



ANNO TERTIO

GEORGH. IV. REGIS.

Cap. lxxii.

An Act for building a new Gaol and House of Correction for the City and County of the City of *Coventry*.
[24th June 1822.]

WHEREAS the present Gaol in and for the City of *Coventry* and County of the same City, situate partly in the Parish of *Saint Michael*, and partly in the Parish of the *Holy Trinity* in the said City and County, and the House of Correction in and for the same City and County, situate in the said Parish of *St. Michael*, and in the Parish of *Saint John Baptist*, or one of them, are respectively too small, insecure, and unfit for the proper Accommodation of the Prisoners usually confined therein, and inconveniently situated; and it would be of great Public Utility if a new Common Gaol and new House of Correction, with all necessary Conveniencies, were erected and built in a more open and airy Part of the said City or County of the same City; but on account of certain local Circumstances such Gaol and House of Correction cannot be erected and built by the Laws now in force, it is therefore requisite for that Purpose to have 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 after the passing of this Act, it shall and may be lawful for the Justices of the Peace for the Time being acting in and for the City and County of the City of *Coventry*, to build and erect a proper Gaol and House of Correction for the said City and County of the City of *Coventry*,
[Local.] 27 A with

with proper and sufficient Yards, Courts, Out-offices, Conveniences, Passages, Avenues, Trenches, Watercourses, and Sewers, and also to lay out, design, assign, and appoint how and in what Manner the said Gaol, House of Correction, and the Yards, Courts, Out-offices, Conveniences, Passages, and Avenues of the same, shall be built, erected, and made, and with what Materials, and in what particular Site and Situation the same shall be built, and how and in what Manner the same shall be supplied with Water, and how the said Gaol, House of Correction, and the several Buildings, Courts, Yards, Out-offices, Conveniences, Passages, and Avenues to the same respectively, may and shall from Time to Time be preserved and kept in good Repair and Order, and to make Contracts and Agreements for and concerning the same, and to do all other Matters and Things requisite for carrying on and effecting the Purposes directed by this Act to be done, and for causing the same effectually to be perfected, as to them shall seem meet.

Justices empowered to purchase Land.

II. And be it further enacted, That it shall be lawful for the said Justices, and they are hereby authorized and empowered to contract for the absolute Purchase in Fee Simple of the Pieces or Parcels of Land, Tenements, and Hereditaments mentioned or comprized in the Schedule hereunto annexed, or any other Lands, Tenements, or Hereditaments in the said City, or in the said County of the said City (not mentioned in the said Schedule), which may appear to them proper or convenient for the Uses and Purposes of this Act, and to take and use the same for the Purposes of this Act, first making or tendering Satisfaction in Manner herein-after mentioned to the Owners or Proprietors thereof: Provided always, that the Quantity of Land or Ground to be purchased, taken, or used for the Purposes of this Act, shall not exceed in the whole Two Acres, and such Lands, Tenements, and Hereditaments respectively shall be conveyed to the Mayor, Bailiffs, and Commonalty of the said City of *Coventry*, and their Successors, for the Uses and Purposes of this Act: Provided also, that nothing in this Act contained shall extend to the taking down of any Dwelling House or other Building, or to the taking in of any Land that is a Garden or Orchard adjoining to any Dwelling House, or any Yard, Park, Paddock, planted Walk, inclosed Nursery for Trees, or Avenue to any House or any Part thereof, without the Consent of the Owner or Proprietor thereof respectively, in Writing, first had and obtained, other than and except such as are mentioned in the said Schedule to this Act.

Lammas Land to be conveyed to the Justices freed from all Common Rights.

III. And whereas Part of the Land mentioned in the said Schedule is called *Lammas Ground*, over which the Freemen of the said City of *Coventry* have a Right of Common from *Old Lammas Day* until *Old Candlemas Day*; be it therefore enacted, That a Conveyance of such *Lammas Ground* by the Person or Persons who shall for the Time being be entitled to the Fee Simple and Inheritance thereof, subject to such Right of Common, shall be a good and sufficient Conveyance thereof to the said Mayor, Bailiffs, and Commonalty, for the Purpose of vesting in them the Fee Simple and Inheritance thereof for the Purposes of this Act, freed from such Right of Common, as fully and effectually as if every Person having Right of Common thereon had executed such Conveyance; and it shall be lawful for the said Justices to enter into an Agreement with the Churchwarden or Churchwardens for the Time being of the

the Parish wherein the said *Lammias Ground* is situate, for the Purpose of ascertaining and settling what Sum of Money shall be paid as or by way of a Compensation for the Rights of Common upon such Land, and the Sum so to be agreed upon shall be paid by the said Justices to the said Churchwarden or Churchwardens, and shall be by him or them applied for such general and public Purposes within such Parish, as a Vestry of such Parish to be convened by such Churchwarden or Churchwardens for that Purpose shall direct.

IV. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Feoffees, Trustees, and Committees, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their respective Wives, Infants, Wards, Cestuique Trusts, Lunatics, Idiots, or Persons of unsound Memory and Understanding, and to and for all Females Covert who are or shall be seised or interested in their own Right, and to and for all and every Persons and Person whomsoever who are or shall be seised or possessed of or interested in the said Pieces or Parcels of Land, Tenements, Hereditaments, and Premises mentioned or comprised in the said Schedule, or in any other Lands, Tenements, or Hereditaments which may be deemed necessary for the Purposes of this Act as aforesaid, to contract and agree with the said Justices for the Sale thereof, or of their Interest therein, and to convey the same for the Uses and Purposes and according to the Intent and Meaning of this Act, and all Sales, Contracts, and Conveyances which shall be so made, shall be valid and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Settlement, Limitation, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, or Person or Persons having a qualified or partial Estate or Interest, Guardians, Feoffees, Trustees, Committees, and all other Persons, shall be and are hereby indemnified for making the same, and for what they shall do in pursuance of this Act.

All Persons enabled to sell, and Indemnification to Parties conveying.

V. And be it further enacted, That in case any such Body Politic, Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenants for Life or in Tail, or Person or Persons having a qualified or partial Estate or Interest, Guardians, Feoffees, Trustees, Committees, or any other Person or Persons interested in the said Pieces or Parcels of Land, Tenements, or Hereditaments mentioned or described in the said Schedule, or any Part or Parts thereof, or any other Lands, Tenements, or Hereditaments which may be deemed necessary for the Purposes of this Act, upon Notice to him, her, or them given or left in Writing at the Dwelling House or Houses, or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politic, Corporate, Ecclesiastical or Civil, or at the House of the Tenants in Possession, and as to the said *Lammias Land*, upon Notice given to the Person or Persons who shall for the Time being be seised of or entitled to the Fee Simple and

In case Parties disagree, Value to be ascertained by a Jury, &c.

and Inheritance thereof, subject to such Right of Common as aforesaid, and to the said Churchwarden or Churchwardens, or left upon or affixed to the Premises, shall for the Space of Fourteen Days next after such Notice given or left, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Justices shall cause the Value of such Lands, Tenements, Hereditaments, and Premises, and what Damages or Injury will be sustained by, and what Recompence and Satisfaction shall be made to the Person or Persons interested for and on account of the taking of such Pieces or Parcels of Land, Tenements, or Hereditaments for the Purposes aforesaid, to be inquired into and ascertained by a Jury of Twelve indifferent Men of the County of *Warwick*, qualified to serve on Juries for the Trial of Issues in His Majesty's Courts of Record at *Westminster*; and in order thereto, the said Justices are hereby empowered and required, from Time to Time as Occasion shall be, to summon and call before such Jury, and to examine upon Oath, any Person or Persons whomsoever; and such Justices shall, by ordering a View or otherwise, use all Ways and Means as well for their own Information as for the Information of the said Jury in the Premises; and after the said Jury shall have inquired of and assessed the Value of such Lands, Tenements, or Hereditaments respectively, and such Recompence and Satisfaction as aforesaid, they the said Justices shall order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners and other Persons interested in such Lands, Tenements, Hereditaments and Premises respectively, or to such other Persons as are herein-before mentioned, according to the Verdict and Inquisition of such Jury; which said Verdict and Inquisition and Judgment, Order, or Determination thereupon, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming or to claim in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Lunatics, Idiots, and Persons under any Disability whatsoever, Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for summoning and returning such Juries the said Justices are hereby empowered to issue their Warrant or Warrants to the Sheriff of the said County of *Warwick*, requiring the said Sheriff to impanel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries, to appear before the said Justices at such Time and Place as in such Warrant or Warrants shall be appointed, such Time not being less than Fourteen Days nor more than Twenty-eight Days after such Warrant shall be served upon the said Sheriff, and Fourteen Days Notice at the least in Writing under the Hands of the said Justices is hereby required to be given to such Person or Persons interested in the said Pieces or Parcels of Land, Tenements, and Hereditaments, of the Time and Place of the said Jury being so impanelled, summoned, and returned, and such Sheriff is hereby required accordingly to impanel, summon, and return such Number of Persons accordingly, and out of the Persons so summoned, impanelled, and returned, or out of such of them as shall appear upon such Summons, the said Justices shall and they are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen so returned, such Sheriff or the Under Sheriff, or Under Sheriff's Bailiff

Bailiff or Bailiffs, or the said Justices, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they shall come to be sworn; and the said Justices shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, Under-Sheriff, or Bailiff making Default in the Premises, and on any of the Persons who shall be summoned and returned upon such Jury and shall not appear without sufficient Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give a Verdict, or shall in any other Manner wilfully neglect their Duty therein contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury, shall refuse or neglect to appear without some sufficient Excuse, or appearing shall refuse to be sworn or examined or to give Evidence, so that no such Fine be more than Twenty Pounds on any such Sheriff or Under-Sheriff, nor more than Five Pounds on any other Person for one Offence.

VI. And be it further enacted, That all Persons who in any Examination to be taken upon Oath by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise foreswear themselves before any such Jury; or before any Justice of the Peace acting as such in the Execution of this Act; shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Persons giving false Evidence may be prosecuted for Perjury.

VII. And be it further enacted, That each and every Verdict so given, and the Order, Adjudgment, and Determination of the said Justices thereupon, shall be set down in Writing under the Hands and Seals of the Justices who shall make the same, and shall be transmitted to and kept by the Clerk of the Peace or other Person having the Custody of the Records of the Quarter Sessions for the said County of *Warwick*, and shall be deposited with and deemed to be Records of such Quarter Sessions to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Verdict to be transmitted to Clerk of the Peace.

VIII. And be it further enacted, That in case any such Jury as aforesaid shall give in or deliver a Verdict for more Money as a Recompence or Satisfaction than shall appear to them to have been offered or tendered by the said Justices before the summoning or returning of such Jury, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the said Justices out of the Money arising by virtue of this Act; but if any such Jury shall give in and deliver a Verdict for no more or for less Money as a Recompence or Satisfaction than shall so appear to have been offered or tendered by the said Justices before the summoning or returning the said Jury or Juries, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the obtaining

Expences of Jury, &c. how to be defrayed.

of such Verdict or Determination, shall be borne and paid by the Person or Persons with whom the said Justices shall have such Controversy or Dispute; and which Costs and Expences shall be ascertained and settled by some Justice of the Peace for the County of *Warwick* not interested in the Matter in question (who is hereby authorized and required to examine into and settle the same), and shall and may be deducted out of the Money so assessed and adjudged as so much Money advanced to and for the Use of such Person or Persons; and the Payment and Tender of the Remainder of such Monies shall be deemed and taken to all Intents and Purposes to be in Payment and Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so settled and ascertained as aforesaid, may be recovered by the Clerk or Clerks to the said Justices by such Ways and Means as are herein provided for the Recovery of Penalties and Forfeitures incurred by this Act: Provided always, that in all Cases where any Person or Persons shall by reason of Absence have been prevented from treating with the said Justices, such Costs and Expences shall be borne and paid by the said Justices in manner aforesaid.

Limiting the
Time for
Purchase.

IX. Provided always, and be it further enacted, That if the said Justices shall not agree for and purchase the Pieces or Parcels of Land, Tenements, and Hereditaments mentioned and comprized in the said Schedule, or such Part or Parts thereof as may be necessary for the Purposes of this Act, or shall not cause the same to be valued and assessed by a Jury within the Space of Two Years from the passing of this Act, then and from thenceforth the respective Owners or Proprietors of and Persons interested in such Part or Parts of the said Pieces or Parcels of Land, Tenements, and Hereditaments as shall then remain unpurchased or unassessed by a Jury as aforesaid, shall not be afterwards obliged to convey, sell, or otherwise dispose of the same, or any Part or Parts thereof, or their, his, or her respective Interest therein; nor shall any Jury or Juries be summoned, or meet to settle or ascertain the Value thereof, or any Recompence or other Matter respecting the same, any thing herein-before contained to the contrary thereof notwithstanding.

Application
of Compen-
sation Money
when ex-
ceeding
200l.

X. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any Disability or Incapacity as herein-before mentioned, except in respect of the Rights of Common on the said *Lanmas Land*, mentioned in the said Schedule, 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 Privy of the Accountant-General of the High Court of Chancery, and be placed to his Account there, *ex parte* the Justices of the Peace for building a new Gaol for the City and County of the City of *Coventry*, together with the Name or Names of such Person or Persons as the said Justices shall, by Writing signed by them, direct or appoint, 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

in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, and Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and 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 and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said High Court of Chancery, 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 meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, 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 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 amount to the Sum of Twenty Pounds, except in respect of the Rights of Common on the said *Lammas Land* as aforesaid, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, 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 Justices; 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 and Interest arising therefrom, may be applied in manner herein-before directed, so far as the same may be applicable, without obtaining or being required to obtain the Direction or Approbation of the High Court of Chancery.

Where less
than 200l.
and exceed-
ing 20l.

XII. Pro-

Where less
than 20l.

XII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, except in respect of the Rights of Common on the said *Lammas Land* as aforesaid, 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 Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, as the said Justices shall think fit, or in case of Infancy or Lunacy then to his, her, or their Guardian or Guardians, Committee or Committees, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of
not making
out Titles, or
if Persons
cannot be
found, Pur-
chase Money
to be paid
into the
Bank,

XIII. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Justices, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered 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 for the said Justices to order the said Sum or Sums so awarded to 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 to the Credit of the Parties interested in the said Lands or Tenements (describing them), subject to the Order, Controul, and Disposition of the said Court; which Court, on Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution 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.

Where any
Question
shall arise
touching the
Title to
Money to
be paid, the
Person who
shall be in
Possession
of the
Lands, &c.
at the Time
of such Pur-
chase, shall

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 High Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, 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 be in Possession of such 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 Lands, Tenements, or Hereditaments, according to such Possession,

Possession, until the contrary shall be shewn to the Satisfaction of the said High 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 Lands, Tenements, or Hereditaments, or to some Estate or Interest therein. be deemed entitled thereto.

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 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, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Justices, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct. The Court may order reasonable Expences of Purchases to be paid by the Justices.

XVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and adjusted by any Jury or Juries in manner aforesaid, for the Purchase of any such Lands, Tenements, or Hereditaments, and for such Recompence and Satisfaction as aforesaid to the Proprietor or Proprietors thereof, or such other Person or Persons as shall be interested therein, or entitled to receive such Sum or Sums of Money at any Time after the same shall have been so agreed for, determined, or awarded; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Justices, then upon Payment of the said Sum or Sums of Money into the Bank of *England*, as herein directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Justices or their Agents, Servants, and Workmen, immediately and at any Time or Times, to enter upon such Lands, Tenements, or Hereditaments; and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Mayor, Bailiffs, and Commonalty of the said City of *Coventry*, and their Successors, to and for the Uses and Purposes of this Act; and such Payment, Tender, or Investiture shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but shall also extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, and their Issue, and of every Person whomsoever therein. Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money.

Justices to
build new
Gaol.

XVII. And be it further enacted, That it shall and may be lawful to and for the said Justices, and they are hereby authorized and required with all convenient Speed after the passing of this Act, to build and erect, or cause to be built and erected on the Lands, Tenements, Hereditaments, and Premises so to be purchased as aforesaid for the Purposes of this Act, a convenient new Gaol and a new House of Correction, with sufficient Yards, Courts, Outlets, and airing Grounds thereto, for the Confinement of Criminals, Debtors, and others, and also Infirmaries or Apartments for sick and infirm Prisoners, and proper Places for the Residence of the Gaoler or Gaolers, or other Officers of such new Gaol and new House of Correction; and also all such other proper and convenient Erections and Buildings as the said Justices shall judge necessary to answer the Purposes of this Act, according to the several Uses for which the same are hereby respectively appointed or intended; and also to cause the said new Gaol, House of Correction, and other Buildings as aforesaid, to be fitted up and furnished in a complete and effectual Manner for the Reception, Security, and Health of such Prisoners, as to them shall seem best adapted to answer the Purposes of this Act, according to the several Uses for which the same are hereby respectively appointed; for doing of all which the said Justices are hereby authorized to make such Contracts, and to employ such Artificers, Workmen, Labourers, and others, and to do all such Acts, Matters, and Things, as shall in their Discretion appear requisite in the Premises.

Materials
vested in the
Justices.

XVIII. And be it further enacted, That all Timber, Stone, and Brick, and other Materials to be made use of, or which shall be collected to be made use of by Order of the said Justices for building and completing the said new Gaol, House of Correction, or other Buildings or Work carrying on for the Purposes of this Act, and which may not be the immediate Property of their Agents and Contractors, shall be and the same are hereby vested in the said Justices, and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions in the Name of the Town Clerk, or of the Clerk of the Peace of the said City and County of the same City, or to prefer or cause to be preferred any Bill or Bills of Indictment against, and prosecute any Person or Persons who shall steal, take away, or damage any such Materials, or disturb them in the Possession thereof, or any Part thereof; and in every Action so to be brought, and in every Bill or Bills of Indictment so to be preferred, it shall be sufficient to state generally any such Timber, Stone, Brick, or other Materials to be the Property of the Justices of the Peace for the City and County of the City of *Coventry*, without stating or specifying the Names or Name of all or any of the said Justices.

New Gaol to
be the Com-
mon Gao.

XIX. And be it further enacted, That when the said new Gaol and new House of Correction shall be respectively finished, the same shall be and are hereby declared to be the Common Gaol and House of Correction for the said City and County of the City of *Coventry*, and shall at all Times thereafter be kept in repair and maintained, and the Prisoners therein shall be maintained and supported by the Means and in Manner herein-after mentioned and directed; and the Sheriffs of the said City and County of the City of *Coventry* shall have the Keeping of such new Gaol, and the said Justices shall have the Keeping of such new House of Correction; and when the said Gaol shall be fit for the Reception of

Prisoners,

Prisoners, the said Justices shall cause Notice thereof to be given to the said Sheriffs, who shall with all convenient Speed remove all such Prisoners as shall be in Custody to such new Gaol, which Removal shall not be deemed, construed, or taken to be an Escape; and such new Gaol when so erected and built, and the Site thereof, shall be deemed and taken to be within the Jurisdiction of the said City and County of the City of *Coventry*, for the Confinement of all such Prisoners, Debtors, and others, as have been usually committed and imprisoned in the present Gaol, by virtue of any Writ or Process lawfully issuing out of any Court of Record within the said City and County of the same City.

XX. And whereas the present Gaol for the said City and County adjoins to the County Hall, and it will be desirable to retain some Part of the said Gaol as a Depository for Prisoners brought up for Trial at the respective Assizes and Quarter Sessions for the said City and County, and also as a Place for lodging and securing Depredators and disorderly Persons apprehended in the Night Time in the said City, and it will also be desirable to appropriate and retain Part of the Gaoler's House, which also adjoins the said County Hall, for the Use of the Grand Jury and other Juries summoned on the Business of the said City and County; and it may be expedient, in order to carry into Execution the Purposes of this Act, that some Part of the present Gaol and House of Correction should be sold and disposed of, and the Monies arising by such Sales applied to the Purposes of this Act; be it therefore further enacted, That after the Prisoners in the Custody of the Sheriffs of the said City and County, shall as herein-before directed be removed to the said new Gaol, it shall and may be lawful for the said Justices to continue and appropriate such Part and Parts of the present Gaol and House of Correction as they may think fit for a Place of Security or Confinement for Persons detained in Custody on any legal Warrant or Authority, and to appropriate any Part or Parts of the House now occupied by the said Gaoler as and for a Room and Place or Rooms and Places of Meeting for the Grand Jury, and other Juries and Persons engaged in the Business of the said City and County; or, if the Justices shall think proper, to cause the said present Gaol and House of Correction for the said City and County of the City of *Coventry*, and Gaoler's House with the Appurtenances, and the Materials and Sites thereof respectively, or any Part or Parts of the said present Gaol and House of Correction and Gaoler's House, or of the Materials and Sites thereof respectively, to be sold and disposed of to such Person or Persons as shall be willing or desirous to contract for or purchase the same, and either in One or more Lot or Lots, and in such Manner as to the said Justices shall seem proper; and a Conveyance or Assignment, or Conveyances or Assignments of the said Common Gaol and Site thereof, and Gaoler's House with the Appurtenances, or any Part or Parts thereof, by the Sheriffs of the said City and County, under their Hands and Seals, and of the said House of Correction and the Site thereof, with the Appurtenances or any Part or Parts thereof, by the said Mayor, Bailiffs, and Commonalty under their Corporate Seal, shall respectively be good, valid, and effectual in Law to convey or assign the said Premises, and the Fee Simple and Inheritance thereof, unto the Purchaser or respective Purchasers thereof; and which Conveyance or Assignment, Conveyances or Assignments respectively, the said Sheriffs are hereby empowered and required to make and execute by signing and sealing

Present Gaol
and House of
Correction,
how to be
disposed of.

sealing the same, and the said Mayor, Bailiffs, and Commonalty by affixing thereto, when required by the said Justices, the Corporate Seal of the said Mayor, Bailiffs, and Commonalty; and the Money arising by such Sale or Sales, after paying and discharging the necessary Costs, Charges, and Expences attending and incidental to such Sale, shall be paid to the Treasurer or Treasurers of the said City and County, in order to be applied in defraying the Expences incurred in erecting, furnishing, and completing the said new Gaol, House of Correction, and other Erections by this Act authorized to be built; but the Purchaser or respective Purchasers of the Premises, or any Part thereof, shall not be bound to see to the Application of the Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof.

Repairs to be done and Prisoners maintained by County Rates.

XXI. And be it further enacted, That the Expences of maintaining, repairing, supporting, and furnishing the said new Gaol and new House of Correction and other Erections and Buildings, after the same shall have been erected, built, and furnished as by this Act is directed, and also of altering, fitting up, repairing, and supporting such Part of the present Gaol and House of Correction and Gaoler's House as shall not be sold and disposed of by the said Justices, by virtue of the Powers herein contained, and also the Expence of maintaining and supporting the Prisoners to be confined in the said new Gaol and House of Correction, as well as the Salaries to be paid to the Keepers thereof respectively, and all other Expences attending the same, shall be paid out of the County Rates to be raised and levied within the said City and County.

Power to raise Money.

XXII. And be it further enacted, That from and after the passing of this Act, the said Justices shall and may yearly and every Year, at their General Quarter Sessions to be holden for the said City and County, ascertain and determine what Sum or Sums of Money they shall judge necessary to be raised for the Purposes of this Act on the said City and County of the City of *Coventry* for the Year then next following; and the said Justices are hereby empowered and required thereupon to order and appoint such Sum or Sums of Money to be raised by Means of a County Rate or Rates, to be appointed, assessed, and levied on the said City and County of the said City, in the same Way and Manner and by the same Means as County Rates are by Law directed to be assessed and levied.

Limiting the Sum to be raised.

XXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize and empower the said Justices to have any further or greater Sum of Money raised in the Whole than the Sum of Twenty thousand Pounds, for the Purpose of erecting and completing the said Common Gaol, House of Correction, and other Buildings to be erected by virtue of this Act, or any other the Purposes of this Act, including the Costs and Charges of obtaining and passing this Act, and of furnishing the said new Gaol, House of Correction, and other Buildings, nor to authorize and empower the said Justices to order and appoint any greater Sum or Sums of Money to be raised for the Purposes of this Act, by way of County Rate, in any One Year than One thousand six hundred and fifty Pounds.

XXIV. And

XXIV. And whereas it may be necessary to borrow Monies upon the Credit of this Act, for the more speedy and effectual carrying into Execution of the Purposes thereof; be it therefore enacted, That it shall and may be lawful for the said Justices from Time to Time, and they are hereby empowered, at any General Quarter Sessions of the Peace to be holden for the said City and County of the said City, to take up such Sum or Sums of Money as to them shall seem necessary and expedient for the Purposes aforesaid, not exceeding in the Whole the Sum of Twenty thousand Pounds, at legal or lower Interest on the Credit of the County Rates, by Instruments in the Form following, or in other Words to the like Effect; (that is to say),

Rates may be mortgaged for the Monies borrowed.

WE, _____ of His Majesty's Justices, acting within and for the City and County of the City of *Coventry*, by virtue of the Powers contained in an Act of Parliament passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*] being assembled at a General Quarter Sessions of the Peace, held within and for the said City and County of the said City, on the _____ Day of _____ One thousand eight hundred and _____ do hereby in open Court mortgage and charge all the Rates to be raised within the said City and County of the said City, under the Description of County Rates, by the Laws now in being, with the Payment of the Sum of _____ which _____ of _____ hath proposed and agreed to lend, and hath now actually advanced and paid into the Hands of the Treasurer or Treasurers of the said City and County, towards defraying the Expence of building a new Gaol and House of Correction, with other Buildings thereto, for the same City and County of the same City; and we do hereby confirm and establish the said Mortgage and Charge hereby made unto the said _____ Executors, Administrators, and Assigns, for securing the Repayment of the said Sum of _____ and Interest for the same after the Rate of _____ *per* Centum *per Annum*, and do order the Treasurer for the Time being appointed under this Act to pay the Interest of the said Sum of _____ as the same shall become due, until the Principal shall be discharged, pursuant to the Directions of this Act.

Form of Mortgage.

Witness

And all such Mortgages shall be clear of all Fees and Expences whatsoever from the Persons so respectively advancing such Money, and Copies of all and every such Mortgages and Mortgage shall be entered by the Clerk of the Peace for the said City and County of the said City in a Book by him to be kept for that Purpose; and all Persons to whom such Mortgages shall be given are hereby empowered, by Writing or Writings under his, her, or their Hand or respective Hands, indorsed on such Mortgage, to sell, assign, or transfer such Mortgages and Securities to any Person or Persons whomsoever, who shall thereupon be entitled to the Benefit thereof and Payment thereon, and he, she, or they may in like Manner sell and assign, or transfer the same again, and so *toties quoties*, and which Assignment or Transfer may be made in the following Words, or Words to the like Effect; (that is to say),

Form of Transfer.

' I [*or we*] do hereby assign and transfer the within written Security,
' and all my [*or our*] Right, Title, and Interest in and to the same,
' and all Benefit and Advantage arising therefrom, unto
' of Executors, Administrators, and Assigns.
' Witness my Hand [*or our Hands*] this Day of
' One thousand eight hundred and

Witness

And all such Transfers and Assignments to be made previous to any subsequent Payment in respect of the same shall be entered by the Clerk of the Peace as aforesaid, for each of which Entries he shall receive the Sum of Five Shillings and no more, from the Person or Persons to whom such Assignments shall be made; and all and every Persons and Person to whom such Mortgages or Securities, or Transfers or Assignments thereof shall be made, shall be Creditors on the said Rates and Assessments equally one with another, without regard to the Priority of Date of such Mortgage or Security.

For the regular Discharge of Interest.

XXV. And in order effectually to secure the regular and punctual Discharge of the Interest on the principal Sums so to be borrowed on Mortgage, be it further enacted, That the Treasurer or Treasurers for the Time being of the said City and County of the same City shall, and he and they is and are hereby required in every Year after the Commencement of this Act, until the whole of the principal Sums herein-before authorized to be borrowed shall have been repaid, with all Interest for the same, to retain and keep in his or their Hands, out of the Monies arising by the said Rates, such a Sum of Money as will be sufficient to answer, pay, and discharge such yearly Interest; and in order to facilitate the Payment of the Interest on the said principal Sums to be borrowed, the said Justices are hereby required to appoint a Day or Days in every Year on which such Interest, as the same shall become due, shall from Time to Time be discharged by the said Treasurer or Treasurers, at such Place or Places within the said City and County of the City of *Coventry* as they shall from Time to Time think proper, and which Treasurer or Treasurers for the Time being is and are hereby required to pay the same accordingly without Fee or Reward; and the said Justices shall and they are hereby required previous to such Day or Days of Payment in every Year, to adjust and settle all Books of Account relative to the Execution of this Act in such Manner that it may be easily seen what principal Sums have been discharged and what Interest shall be growing due, and thereupon to make Order for the regular Discharge of the same; and the said Books when so adjusted and settled shall be signed by the said Justices, and shall be kept by the Clerk of the Peace of the said City and County of the same City, and at all convenient Seasons be open to the Inspection of all Persons being Creditors on the said Rates and Assessments, they paying respectively to such Clerk One Shilling for each Time of Inspection, and Five Shillings more for every Hour during which such Inspection shall continue after the First Hour.

**Application
of the Monies
to be raised.**

XXVI. And be it further enacted, That the Monies to be raised by virtue of this Act, shall from Time to Time be applied in manner following; that is to say, a sufficient Part thereof shall be in the first Place applied in paying all Charges and Expences in and incident to and attending the obtaining

obtaining and passing of this Act, and in the next Place in keeping down and paying the Interest on the said principal Sums to be borrowed, and in paying for the Purchase of any Lands, Tenements, and Hereditaments to be purchased for the Purposes of this Act, and in discharging the Expences of erecting, fitting up, and furnishing the said new Gaol, House of Correction, and other Buildings under this Act; and as soon as may be after the erecting, fitting up, finishing, and furnishing of the said new Gaol, House of Correction, and other Buildings as aforesaid, the Surplus shall be applied for the gradual Discharge of the principal Sums to be borrowed as aforesaid, and the Interest thereof, and to no other Use or Purpose whatsoever.

XXVII. Provided always, and be it further enacted, That from and after the Completion and furnishing the said new Gaol, House of Correction, and other Buildings to be erected under this Act, there shall not in any one Year be less than Five hundred Pounds so secured on such Mortgages and Securities paid off and discharged, and on such Payment the original Mortgages and Assignments shall be given up by the respective Mortgagees to the Treasurer or Treasurers for the Time being of the said City and County of the same City, who shall cancel the same respectively; and such original Mortgages and Assignments so cancelled shall be good and sufficient Discharges to the said Treasurer, and on passing his Account shall be produced by him and allowed as Vouchers for the several and respective Payments made by him or them in respect thereof.

Not less than 500l. to be repaid in one Year.

XXVIII. And be it further enacted, That the Property of all and every the Furniture, Utensils, Chattels, Provisions, Clothing, and Materials whatsoever, to be from Time to Time had, bought, procured, and provided for the Use of the Prisoners in the said new Gaol, House of Correction, and other Buildings to be erected under this Act, and for carrying into Execution the several Purposes of this Act, shall be and the same are hereby vested for the Uses and Purposes of this Act in the said Mayor, Bailiffs, and Commonalty, and their Successors.

Furniture to be vested in the Mayor, &c.

XXIX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, pull down, or destroy the said new Gaol, House of Correction, or any Boundary or other Wall thereof, or any other Building to be erected pursuant to the Directions of this Act, or any Part of any Building to be appropriated for any of the Purposes in this Act mentioned, or any Part or Parts thereof, every Person so offending shall be guilty of Felony, and being lawfully convicted thereof, at any General Quarter Sessions of the Peace to be holden for the said City and County of the said City of *Coventry*, shall be subject and liable to the like Penalties and Punishments as Persons convicted of Felony are by Law subject and liable to; and the Court by and before which any such Person shall be tried and convicted, or any subsequent Court with the like Authority, shall have Power to adjudge and order such Person to be punished in like Manner as Persons convicted of Felony are directed to be punished by the Laws and Statutes of this Realm.

For punishing Persons damaging the Buildings.

XXX. And be it further enacted, That if any Person or Persons shall knowingly buy, secrete, or receive into Pawn any of the Furniture, Chattels,

Penalty for buying any of the Furniture,

ture, &c. be-
longing to
the new Gaol.

tels, Provisions, Clothing, or Materials of the said new Gaol, House of Correction, and other Buildings to be erected by virtue of this Act, which shall be provided for the Use of any of the Prisoners therein, or for other the Purposes of this Act, or any Goods or Materials carried or brought into the said new Gaol, House of Correction, or other Buildings, and there wrought up or manufactured, or in order to be there wrought up, manufactured, or used by the Prisoners, or any of them, then the Person or Persons so offending shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds at the Discretion of the Justices before whom such Offender shall be convicted.

Recovery and
Application
of Penalties.

XXXI. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not herein otherwise directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County, City, Town, Borough, or Place where the Offence shall be committed (as the Case may require), either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justice is in every such Case hereby fully authorized to administer) be levied, together with the Costs attending the Information and Conviction, 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), and the Overplus (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Information, Conviction, Distress, and Sale are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid, one Moiety to the Informer, and the other Moiety to the Treasurer or Treasurers of the said City and County of the same City, and applied for the Purposes of this Act; and in case such Penalties, Forfeitures, and Fines respectively shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take, by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants, it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the County, City, Town, Borough, or Place as aforesaid, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

XXXII. And

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

‘ to wit. } BE it remembered, That on the _____ Day of _____
 ‘ in the Year of our Lord _____
 ‘ is convicted before _____ of His Majesty’s Justices of the
 ‘ Peace for the _____ of _____ [specifying the Offence,
 ‘ Time and Place when and where the same was committed, as the Case
 ‘ may be.] Given under my Hand and Seal [or our Hands and Seals],
 ‘ the Day and Year first above mentioned.’

XXXIII. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed for Want of Form, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty’s Courts of Record at *Westminster*; and 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 the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings 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 done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action upon the Case; but the Plaintiff or Plaintiffs shall not recover in any such Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made, for or on Behalf of the Party distraining, before such Action brought, or within Twenty-eight Days after the Cause of Action shall arise.

XXXIV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person or Persons may, within Three Calendar Months next after such Cause of Complaint shall arise, appeal to the Justices of the Peace at their next General Quarter Sessions of the Peace to be holden for the County or Place in which the Cause of Complaint shall arise, as the Case may be, unless such Complaint shall arise within Ten Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Cause shall arise, such Appellant or Appellants first giving or causing to be given Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Person or Persons appealed against, or to the Clerk or Clerks of the said Justices, and within Four Days after such Notice entering into a sufficient Recognizance before some Justice of the Peace for such County, City, Town, [Local.] 27 E Borough,

Form of
Conviction.

Proceedings
not to be
quashed for
Want of
Form.

Persons
aggrieved
may appeal
to the Quar-
ter Sessions.

Borough, or Place (as the Case may be), with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of and pay such Costs as shall be awarded by the Justices at such Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Party or Parties appealing or appealed against as they the said Justices shall think proper; and the said Justices may, if they see Cause, by Order of such Sessions, mitigate at their Discretion any Fine, Penalty, or Forfeiture, and may also order such further Satisfaction to be made to the Party or Parties so injured as they shall judge reasonable, or vacate or set aside the Conviction or Convictions, and set the Party or Parties at Liberty, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and the Determination of such Quarter Sessions shall be final, binding, and conclusive to all Intents and Purposes; and the said Justices may also at such Sessions, by their Order or Warrant, cause such Costs so awarded to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for Want of a sufficient Distress may commit such Person or Persons to the Common Gaol or House of Correction within the County, City, Town, Borough, or Place (as the Case may be) where the Offence shall be committed, for any Time not exceeding the Term of Six Calendar Months, or until Payment of such Costs.

Limitation
of Actions.

XXXV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until Fourteen Days Notice thereof shall be given to the Clerk or Clerks to the said Justices, nor after sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every such Action shall be laid and tried in the County or City of the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his and their Election, plead 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 and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Fourteen Days Notice thereof 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 if such Action shall be brought in any other County or City of the County (as the Case may require), then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Actions after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in any Case by Law.

General
Issue.

Treble Costs.

Public Act.

XXXVI. 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

The SCHEDULE to which this Act refers.

Premises to be taken.	Proprietors.	Occupiers.
Part of Two Houses and a Garden.....	{ Henrietta Whiston, Widow..... Sir Skears Rew, Knight..... Henry Lea..... Charles Shettle..... }	Charles Shettle. Thomas Goddard.
One House and Garden	{ Henry Lea..... Elizabeth Eglington..... William Prime..... Edward Reynolds..... }	John Haywood. Edward Reynolds.
One House and Garden	{ Henry Lea..... Elizabeth Eglington..... Edward Reynolds..... }	James Cramp. Edward Reynolds.
Part of a Piece of Lammas Ground, called the Poddy Croft.	{ The Marquis of Hertford..... }	James Wood Wilson,

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THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

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