



ANNO QUADRAGESIMO NONO.

GEORGII III. REGIS.

Cap. 75.

An Act to enable the Justices of the Peace for the several Parts of *Lindsey, Kesteven, and Holland*, constituting the Three Divisions of the County of *Lincoln*, to provide a convenient House, with suitable Accommodations, for His Majesty's Judges at the Assizes for the said County.

[20th May 1809.]

WHEREAS the Lodgings in which His Majesty's Judges have heretofore resided, during their Attendance at the Assizes for the County of *Lincoln*, are very inconvenient, and do not afford proper and suitable Accommodations: And whereas the Justices of the Peace for the Three Parts of *Lindsey, Kesteven, and Holland*, in the said County, having taken the Matter into their Consideration, and conceiving that it would be expedient and proper for the future to have a House with suitable Offices and Accommodations, kept and appropriated for the Residence of the Judges at *Lincoln*, during their Attendance at the Assizes, a Proposal for that Purpose was submitted to a Public and General Meeting of the said Justices of the Peace, held at the County Hall in *Lincoln*, on the Fourteenth Day of *October* One thousand eight hundred and eight, at which Meeting the said Proposal was acceded to, and a Resolution formed for taking such Steps as might be necessary to carry the same into Execution: And whereas the same cannot be done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted;

[Loc. & Per.] 15 T and

Commission-
ers.

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 *John Cracroft, Francis Chaplin, Henry Hutton, George Uppleby, and Charles White* the younger, Esquires, and the Reverend *Cayley Illingworth* Clerk, being Justices of the Peace acting in and for the said Parts of *Lindsey*; *Sir Montague Cholmeley* Baronet, *Charles Chaplin*, and *Humphrey Sibthorp*, Esquires, being Justices of the Peace acting in and for the said Parts of *Kesteven*; and *Thomas Fydell* Esquire, the Reverend *Samuel Partridge*, and the Reverend *John Caparn* Clerks, being Justices of the Peace acting in and for the said Parts of *Holland*, and their Successors to be nominated and appointed as herein-after mentioned, shall be and they are hereby appointed Commissioners for carrying this Act into Execution.

For appoint-
ing new
Commission-
ers.

II. And be it further enacted, That if any or either of them the said *John Cracroft, Francis Chaplin, Henry Hutton, George Uppleby, Charles White*, and *Cayley Illingworth*, or any Commissioner or Commissioners to be appointed for the said Parts of *Lindsey* as herein-after mentioned, shall die, decline, or refuse to act in the Execution of the Powers of this Act, it shall and may be lawful to and for the Justices of the Peace acting in and for the said Parts of *Lindsey*, assembled at any General Quarter Sessions of the Peace to be holden in and for the said Parts, or at any Adjournment thereof, or the major Part of such Justices so assembled, to nominate and appoint from Time to Time a Commissioner or Commissioners from amongst His Majesty's Justices of the Peace acting in and for the said Parts of *Lindsey*, to act in the Place of the Commissioner or Commissioners so dying, declining, or refusing to act; and if either of them the said *Sir Montague Cholmeley, Charles Chaplin*, and *Humphrey Sibthorp*, or any Commissioner or Commissioners to be appointed for the said Parts of *Kesteven*, in Manner herein-after mentioned, shall die, decline, or refuse to act in the Execution of the Powers of this Act, it shall and may be lawful to and for the Justices of the Peace acting in and for the said Parts of *Kesteven*, assembled at any General Quarter Sessions of the Peace to be holden in and for the said Parts of *Kesteven*, or at any Adjournment thereof, or the major Part of such Justices so assembled, to nominate and appoint from Time to Time a Commissioner or Commissioners from amongst His Majesty's Justices of the Peace acting in and for the said Parts of *Kesteven*, to act in the Place of the Commissioner or Commissioners last named so dying, declining, or refusing to act; and if either of them the said *Thomas Fydell, Samuel Partridge*, and *John Caparn*, or the Commissioner or Commissioners to be appointed for the said Parts of *Holland* in Manner herein-after mentioned, shall die, decline, or refuse to act in the Execution of the Powers of this Act, it shall and may be lawful to and for the Justices of the Peace acting in and for the said Parts of *Holland*, assembled at any General Quarter Sessions of the Peace to be holden in and for the said Parts of *Holland*, or at any Adjournment thereof, or the major Part of such Justices so assembled, to nominate and appoint from Time to Time a Commissioner or Commissioners from amongst His Majesty's Justices of the Peace acting in and for the said Parts of *Holland*, to act in the Place of the Commissioner or Commissioners last named so dying, declining, or refusing to act; and that all intermediate Acts of the Commissioners for the Time being, or any Three or more of them, after the Death or Cession of any Commissioner or Commissioners, and previous to such new Appointment,

Appointment, shall nevertheless be good and valid to all Intents and Purposes; any Thing herein contained to the contrary notwithstanding.

III. And be it further enacted, That the said Commissioners, or any Three or more of them, shall meet at the County Hall in *Lincoln* within Thirty Days next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon; and the said Commissioners, or any Three 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 herein-after directed to be given, at such Place or Places within the said County of *Lincoln*, as such Commissioners or any Three or more of them shall think proper and convenient; and if Three Commissioners shall not attend at the Time and Place appointed for any such Meeting, then the Commissioners or Commissioner present shall and may make such Adjournment; or if no such Commissioner shall be present, or if at any Meeting an Adjournment be neglected to be made, then the Clerk or Clerks to the said Commissioners, or his or their Deputy, may revive and continue the Meetings of the said Commissioners by calling One or more Meeting or Meetings for that Purpose, and causing such Notice to be given as is herein-after directed, and every such Meeting so to be called for the Purpose of reviving and continuing the said Meetings, shall be adjourned in the like Manner, and such Adjournments, and the Revivals and Continuations of the said Meetings, shall be entered by the Clerk or Clerks to the said Commissioners, or his or their Deputy, in a Book to be kept for that Purpose.

First Meeting
of the Com-
missioners.

IV. Provided always, and it is hereby enacted and declared, That no Proceedings of the said Commissioners or any of them, in the Execution of this Act, shall be valid, unless the same shall be done at a Meeting held in pursuance of this Act, nor unless Three Commissioners at the least shall be present at such Meeting; but that all Orders which are by this Act authorized to be made by such Commissioners, and all Acts, Matters, and Things, which are by this Act authorized to be done by such Commissioners, may and shall be done by the major Part of such of the Commissioners as shall be assembled and present at the making of any such Order or doing any such Act; and that previous Notice of all the Meetings to be held in pursuance of this Act (Meetings by Adjournments only excepted) shall be given by the said Clerk or Clerks, or his or their Deputy, by Notice in Writing to the several Commissioners, and by Advertisement once in the County Papers, Fourteen Days at the least before such Meeting, which Notice shall specify the Time and Place of such Meeting; and at every such Meeting one of the said Commissioners present shall be appointed Chairman, and all Questions and Matters shall be determined by the Votes of the greater Number of the Commissioners present, which shall consist of Three or more, and the Chairman shall not only have a single Vote, but in case of Equality of Votes shall have the decisive or casting Vote; and all Proceedings at such Meetings shall be entered in a Book, and signed by the Commissioners present, or the major Part of them, or by the Chairman of such Meetings.

No Proceed-
ings of Com-
missioners
valid unless
done at a
Meeting, nor
unless Three
of such Com-
missioners
shall be pre-
sent.

V. And

Commission-
ers Clerk to
be appointed.

Clerks to be
reimbursed
Costs and
Expences.

V. And be it further enacted, That the said Commissioners, at a Meeting to be held in pursuance of this Act, shall and may from Time to Time appoint a Clerk or Clerks for assisting in the Execution of this Act, and for executing any Rules, Orders, or Regulations to be made in pursuance of the same, with such Salaries or Allowances, to be paid out of the Monies to be raised by virtue of this Act, as shall be thought reasonable by the said Commissioners or any Three or more of them; and likewise may from Time to Time remove such Clerk or Clerks, and appoint any other or others in his or their Room: Provided always, that every such Clerk or Clerks shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Charges, and Expences as he or they shall be put unto or become chargeable with by reason of his or their being made a Plaintiff or Plaintiffs, Defendant or Defendants as herein-after mentioned.

Commission-
ers enabled to
make Orders
to provide Ac-
commoda-
tions for the
Judges at the
Assize.

VI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to make such Order or Orders for erecting, building, repairing, purchasing, providing and furnishing in the City, Bail, or Close of *Lincoln*, any proper House with suitable Offices and Accommodations for the Residence of His Majesty's Judges at the Assize for the said County, with their Officers and Attendants, and for doing and transacting the Business usually done and transacted at the Lodgings of His Majesty's Judges during the Assizes, as to the said Commissioners shall from Time to Time appear expedient and necessary; and for the paying, discharging, and defraying of all the Expences, Costs, and Charges of and attending the erecting, building, purchasing, repairing, providing, and furnishing of the same, and effecting and carrying into Execution the several Purposes of this Act, by and out of the public Stock or County Rates of the several Parts of the said County of *Lincoln*, in such Proportions and subject to such Restrictions and Provisions as are herein-after contained.

Commission-
ers enabled to
purchase
Houses and
Lands for the
Purposes of
this Act.

VII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time to treat, contract, and agree with the Owners of and Persons interested in any Houses, Buildings, Lands, or Hereditaments, which they shall judge to be proper and necessary for the Purposes of this Act, for the Purchase thereof, and by and out of the Money to be levied and raised for the Purposes of this Act, to pay or cause to be paid for the Purchase of such Houses, Buildings, Lands, or Hereditaments, such Sum or Sums of Money as shall be agreed upon between such Owners and Persons interested as aforesaid and the said Commissioners, and also the Costs and Charges attending such Agreement, and of the Conveyance of the Premises, and Purchase as aforesaid; and that upon Payment of the Money agreed to be paid for the Purchase of any such Houses, Buildings, Lands, or Hereditaments as aforesaid, it shall be lawful for the said Commissioners, their Surveyors, Workmen, or Agents, at any Time hereafter, to take Possession of the said Houses, Buildings, Lands, or Hereditaments, and that the Whole and every Part thereof shall be conveyed to the said Commissioners, and the same are hereby declared to be vested in them and their Successors for the Purposes of this Act: Provided always, that the High Sheriff of the said County of *Lincoln*, for the

the Time being shall, within Five Days previous to the Commission Day for any Assizes to be held for the same County of *Lincoln*, have full Liberty and Permission, by himself or his Under Sheriff, to enter upon and occupy the said House, Hereditaments, and Premises appropriated for the Accommodation of His Majesty's Judges aforesaid, and also the Furniture and Utensils in the same, in order that he may prepare and make ready the same for the Reception of His Majesty's Judges as aforesaid, during the Assizes, the Commissioners aforesaid, or their Clerk or Clerks, delivering to the said Sheriff or his Under Sheriff an Inventory or Schedule of all Furniture and Articles of Household Use appertaining to the said House and Premises, and the said Sheriff shall be accountable for the due Care and Re-delivery of the same, all reasonable Damage or Loss and Wear and Tear excepted; and the said High Sheriff, Under Sheriff, and every Person or Persons to be employed by them, are hereby authorized and empowered to turn out and remove all and every Tenant or Tenants of the said Premises, and all other Person or Persons then and there found, for the Reception and Accommodation of the Judges as aforesaid, without being liable or subject to any Action for Trespass, or any Action or Indictment for forcible Entry or otherwise for so doing.

VIII. Provided always, and be it further enacted, That the Money to be expended in the purchasing, conveying, building, erecting, providing, fitting up and furnishing of such House, Buildings, Offices, Accommodations, Furniture and Appurtenances, shall not exceed the Sum of Seven thousand Pounds; the Sum of Three thousand five hundred Pounds, being One-half Part thereof, to be raised within the Parts of *Lindsey* in the said County; the Sum of Two thousand Pounds, being Four-seventh Parts of the Sum of Three thousand five hundred Pounds, the remaining Half Part of the said Sum of Seven thousand Pounds, within the Parts of *Kesteven*, in the said County; and the Sum of One thousand five hundred Pounds, being Three-seventh Parts of the last-mentioned Sum of Three thousand five hundred Pounds, within the Parts of *Holland*, in the said County of *Lincoln*, or in such and the same Proportions, in case the whole of such Sum of Seven thousand Pounds shall not be wanted for such Purpose as aforesaid; and such Sums or such Proportions thereof as shall be wanted for the Purposes of this Act, and also such Sum or Sums of Money as shall be necessary for defraying all the Costs, Charges, and Expences of obtaining this Act, over and above the said Sum of Seven thousand Pounds as aforesaid, and all future Sums which may hereafter be wanted for the Purposes of this Act, shall be assessed, raised, levied, and collected in the several Parts of the said County in the Proportions aforesaid, in the same Manner, and by all such Ways, Means, Powers and Authorities as any Rates are now assessed, raised, levied, or collected for the repairing the County Gaol, County Hall, and Castle of *Lincoln*.

Amount of Money to be expended in purchasing Houses, &c.

How to be levied.

IX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Husbonds, Trustees, or Feoffees in Trust, Executors, Administrators, Guardians, Committees, and all other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their *Cestuique* Trusts, whether Infants, Issue unborn, Femmes Covert, Lunatics, Idiots, and to and for all Femmes Covert, and all other

Bodies Politic, &c. enabled to sell.

[Loc. & Per.]

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Person

All Contracts
to be valid.

Trustees, &c.
indemnified.

Application of
Compensation
Money, if
amounting to
£100.

Person or Persons whomsoever, who are or shall be seised, possessed of, or any Ways interested in their own Right of such Houses, Buildings, Lands, or Hereditaments, to treat, contract, and agree with the said Commissioners, as well for the Sale of such Houses, Buildings, Lands, or Hereditaments, and all their several and respective Rights and Interests therein or any Part thereof, and to sell and convey the same to the Commissioners for executing this Act for the Time being, or any Person or Persons in Trust for them, and in such Manner as they the said Commissioners shall direct, and as Occasion shall require; and all Contracts, Sales, and Conveyances, which shall be so made, shall be good, valid, and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or other Matter to the contrary in anywise notwithstanding; and all and every such Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Husbonds, Trustees, Feoffees, Executors, Administrators, Guardians, Committees and all other Persons, shall be and are hereby indemnified for what they shall do under the Authority and by virtue of this Act.

X. And be it further enacted, That if any Money shall be paid or agreed, or awarded to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or other Trustee, or for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Cestuique* Trust, or to any Persons or Person whose Houses, Buildings, Lands, Tenements, or Hereditaments are limited in strict and other Settlements, 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 the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commissioners under this Act, for the Time being, 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 Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Commissioners shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, 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 Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance an Settlement shall be existing, undetermined, and capable of taking effect; and in the mean Time, and until such Purchase shall be

be made, the same Monies 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 Houses, Buildings, Lands, Tenements, and Hereditaments, to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

XI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, 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 Houses, Buildings, 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, Idiotcy, 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 any Two or more of the said Commissioners, such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or the Approbation of the Court of Chancery.

Under 200l.
and above 20l.

XII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same 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 Houses, Buildings, Lands, Tenements, or Hereditaments, so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid 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.

Application
where the
Money is less
than 20 l.

XIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, to be purchased

In case of not
making out
Titles.

or if Persons
cannot be
found, Pur-
chase Money
to be paid into
the Bank;

subject to the
Order of the
Court of
Chancery on
Motion or
Petition.

Respecting
disputed
Titles.

purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, 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, or any Three or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Houses, Buildings, Lands, 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.

XIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, 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 the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, 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 or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, 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 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 Houses, Buildings, Lands, or Hereditaments, or to some Estate or Interest therein.

XV. Provided

XV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, 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 Court of Chancery, and to be applied in the Purchase of other Houses, Buildings, 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, to be paid by the said Commissioners out of the Monies to be raised by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court of Chancery may order reasonable Expences of Purchases to be paid by the Trustees.

XVI. And be it further enacted, That the said Commissioners, or the Commissioners for the Time being (in case any other Person or Persons shall then have been appointed to fill up any Vacancy that may have arisen by the Death or Cession of any of the before-named Commissioners) shall and they are hereby required, as soon as the Purchase of such Houses, Buildings, Lands, or Hereditaments shall be completed, and the same shall have been fitted up, furnished, and put into a proper State for the Reception of His Majesty's Judges as aforesaid, report the same, together with all Proceedings had thereon, and all Expences which have been incurred, or Monies paid or due in respect thereof, to the Justices of the Peace for the said Three Parts of the said County, to be assembled at their Annual General Meeting to be held at the County Hall in *Lincoln*, in the Month of *September* then next following, and in case such Meeting shall not be held, then at a General Meeting of the said Justices to be held at the next Assizes for the said County, together with a Schedule or Inventory of all Furniture provided by them or their Order.

Commissioners to report their Proceedings.

XVII. And be it further enacted, that all and every the said Houses, Buildings, Lands, Hereditaments, Offices, and Accommodations, with the Appurtenances, together with all Furniture therein, so to be provided as aforesaid, and every Matter and Thing appertaining or in anywise relating thereunto, or to any of them, shall at all Times from and after the same shall have been so reported to be finished, fitted up and furnished, be vested in, and the same are hereby declared to be vested in perpetual Succession in the Commissioners for the Time being, chosen under this Act, or so many of them as are in being, and their Successors to be from Time to Time chosen under this Act; and in default of any Commissioners being chosen under this Act, and in case of there being no Commissioners for the Time being, then the same shall vest in the Clerks of the Peace for the said several Parts of the said County for the Time being, and their Successors, until Commissioners shall be chosen; and the said Commissioners and their Successors shall have full Power and Authority to let the said Houses, Buildings, Furniture, and Premises, to any Person or Persons from Year to Year, or for any shorter Period, for the best Rent that can be got for the same, nevertheless reserving the Premises for the Use of His Majesty's Judges during the Assizes, and subject to the Power herein-before given to enter upon the same Five Days previous thereto, and the said Com-

All and every such Houses, Buildings, etc. vested in perpetual Succession in Commissioners.

[Loc. & Per.]

15 X

missioners

missioners also reserving full Powers for Payment of the Rent and Recovery thereof; and that the Rent to be received for the same shall be annually paid and applied by the said Commissioners in the necessary Repairs of the said Houses, Buildings, Furniture, and Premises; and in case there shall be any Surplus remaining after Payment thereof, the same shall be paid to the respective Treasurers of the said several Parts of the said County in the Proportions aforesaid, for the Use of such Parts respectively.

Expences of
the Act.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners to raise such further Sum, over and above the aforesaid Sum of Seven thousand Pounds, if necessary, as shall be required to defray the Costs, Charges, and Expences, incident to the soliciting, obtaining, and passing of this Act, and such further Sums shall be levied and raised out of the Publick Stock or County Rates of the said Parts respectively, in such Proportions as aforesaid, and shall be paid by the Treasurers of the said Parts respectively, by and under the Order of the said Commissioners or the major Part of them, in Manner aforesaid:

Commission-
ers to direct
the Repairs.

XIX. And be it further enacted, That whenever such Houses, Buildings, Offices, or Accommodations, shall require Alterations, or shall become out of Repair, or any Furniture thereto belonging shall become unfit for the Use of the said Judges, then and in such Case the said Commissioners shall annually, or from Time to Time as the same may become necessary, direct the making of such Repairs, and Supply of all Matters, Things, and Furniture wanted from Time to Time, and the Discharge of all Taxes and Demands upon the said Houses, Premises, Buildings, Tenements, and Hereditaments, and any other Purposes appertaining to the same; and it shall be lawful for the said Commissioners or the major Part of them, assembled at any Meeting under this Act, and they are hereby authorized, to direct that such Sum or Sums of Money as shall be expended in Repairs, or Supply of such Matters, Things, or Furniture, as may from Time to Time become necessary as aforesaid, if the Rent of the said Premises shall not be sufficient for that Purpose, to be defrayed in such Proportions as aforesaid, by the respective Treasurers of the several Parts of the said County, out of any Money in their Hands of any County Rate, or to make any Rate for that Purpose, which shall thereupon be raised and levied in the same Manner and Proportions as are herein-before directed as to the aforesaid Sum of Seven thousand Pounds, and the respective Treasurers of the said several Parts are hereby authorized and required to pay any Sum of Money so ordered by such Commissioners, and such Order shall be a sufficient Authority or Discharge to them for such Money; and that it shall be lawful for the said Commissioners or the major Part of them, assembled at any Meeting under this Act, to appoint a proper Person, with a competent Salary and Allowance, to take Care of the said Houses, Premises, Buildings, Tenements and Hereditaments, and to have the Charge of the Furniture being in the said House; and also it shall be lawful for the said Commissioners, and they are hereby required to insure the said Houses, Premises, Buildings, Tenements, and Hereditaments, from Fire, and to order the Sum or Sums of Money so to be expended, and all Charges incident thereto, to be defrayed and paid out of the said County Rates, or out of the Rents to be received for the said House and Premises, in the Manner and Proportions aforesaid.

To allow
Compensation
to take Care
of the Houses,
etc. and to
insure the
same from
Fire.

XX. And

XX. And be it further enacted, That the said Commissioners for the Time being may sue and be sued 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, in any Court or Courts of Law or Equity, in the Name of their Clerk or Clerks for the Time being; and that no Action or Suit 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 or Clerks for the Time being, shall abate or be discontinued by the Death or Removal of such Clerk or Clerks, or by any Act of the said Clerk or Clerks for the Time being, done without the Consent of the said Commissioners for the Time being; but that such Clerk or Clerks for the Time being shall always be deemed the Plaintiff or Plaintiffs, Defendant or Defendants, in such Action or Suit nominally, but to be carried on and defended under the Direction of the Commissioners under this Act, and the Expence to be by them ordered to be defrayed in like Manner as the other Charges under this Act; and the said Houses, Buildings, Offices, Furniture, and Appurtenances, and all Furniture, Articles, Matters and Things therein or thereunto belonging, shall in any Action or Indictment be laid and alledged and described to be the Property of the said Commissioners for the Time being, and under the Style and Description of "The Commissioners for providing a House and Accommodations for His Majesty's Judges at the Assizes for the County of *Lincoln*:" Provided also, that in all and every Action or Actions, Suit or Suits, Indictment or Indictments, to be brought and commenced as aforesaid, no Person or Persons whomsoever shall be deemed incompetent to give Evidence by reason of his, her, or their paying or contributing towards the publick Stock of the several Parts of the said County or any of them, or by reason of his, her, or their being charged with, or liable to pay any of the County Rates of the said Parts or any of them.

Commissioners may sue and be sued in the Name of their Clerks

Persons good Witnesses, though they pay County Rates.

XXI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance or by virtue or under Colour of this Act, after Six Calendar Months next after the Fact committed, or Cause of Action accrued for which such Action or Suit shall be so brought, nor unless One Calendar Month's Notice in Writing shall be given to the Defendant or Defendants before such Action shall be commenced, of the Intention to bring such Action, and specifying the Cause thereof, and the Defendant or Defendants may plead any Tender of sufficient Amends or pay Money into Court; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon.

Limitations of Actions.

XXII. 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.

Publick Act.

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