in all Cases and Places within the said County of *Northumberland*, where there are no Overseers of the Poor, or where the Justices of the said County of *Northumberland*, assembled for the Purpose of receiving such Returns from the said Overseers of the Rates and Assessments made for the Relief of the Poor within the several Parishes, Townships, and Places as aforesaid, shall be of Opinion that the Rates or Assessments produced to them, at their respective Meetings, are not fair and equal Rates and Assessments, it shall and may be lawful to and for, and they the said Justices or Justice of the Peace for the said County of *Northumberland*, assembled at such their respective Meetings, are hereby authorized and required to summon before them any Two or more of the respectable Inhabitants of such Places respectively, for which there are no Overseers of the Poor, or where any of the Messuages, Mills, Lands, Tythes, Tenements, Mines, and Hereditaments liable to the Poor's Rates are not assessed, or in their Opinion are not equally assessed, and then and there examine such Inhabitants respectively on Oath, (which Oath any One or more of such last mentioned Justices are hereby authorized to administer), as to the annual Values of such the respective Messuages, Mills, Lands, Tythes, Tenements, Mines, and Hereditaments, liable to the Poor's Rates, and thereupon to ascertain the Sums on which the Rate or Rates, Assessment or Assessments to be made in pursuance of this Act, shall be levied and collected.

Power for Justices, where no Overseers, or where Rates are unequal, to summon and examine on Oath.

XIII. And be it further enacted, That if in the County of *Northumberland* there be any Extra-parochial, peculiar, or other Places in which no Overseers of the Poor or other Officer necessary for the executing of the Provisions of this Act, and in which there are any Messuages, Mills, Lands, Tenements, Tythes, Mines, or Hereditaments, liable to the Poor's Rates, but not rated or assessed thereto, it shall and may be lawful for the said Justices of the Peace of the said County of *Northumberland*, resident in or acting for the Division of the said County in which such Extra-parochial, peculiar, or other Places are situate, at any Petty Sessions, to be holden by them within such Division as aforesaid, and they are hereby authorized and required to appoint One or more proper Person or Persons in the Nature of and to act as Overseer or Overseers, or other such Officer as aforesaid, within and for such Extra-parochial, peculiar, or other Places respectively, for effectuating the Purposes of this Act, and such

Power for the Justices to appoint Persons to act as Overseers, &c. in Extra-parochial, peculiar or other Places.

[Loc. & Per.]

42 A

Person

Person and Persons respectively, shall have the like Powers vested in him or them, for effectuating all such Purposes as fully and effectually to all Intents and Purposes as if he or they had been appointed Overseer or Overseers of the Poor, or other Officer, under any of the existing Statute Laws.

Treasurer to
keep separate
Accounts.

XIV. And be it further enacted, That the Treasurer for the Time being of the said County of *Northumberland*, shall keep a separate and distinct Account as well of all Sums of Money which he shall receive, or shall be paid to him, as of all Money which he shall be directed to and shall pay under the Provisions of this Act, which Account shall be open and ready to be inspected at all reasonable Times by the Justices of the Peace for the said County of *Northumberland*, or any of them, and such Treasurer shall attend at every General Quarter Sessions, and lay such Account before the Justices then and there assembled, in order the better to be informed of the Money wanted and necessary to be rated, assessed, and collected, for the Purposes of this Act.

XV. And, whereas, a large ruinous Building, situate at *Morpeth*, in the County of *Northumberland*, belonging or appertaining to the House of Correction there, though distinct and at a Distance from such House of Correction is the Property of the said County of *Northumberland*, but of no public Utility; but it would be beneficial to the County of *Northumberland*, if the same were sold and disposed of, and the Money arising from the Sale thereof applied towards the Purposes aforesaid; be it therefore enacted, That it shall and may be lawful to and for the said Justices of the Peace for the said County of *Northumberland*, at any General Quarter Sessions of the Peace for the said County, or at any Adjournment thereof, or the major Part of them, then and there assembled, to sell and dispose of the said large ruinous Building, at *Morpeth* aforesaid, to any Person or Persons whomsoever, and any Three or more of such Justices shall and may, and they are hereby authorized to convey the same, and the Fee Simple and Inheritance thereof, to the Purchaser or Purchasers thereof, in such Manner and by such Indenture or Indentures, as herein-before directed for the Conveyance of the Messuages, Lands, Tenements, and Hereditaments, which the said Justices are herein-before by this Act authorized or empowered to sell and dispose of, and the Monies arising from the Sale of the said large ruinous Building, at *Morpeth* aforesaid, shall be applied and disposed of by the said Justices, towards paying and defraying the Costs, Charges, and Expences of carrying the several Purposes of this Act into Execution.

XVI. And whereas, there may not be sufficient Time between the pulling down of the present Moot-hall, (where the Assizes for the County of *Northumberland* have been held), and the present Grand Jury Room, and the then next Assizes for the said County of *Northumberland*, for the completing proper Courts of Justice for holding such Assizes, and for a Gaol to confine the Prisoners brought for Trial from the County Gaol at *Morpeth*, during such Assizes; be it therefore further enacted, by the Authority aforesaid, That the Justices of the said County of *Northumberland*, shall and may, by, forth, and out of the Sums of Money to be collected and received, under and by virtue of the Provisions of this Act, find and provide a good and sufficient Hall, or Place within the Town and County of *Newcastle-upon-Tyne*, for holding the Assizes of the said County of *Northumberland*,

thumberland, and a proper and secure Place within the same Town and County, for confining the Prisoners brought from *Morpeth* aforesaid for Trial, during such Assizes, until the Courts of Justice, Gaol, and other Offices and Buildings to be erected for the said County of *Northumberland*, under and by virtue of the Authority of this Act, are completed and furnished, and that all Actions, Suits, Indictments, Civil and Criminal, and all Trials whatsoever, so tried for the County of *Northumberland*, in and within the said Town and County of *Newcastle-upon-Tyne*, shall be deemed to be at the Castle of *Newcastle-upon-Tyne* in the said County of *Northumberland*, and the Assize Precepts and other Process issued for holding the Assizes, shall be in the same Form as heretofore, for the Parties to appear at the Castle of *Newcastle-upon-Tyne*, in the County of *Northumberland*, notwithstanding the Assizes, Causes Civil and Criminal, and all Matters which ought to have been executed and performed at such the Castle of *Newcastle-upon-Tyne*, in the County of *Northumberland*, shall be executed and done within the Town and County of *Newcastle-upon-Tyne*, for the Reasons herein-before mentioned.

XVII. And be it further enacted, That it shall and may be lawful to and for the Justices of the Peace of the said County of *Northumberland*, acting in and for *Castle Ward* in the said County, and they are hereby authorized and empowered from Time to Time to select and appoint from among the Inhabitants resident within the Castle Garth aforesaid, and within the Scite of the said Old Castle of *Newcastle-upon-Tyne*, a proper Person to act from Time to Time as Constable within and for the Precincts of that Part of the said Castle Garth and Scite of the said Old Castle of *Newcastle-upon-Tyne*, which is by this Act declared to be within the said County of *Northumberland*, for the better Preservation of the Peace and Protection of the Property within the same Precincts: Provided always, that no Person residing within that Part of the said Castle Garth and Scite of the said Old Castle which is by this Act declared to be within the Town and County of the Town of *Newcastle-upon-Tyne*, shall be compelled or compellable to take upon himself such Office of Constable as aforesaid, unless he shall voluntarily consent to do so: Provided also, that every such Person as aforesaid, who shall upon his own voluntary Consent be duly sworn to execute the said Office of Constable within the Precincts aforesaid; shall thenceforth be compellable to execute such Office for and during the Period for which he shall have been so appointed and sworn to execute the same.

Power to appoint Constable for Castle Garth.

XVIII. And be it further enacted, That for the more speedy Execution of Justice in certain Cases, it shall and may be lawful to and for the Sheriff for the Time being of the County of *Northumberland*, and he is hereby authorized and empowered at any Time when he shall be so directed by His Majesty's Judges of Assize to erect a Gallows or other proper Erection, in or upon any open Space of Ground within that Part of the Castle Garth aforesaid, which is by this Act declared to be within and Parcel of the said County of *Northumberland*, and there to execute the Sentence of the Law upon any Criminal or Criminals tried, and convicted, and sentenced to Death, at any Assizes held for the said County of *Northumberland*.

To erect Gallows and hang Criminals in Castle Garth, when so ordered by the Judges.

XIX. And be it further enacted, That it shall and may be lawful to and for the said Justices of the Peace of the said County of *Northumberland*,

Treasurer, High Constables, &c. to be paid for extra Trouble

land, from Time to Time assembled at any General Quarter Sessions of the Peace, during the executing of the Provisions of this Act, to order from, by, and out of the Monies to be collected and received under the Provisions of this Act, such Sum and Sums of Money to the Treasurer, High Constables, and other the Officers and Persons acting in the Execution of this Act, as they shall think reasonably sufficient for the extra Trouble such Treasurer, High Constable, and other Officers and Persons, may have had therein.

Money remaining in the Treasurer's Hands after the Purposes of the Act are compleated, to be applied in Aid of the County Rate.

XX. Provided always, and be it further enacted, That when all and every the Purposes of this Act shall, in the Opinion of the Justices of the Peace of the said County of *Northumberland*, assembled at any General Quarter Sessions of the Peace for the same County, have been executed, performed, and fully compleated, and shall by some Order to be entered in the Sessions Book, at any such General Quarter Sessions of the Peace for the said County of *Northumberland*, or any Adjournment or Adjournments thereof, so declare, then and thenceforth, the Operation of this Act, so far only as regards the rating, assessing, and collecting Money for the Purposes of this Act, shall end and be no longer in Force; and if at that Time any Money shall remain (after all Expences incurred have been fully paid and satisfied) in the Hands of the then Treasurer, paid to and received by him under the Authority of this Act, then such Balance shall by him be carried to the Credit of the said County of *Northumberland*, and be applied in ease and aid of the County Rate.

New Moot-hall, Shire-hall, &c. to be repaired, when built, out of the County Rate.

XXI. And be it further enacted, That when the said new Moot-hall, Shire-hall, or Courts of Justice, Grand Jury Room, and other Offices, Gaol, and other necessary Erections, shall be built, fitted up with proper Accommodations, and finished, the same shall be for ever after repaired, supported, maintained, provided with proper Accommodations and insured from Fire, as Occasion shall require, at the Expence and Charge of the said County of *Northumberland*, by the Order of the Justices of the Peace for the said County from Time to Time, by and out of the Monies to be raised by the General Rate and Assessment which, for the Time being, shall be made, assessed, and levied, in and upon the said County, by Force of the Statute of the Twelfth of *George the Second*, intituled, *An Act for the more easy assessing, collecting, and levying of County Rates*, in the same Manner as the said Act appoints in respect to Public Buildings of Counties in general.

Justices may sue in the Name of the Clerk of the Peace.

XXII. And be it further enacted, That the said Justices of the Peace for the Time being, may sue and be sued in any Court or Courts of Law or Equity, for or in respect of any Claim, Contract, or other Matter or Thing made or done by them, or any of them, under the Authority of this Act, or for or in respect of any Nuisance, Encroachment, or Trespass, made, done, or committed, by any Person or Persons whomsoever, in or upon the said Moot-hall, Shire-hall, or Courts of Justice, Grand Jury Room, Gaol, Buildings, and Appurtenances thereunto belonging, or any of them, or in or upon any Part or Parts thereof respectively, or in or upon the Lands, Tenements, or Hereditaments, hereby vested in or to be purchased by, or given in Exchange, to the said Justices, or in or upon any Part or Parts thereof respectively, in the Name of the Clerk of the Peace for the said County, or his Deputy, for the Time being; and

and in the commencing, prosecuting, carrying on, and defending all such Actions or Suits, such Moot-hall, Shire-hall, or Courts of Justice, Grand Jury Room, Gaol, Buildings, Appurtenances, Lands, Tenements, and Hereditaments, shall be deemed and considered in Law to be, and shall be described to be, in the Possession of the Justices of the Peace for the County of *Northumberland*, to all Intents and Purposes whatsoever; and no such Action or Suit to be brought or commenced by or against the said Justices, or any of them, by virtue of this Act, in the Name of the said Clerk of the Peace, or his Deputy, for the Time being, shall abate or be discontinued by the Death or Removal of such Clerk of the Peace or his Deputy, or by any Act of the said Clerk of the Peace or his Deputy, for the Time being, done without the Consent of the said Justices of the Peace for the Time being, but that such Clerk of the Peace or his Deputy, for the Time being, shall always be deemed the Plaintiff or Defendant in such Action or Suit: Provided always, that every such Clerk of the Peace, or his Deputy, for the Time being, shall always be, from Time to Time, forthwith, by order of the said Justices in Sessions assembled, or the major Part of them, reimbursed and paid by the Treasurer of the said County, out of the Public Stock and County Rates of the said County, all such Costs, Charges, and Expences as he or they shall be put unto or become chargeable with by reason of his being made a Plaintiff or Defendant as aforesaid.

XXIII. And be it further enacted, That in all and every such Action and Actions, Suit and Suits to be brought and commenced as aforesaid, no Person or Persons whatsoever shall be deemed incompetent to give Evidence by Reason of his, her, or their paying or contributing towards the Public Stock of the said County, or by Reason of his, her, or their being being charged with or liable to pay or paying any of the Rates or Assessments to be made for paying the Costs, Charges, and Expences incurred or to be incurred by or in executing the Provisions of this Act.

Persons paying County Rate, or Rates under this Act, not to be disqualified from giving Evidence.

XXIV. 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 or their last or usual Place or Places of Abode, Ten 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 sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such 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, Order, and Judgement, 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.

Plaintiff not to recover if sufficient Amends offered.

XXV. Provided also, and be it further enacted, That no Action or Suit shall be brought, commenced, or prosecuted against any Person or Persons, for any Thing done or to be done by virtue or in pursuance of
[Loc. & Per.] 42 B this

Limitations of Actions.

this Act, after Twelve Calendar Months next after the Fact committed, or the Cause of such Action shall have arisen, and every such Action shall be brought and laid in the County of *Northumberland*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead, at his, her, or their Election, specially, or the General Issue, and give this Act, and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance or by the Authority of this Act; and if upon the Trial of such Action or Suit it shall appear to have been so done, or that such Action or Suit shall have been brought before the Expiration of Ten Days next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or be brought and laid in any other County than as aforesaid, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and in all Cases where a Verdict shall be found for any Defendant or Defendants in such Action or Suit, 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, Judgement shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such and the like Remedy for recovering the same as any Defendant or Defendants hath or have for recovering Costs of Suit in any other Cases by Law.

Costs of the
Act.

XXVI. And be it further enacted, That all the Charges and Expences of obtaining and executing this Act shall in the first Place, be paid and discharged by the Treasurer of the said County, by the Order of the Justices of the Peace of the said County at their General Quarter Sessions of the Peace, or at any Adjournment or Adjournments thereof, or the major Part of them then and there assembled, out of the County Stock, or Money to be from Time to Time raised and levied by the County Rates within the said County, and afterwards the Sum so taken by and out of the County Rate shall be repaid by and out of the Monies to be raised, assessed, and collected under the Provisions of this Act.

Public Act.

XXVII. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1809.