



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. xxxiii.

An Act to enable the Justices of the Peace for the Three Divisions of the County of *Lincoln* to purchase the Site of *Lincoln* Castle ; and to empower the Court of Gaol Sessions for the said County to maintain and support the Judges House, County Hall, and Courts of Assize ; and for other Purposes affecting the County at large.

[2d *August* 1831.]

WHEREAS the King's most Excellent Majesty, in right of His Duchy of *Lancaster*, is seised to Himself, His Heirs and Successors, of the Castle of *Lincoln*, and the Castle Yard belonging thereto, wherein certain Buildings now used as the Common Gaol and County Hall of and for the County of *Lincoln* are situate, and which have been recently erected at the Expence of the said County, subject to a certain Lease, under the Seal of the said Duchy, bearing Date the Fourth Day of *May* One thousand eight hundred and fourteen, and in the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, granted of the same unto the then and succeeding Sheriff of the said County for the Time being, the Lord Lieutenant of the said County, and certain Noblemen, Gentlemen, and Magistrates of the said County therein named, for a Term of which Fourteen Years or thereabouts are now unexpired : And whereas an Act passed in the Forty-ninth Year of

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- 49 G. 3. c. 75. of the Reign of His Majesty King George the Third, intituled *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*; and, by virtue of the Powers contained in the said Act, the Commissioners thereby appointed have purchased, fitted up, and furnished a convenient House near or adjoining to the said Castle of *Lincoln*, with suitable Offices and Accommodations, for the Residence of His Majesty's Judges at the Assizes for the said County, and the same is now used and appropriated for that Purpose: And whereas another Act passed in the Third Year of the Reign of His late Majesty
- 3 G. 4. c. 74. King George the Fourth, intituled *An Act to enable the Justices of the Peace for the Divisions of Lindsey, Kesteven, and Holland in the County of Lincoln, to take down the present County Hall for the said County, and to erect a convenient Hall instead thereof, with suitable Offices and other Accommodations*; and in pursuance of the said last-mentioned Act, a new County Hall and Courts of Assize for the said County of *Lincoln* have been erected and built in the said Castle Yard, and the same have been reported to be in a proper State for transacting the public Business of the said County, pursuant to the Directions of the same Act: And whereas an Act was passed in the Fifth Year of the Reign of His said late Majesty King George
- 5 G. 4. c. 12. the Fourth, intituled *An Act to facilitate in those Counties which are divided into Ridings or Divisions the Execution of an Act of the last Session of Parliament, for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in England and Wales*, whereby a Court of Gaol Sessions was established for the said County of *Lincoln*, with Power to levy Rates upon the Three Divisions of the said County for the Repairs and Purposes of the Common Gaol of such County, and other Matters relating thereto: And whereas at a General Gaol Sessions of our Sovereign Lord the King, held at the Castle of *Lincoln* on the Seventh Day of October in the First Year of the Reign of His Majesty King William the Fourth, and in the Year of our Lord One thousand eight hundred and thirty, before the Right Honourable John Earl Brownlow (Chairman), Sir John Trollope, Sir Robert Heron, and Sir Edward French Bromhead, Baronets, Charles Chaplin, Charles Allix, and Thomas George Corbett, Esquires, and others, Justices of our said Lord the King there assembled, the Court having taken into Consideration the Circumstances of the Castle of *Lincoln* being Parcel of the Possessions of the Duchy of *Lancaster*, and that large Sums of Money had been expended by the County in building therein the County Prison in the Year One thousand seven hundred and ninety, and recently in erecting therein the County Hall and Courts of Assize, and having deemed it highly expedient to be enabled to contract with the Duchy for the Purchase of the Fee Simple and Inheritance of the Castle, and to vest the same, like other Prisons and public Buildings, in the Justices of the Peace acting for the several Divisions of the said County, and having considered that great Inconvenience was occasioned by reason of the Judges House being vested in a limited Number of Commissioners, and that no Provision was made under the Act for erecting

erecting the County Hall and Courts of Assize for the future Expence of maintaining and keeping the same in repair, and that the Act constituting the Gaol Sessions did not vest any Power in that Court to levy Rates for any other County Purposes than the Maintenance of the County Gaol, and was otherwise too limited to be of general Utility, resolved that the Clerk of Gaol Sessions should take the necessary Steps for applying, in the next Session of Parliament, for Leave to bring in a Bill for enabling the Justices of the Peace for the Divisions of *Lindsey*, *Kesteven*, and *Holland* in the County of *Lincoln*, to purchase and take a Conveyance from His Majesty, in right of His Duchy of *Lancaster*, of the Fee Simple and Inheritance of the Castle of *Lincoln*, and of the Castle Yard, and the Bulwark and Moat surrounding it, with other adjoining Possessions, and also for transferring the Powers of the said Act for erecting the Judges House from the Commissioners appointed under that Act to the Justices for the Three Divisions of the County, and for enabling the Court of Gaol Sessions to levy Rates for accomplishing the Objects aforesaid, and for the repairing and maintaining of the County Hall and Courts of Assize, as well as for defraying other Expences affecting the County at large: And whereas it is highly expedient that the Resolutions of the said Justices of the Peace in Gaol Sessions assembled should be carried into effect, inasmuch as Encroachments are gradually being made upon or adjoining to the Castle Walls by the Owners or Proprietors of the adjacent Property, to the endangering of Prison Security, and inasmuch as many Expences chargeable upon the County at large are at present practically unprovided for, and the general Expenditure of the County will be reduced by giving additional Powers to the Justices of the Peace acting for the Three Divisions of the County in Gaol Sessions assembled; and, from the great Extent of the County of *Lincoln*, it is expedient to provide that Notices be given, as herein-after directed, for the Information of the acting Justices of the Peace for the said Three Divisions, before any Houses, Buildings, or Lands shall be purchased or contracted for under the Provisions of this Act; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act it shall be lawful for the Justices of the Peace acting for the said Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland* in the said County of *Lincoln*, and they, or any Three or more of them, are hereby fully authorized and empowered, pursuant to an Order or Resolution of the Court of Gaol Sessions to be held for that Purpose, after due Notice shall have been given, pursuant to the Directions of this Act, of the Time, Place, and Object of holding such Court of Gaol Sessions, for the Information of all and every the acting Justices of the Peace residing in the said Three Parts or Divisions as herein-after mentioned, to enter into any Contract or Agreement with the Chancellor and Council of the Duchy of *Lancaster* for the Time being for the Purchase from His Majesty, in right of His said Duchy, of

Justices, by an Order of Sessions, may enter into a Contract and take a Conveyance from the Duchy of Lancaster of the Fee Simple of the Castle of Lincoln, &c. for the Use of the County.

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the Fee Simple and Inheritance of the said Castle of *Lincoln*, and of the said Castle Yard, with the Buildings thereon, and the Bulwark and Moat surrounding the same, and all other the Appurtenances thereto belonging, for the Use and Benefit of the said Three Parts or Divisions of the said County of *Lincoln*, for such Price or Sum of Money as shall be settled and agreed upon between the said Chancellor and Council and the said Court of Gaol Sessions, and upon Payment of the Purchase Money to be fixed or agreed upon for the same, in the Manner herein-after directed, to accept and take a Conveyance or other Assurance thereof, by any Deed or Writing under the Seal of the said Duchy, and in the Name of His Majesty, unto and to the Use of the Sheriff for the Time being of the said County of *Lincoln*, the Custos Rotulorum for the Time being of the same County, and the acting Justices of the Peace for the said Three Parts or Divisions, and their Successors, for ever, and which Conveyance or other Assurance the said Chancellor and Council are hereby authorized to make and execute, or cause to be made and executed accordingly; and the same, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Twelve Calendar Months from the Date thereof, shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever; and upon the Execution of such Conveyance or other Assurance as aforesaid, the Fee Simple and Inheritance in Possession of and in the said Castle of *Lincoln*, and the Castle Yard, with the Buildings erected and to be erected thereon, and the Bulwark and Moat surrounding the same, and of and in all other the Appurtenances thereto belonging, (discharged from the existing Lease thereof, and the yearly Rent thereby reserved,) shall be and the same is hereby accordingly vested in and shall be held in perpetual Succession by the said Sheriff and Custos Rotulorum for the Time being, and His Majesty's Justices of the Peace for the Time being acting for the said Three Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland*, and their Successors, for ever, in Trust and for the Benefit of the said County of *Lincoln*, and for the same Uses and Purposes to which the same now are or may hereafter be lawfully applicable, freed and absolutely discharged from all Estate, Right, Title, Claim, and Interest of His Majesty, in right of His Duchy of *Lancaster*, His Heirs and Successors, any thing in this Act, or in an Act passed in the First Year of the Reign of Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown*, or in a certain other Act passed in the Fourth Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act for consolidating and amending the Laws relating to the building and repairing and regulating of certain Gaols and Houses of Correction in England and Wales*, or in any or either of them, or in any other Act or Statute, contained to the contrary thereof in anywise notwithstanding; and all and every Sum and Sums of Money to be paid as and for the Purchase or Consideration Money for the said Premises so to be sold and conveyed under and by virtue of this Act shall be paid into the Hands of the Receiver General of the said Duchy for the Time being, or his Deputy, whose Receipt shall be a sufficient Discharge, and shall be by him paid, applied, and disposed of according to the Provisions and Regulations contained in an Act passed in the

Forty-

1 Ann. c. 7.

4 G. 4. c. 64.

Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to improve the Land Revenue of the Crown of England, and also of His Majesty's Duchy of Lancaster, or any other Act or Acts now in force for that Purpose.* 48 G.3. c.73.

II. And be it further enacted, That it shall be lawful for the Justices of the Peace for the Time being acting for the said Parts or Divisions of *Lindsey, Kesteven, and Holland*, and they, or any Three or more of them, are hereby fully authorized and empowered, pursuant to any Order or Resolution of the said Court of Gaol Sessions to be for that Purpose first had and obtained, after Notice given pursuant to the Directions of this Act, from Time to Time to treat, contract, and agree with the Owners and Proprietors of or other Persons interested in any Houses, Buildings, Lands, Tenements, or Hereditaments adjoining or near to the Walls or Bulwark of the said Castle of *Lincoln*, or to the House, Garden, and Hereditaments now used as a Residence for His Majesty's Judges at the Assizes, or with such of them as the said Court of Gaol Sessions, to be held after such Notice shall have been given as aforesaid, shall at any Time think proper or expedient to be purchased for the Purposes of this Act, for the Purchase thereof respectively, and by, with, and out of the Money to be levied and raised as hereinafter mentioned for the Purposes of this Act to pay or cause to be paid for the Purchase of any such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid, such Sum or Sums of Money as shall be agreed upon between such Owners and Proprietors or other Persons interested as aforesaid and the said Justices of the Peace or any Three or more of them, being so authorized as aforesaid, together with the Costs and Charges attending the Purchase and Conveyance of the said respective Premises; and upon Payment of the Money agreed upon for the Purchase of any such Houses, Buildings, Lands, Tenements, or Hereditaments, it shall be lawful for the said Justices of the Peace, and their Surveyors, Workmen, or Agents, at any Time thereafter to enter and take possession of the said Houses, Buildings, Lands, Tenements, or Hereditaments; and the same and every Part thereof, when so purchased, shall be conveyed to the Sheriff and Custos Rotulorum of the said County for the Time being, and the acting Justices of the Peace for the said Three Parts or Divisions, and their Successors, and shall be thenceforth vested in perpetual Succession in them and their Successors for ever, for the Purposes of this Act, and for the Use and Benefit of all the said Three Parts or Divisions.

Justices empowered to purchase Houses, Buildings, &c. near or adjoining to the Castle Walls and Judges House.

III. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to empower or enable the said Justices of the Peace to purchase and take possession of a Part only of any such adjoining Houses, Buildings, Lands, Tenements, or Hereditaments as shall be required or considered necessary for the Purposes aforesaid, in case the Owner or Proprietor or Owners or Proprietors thereof respectively shall require the said Justices of the Peace to purchase and take the Whole thereof; but in that Case the said Justices of the Peace shall be and they are hereby compelled to purchase and take the Whole of the House,

Justices compelled to purchase the Whole of any Houses, &c. required for the Purposes of this Act.

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Buildings,

Buildings, Land, and Appurtenances, being Parcel of the same Premises, and adjoining or being near to the said Castle or Judges House, belonging to each and every such Owner and Proprietor so requiring them to purchase the same; and the said Justices of the Peace may resell or exchange the Part or Parts thereof which shall not be wanted for the Purposes of this Act in the Manner hereinafter provided for.

Power to let any Part of the Ground or Buildings near or adjoining the Castle Walls.

IV. And be it further enacted, That it shall and may be lawful for the said Justices of the Peace, or any Three or more of them, pursuant to any Order or Resolution of the said Court of Gaol Sessions, and they are hereby fully authorized and empowered, as Occasion may require, to demise, lease, or let all or any Part or Parts of the Ground, Buildings, or Hereditaments to be purchased under the Powers or Provisions of this Act, and which shall adjoin or be near to the Boundary Walls of the said Castle of *Lincoln*, to any Person or Persons whomsoever, from Year to Year only, for the best Rent that can be got for the same, and under and subject to such Conditions and Restrictions as to the said Justices of the Peace shall seem meet; and the Rent or Rents to be thereby reserved shall from Time to Time be paid, applied, and disposed of in the like Way and Manner as any other Monies to be arising and applied under the Authority of the said Court of Gaol Sessions.

Bodies Politic, &c. empowered to sell and convey Lands.

V. And be it further enacted, That it shall be lawful for the King's most Excellent Majesty, His Heirs and Successors, and for all Bodies Politic and Corporate, and also for all Guardians, Committees, Husbands, Trustees, and Attornies of all Persons being Infants, Lunatics, and Idiots, under Coverture, or any other Disability, and also for all other Persons, who are or shall be seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments which shall be deemed necessary for the Purposes of this Act, to contract and agree with the Justices of the Peace for the Time being acting for the said Parts or Divisions of *Lindsey, Kesteven, and Holland*, or any Three or more of them, being so authorized and empowered, after Notice given pursuant to the Directions of this Act as aforesaid, for the Sale of, and accordingly to sell, convey, and assure such Houses, Buildings, Lands, Tenements, or Hereditaments as shall be so contracted or agreed for as last aforesaid unto and to the Use of the Sheriff and Custos Rotulorum of the said County for the Time being, and the Justices of the Peace acting for the said Three Parts or Divisions, and their Successors for ever, for the Purposes aforesaid; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in Law to all Intents and Purposes whatsoever, and shall operate as and be a complete and effectual Bar of all Estates Tail, and all other Estates, Rights, Titles, Interests, Terms, Trusts, Remainders, and Reversions whatsoever; any Law, Statute, Usage, or Custom to the contrary notwithstanding.

If Parties refuse to treat, &c., Value of

VI. And be it further enacted, That whenever any such Corporation, Guardian, Committee, Trustee, or Attorney, or other Person or Persons, interested in or entitled to any Houses, Buildings, Lands, Tenements,

Tenements, or Hereditaments which shall be deemed necessary and ordered by the said Court of Gaol Sessions, after such previous Notice given of the holding of such Court as aforesaid, to be purchased for the Purposes of this Act, upon Notice in Writing to him, her, or them given, or left at the usual Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Corporation, shall, for the Space of Twenty-one Days after such last-mentioned Notice shall have been so given or left as aforesaid, neglect or refuse to treat, or shall refuse to accept such Price as shall be offered by the said Justices of the Peace or their Agent in that Behalf, or shall otherwise not agree for the Sale of such Houses, Buildings, Lands, Tenements, or Hereditaments, or any of them, and also whenever by reason of Absence or any other Impediment any Person shall be prevented from treating for such Sale, then and in every such Case the said Justices of the Peace, or any Three or more of them, shall and may and they are hereby required to cause Notice to be given Three Times at least in some public Newspaper circulating within the said County of *Lincoln* of the Intention to take into Consideration at the next ensuing or some subsequent General Gaol Sessions, or Adjournment thereof, the Matter of such Neglect, Refusal, or Omission or Prevention to treat, or to accept of such Price offered, or to agree for such Sale as aforesaid, and the Causes and Reasons thereof respectively; and the Person or Persons, or some Officer of any Corporation, so interested as aforesaid in any such Houses, Buildings, Lands, Tenements, or Hereditaments, or some Person on their Behalf respectively, shall have Liberty to attend such Gaol Sessions, or Adjournment thereof, if they shall think fit, and to state to the Justices of the Peace there assembled their Reasons for such Neglect, Refusal, or Omission as aforesaid; and in case the Justices of the Peace at such Sessions, or the major Part of them, shall, after hearing what the Parties interested as aforesaid, or their Agents, have to allege in behalf of their respective Interests, and upon due Consideration had of such Matter aforesaid, resolve to proceed to the Valuation and Purchase of such Houses, Buildings, Lands, Tenements, or Hereditaments, notwithstanding such Neglect, Refusal, or Omission or Prevention as aforesaid, then and in every such Case the Justices of the Peace in Gaol Sessions assembled, or any Three or more of them to be appointed in Gaol Sessions for that Purpose, shall cause the Value of such Houses, Buildings, Lands, Tenements, or Hereditaments so required and ordered to be purchased to be inquired into and ascertained by a Jury of Twelve indifferent Men, and to that End shall examine upon Oath (which Oath any One of the said Justices of the Peace is hereby empowered to administer) any Person or Persons whomsoever touching or concerning the Premises; and such Justices of the Peace, or any Three or more of them being so authorized as aforesaid, shall, by ordering a View or otherwise, use all lawful Ways and Means for the Information of themselves and of such Jury in the Premises; and when such Jury shall have inquired of and ascertained by their Verdict the Value of such Houses, Buildings, Lands, Tenements, and Hereditaments, the said Justices of the Peace shall thereupon order that the Sum which shall so appear to be the Value of such Houses, Buildings, Lands, Tenements,

or

Premises to
be settled by
a Jury.

or Hereditaments, shall be paid in such Manner as is herein-before directed touching the Money to be paid for such Houses, Buildings, Lands, Tenements, or Hereditaments for Sale whereof the Persons interested shall contract and agree in manner aforesaid; which Verdict and Order shall be filed of Record by the Clerk of the Gaol Sessions or other Officer having the Custody of the Records thereof, and shall be final and conclusive, to all Intents and Purposes whatsoever, 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, Lunatics, Idiots, and Persons under Coverture or any other Disability whatsoever, Corporations, Guardians, Committees, Husbands, Trustees, and Attornies, or any other Person or Persons whomsoever.

How Jury
shall be sum-
moned and
chosen.

VII. And be it further enacted, That in order to the summoning and returning of every such Jury as aforesaid, such Justices of the Peace, or any Three or more of them, may issue their Warrant to the Sheriff or any other Officer having the returning of Writs within the County, City, or Place within the Limits of which the Houses, Buildings, Lands, Tenements, or Hereditaments required for the Purposes of this Act shall be situate, requiring him to impanel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve on Juries, to appear before the said Justices of the Peace, or any Three or more of them, at such Time and Place as in such Warrant shall be appointed; and such Sheriff or other Officer is hereby required to impanel, summon, and return such Number of Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Justices of the Peace, or any Three or more of them, shall and they are hereby empowered and required to draw by Ballot and 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, the said Sheriff or other Officer shall take such other honest and indifferent Men of the By-standers, or that can be speedily procured to attend that Service (being so qualified as aforesaid), as shall make up the Number Twelve; and all Persons concerned, and also the Clerk of Gaol Sessions, or some other Person authorized by the said Court of Gaol Sessions, on behalf of the County of *Lincoln*, shall have their and his lawful Challenges against any of the Persons impanelled, when they come to be sworn; and the said Justices of the Peace, or any Three or more of them, shall have Power to impose a Fine or Fines on such Sheriff or other Officer, or his Deputy or Deputies, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give or shall not give a Verdict, or shall in any other Manner wilfully neglect his or their Duty therein, and also on any Person who being summoned and required to give Evidence before the said Jury shall refuse or neglect to appear, or appearing shall refuse to be sworn or give Evidence, so that no such Fine be more than Ten Pounds nor less than Twenty Shillings on any One Person for One Offence.

Fines may be
imposed for
Neglect of
Duty.

VIII. And

VIII. And be it further enacted, That in case any Jury shall deliver a Verdict for more Money, as the Value of the Houses, Buildings, Lands, Tenements, or Hereditaments so to be purchased, than shall have been offered for the Purchase thereof by or on the Behalf of the said Justices of the Peace to any Person capable of contracting for the same, the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid out of the Monies to be raised for the Purposes of this Act; but if such Jury shall deliver a Verdict for no more or for less Money than the Money which shall have been offered by or on behalf of such Justices of the Peace, then the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid by the Person or Persons with whom such Controversy or Dispute touching the Value of such Houses, Buildings, Lands, Tenements, or Hereditaments shall arise: Provided always, that in all Cases where any Person or Persons shall, by reason of Absence, have been prevented from treating, such Costs and Expences shall be borne and paid out of the Monies to be raised for the Purposes of this Act.

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

IX. And be it further enacted, That upon Payment or legal Tender of such Sum and Sums of Money so to be ascertained as aforesaid, in manner following; (that is to say,) first, in or towards the Payment and Discharge of any Sums due on Charges, Incumbrances, and Liens (if any) affecting the several Estates respectively, and then the Residue to the Owners of the said Estates respectively, if any shall remain for that Purpose, the Person or Persons who shall be so found and adjudged to be the Owners of the said several Estates of and in the said Houses, Buildings, Lands, Tenements, or Hereditaments respectively, and also the Owners of any such Incumbrances, Charges, and Liens respectively, shall make and execute, or procure to be made and executed, unto and to the Use of the said Sheriff and Custos Rotulorum for the Time being of the said County of *Lincoln*, and the acting Justices of the Peace for the said Three Parts or Divisions, and their Successors for ever, a good and sufficient Conveyance or Conveyances, thereby granting, releasing, or assigning to them the said Houses, Buildings, Lands, Tenements, or Hereditaments, and all such Estate, Right, Title, Term, or Interest therein, or Charge, Incumbrance, or Lien thereon; and immediately upon such Payments, or upon Payment as hereinafter directed, and Entry of such Verdicts of the said Juries, and Judgments, Sentences, and Decrees, Orders and other Proceedings as aforesaid, the said Houses, Buildings, Lands, Tenements, Hereditaments, and Premises shall vest in perpetual Succession in such Sheriff, Custos Rotulorum, and the acting Justices of the Peace as aforesaid, and their Successors, and they shall be deemed in Law to be in the actual Seisin and Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate, Right, Title, Claim, or Interest in the Premises, in Possession, Reversion, Remainder, or Expectancy, or any Charge, Incumbrance, or Lien thereon, was of full Age and sound Mind and Memory, and not under any Disability or Incapacity whatsoever,

Conveyance
to be made
on Payment
or Tender
of Purchase
Money.

[*Local.*]

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and

and had actually and duly conveyed the same to them the said Sheriff, Custos Rotulorum, and Justices of the Peace, and their Successors, by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine and Recovery, or by any other legal Conveyance whatsoever.

Application
of Compen-
sation when
exceeding
200*l*.

X. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons 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 Court of Exchequer, to be placed to his Account there *ex parte* the Justices of the Peace of the Three Parts or Divisions of the County of *Lincoln*, 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, and Hereditaments, in the Purchase of the Land Tax, or in discharge of any Debt or Debts, or such other Incumbrances, or any Part thereof, as the said Court 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, and 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 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 Court of Exchequer, 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 Houses, Buildings, Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XI. Pro-

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 Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed 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 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 Court of Exchequer, 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 of the Peace or any Three or more of them, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application
when less
than 200*l.*,
but not less
than 20*l.*

XII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last herein-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 Justices of the Peace or any Three or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application
when 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 by virtue of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Justices of the Peace, or in case such Person or Persons to whom such Sum or Sums shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Justices of the Peace, 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

In case of
not making
out Titles,
Purchase
Money to be
paid into the
Bank in the
Name of the
Accountant
General.

with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court of Exchequer, on the Application of any Person or Persons making claim to such Sum and 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 the Distribution thereof, or the 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 for such Sum or Sums of Money, mentioning and specifying for what Purpose and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums into the Bank as aforesaid.

Where any Question shall arise touching the Title to the Money paid into the Bank.

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 Exchequer, 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 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, 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 shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said 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, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Exchequer may order reasonable Expences of Purchases to be paid.

XV. Provided also, and be it enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporations 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 Exchequer, and to be applied in the Purchase of other Houses,

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 Exchequer to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Justices of the Peace out of any Monies to be received for the Purposes of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XVI. And whereas it may happen that the said acting Justices of the Peace may be compelled to purchase more Land, Ground, Buildings, or Hereditaments than may be required or considered necessary for the Purposes of this Act; be it therefore further enacted, That it shall and may be lawful for the said Justices of the Peace, or any Three or more of them appointed for that Purpose in Gaol Sessions, to sell and absolutely dispose of all or any Part of such Land, Ground, Buildings, or Hereditaments as shall not be required or considered necessary for the Purposes of this Act, either together or in Lots, and either by public Auction or private Contract, to any Person or Persons who shall be willing to contract for and purchase the same, or otherwise to convey the same Land, Ground, Buildings, and Hereditaments, or any Part thereof, to any Person or Persons in exchange for any other Lands, Tenements, or Hereditaments which shall be more conveniently situate for the Purposes of this Act; and every such Conveyance and Exchange shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever; and the Money to arise from such last-mentioned Sale or Sales, or to be received for Equality of Exchange, shall be paid into the Hands of the Treasurer for the Time being of the said Court of Gaol Sessions, whose Receipt shall be a good and sufficient Acquittance and Discharge for the same, without any Liability to see to the Application thereof.

Power to re-sell or exchange Land not wanted.

XVII. And be it further enacted, That all and singular the Costs, Charges, and Expences of obtaining and passing this Act, together with Interest for such Monies as shall have been advanced by any Person or Persons for or towards the same, and also all and singular the Sum and Sums of Money which shall be paid for the Purchase and Conveyance as well of the Fee Simple and Inheritance of the said Castle of *Lincoln*, and of the Castle Yard, and the Bulwark and Moat surrounding the same, and also of such Houses, Buildings, Lands, Tenements, and Hereditaments as shall be purchased in pursuance of this Act, and all the Costs, Charges, and Expences attending such Purchases and Conveyances, shall be paid, defrayed, and discharged by and out of the Public Stock or County Rates of the said several Parts or Divisions of the said County of *Lincoln*, in the Proportions and Manner following; (that is to say,) One full Moiety or Half Part thereof shall be raised within the said Parts or Division of *Lindsey*, Four Seventh Parts or Shares of the remaining or other Moiety or Half Part thereof shall be raised within the said Parts or Division of *Kesteven*, and the remaining Three Seventh

Provision for Charges of obtaining the Act, the Purchase of the Castle and other Buildings, and of Conveyances, &c.

[*Local.*]

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Parts

Parts or Shares of the said last-mentioned Moiety or Half Part thereof shall be raised within the said Parts or Division of *Holland*, in such and the same Manner, and by such and the same Ways, Means, Powers, and Authorities, as the County Rates for the said Three several Divisions are now raised and paid under the several Acts of Parliament now in force respecting County Rates, or in such other Proportions and Manner as may be hereafter lawfully established; and the said Justices of the Peace assembled in Gaol Sessions shall and may and they are hereby required from Time to Time to certify in Writing, by their Chairman or by their Clerk for the Time being, to the Treasurers of the said Three several Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland*, the Proportions or Sums of Money from Time to Time necessary to be raised and paid by the said Three several Parts or Divisions respectively for the Purposes aforesaid; and the respective Treasurers of such Parts or Divisions, on Receipt of such Certificate or Certificates, shall and they are hereby authorized and required, out of the Monies then in their Hands, or if those Monies shall be insufficient, then so soon as sufficient Monies shall come to their respective Hands, or by a Rate to be made for that Purpose by the said Justices of the Peace acting for the said several Parts or Divisions or any of them respectively, as Occasion may require, to pay the Sum so required to the Treasurer appointed by the said Court of Gaol Sessions, or any other Officer duly authorized to receive the same, within the Space of Six Calendar Months from the Delivery or Receipt of such Certificate as aforesaid.

Court of
Quarter Ses-
sions for each
of the Three
Divisions
may borrow
Money on
the Credit of
their Rates.

XVIII. And for the more speedily and effectually carrying into execution the Powers of this Act, be it further enacted, That it shall be lawful for the Justices of the Peace assembled at any General or Quarter Sessions of the Peace, or Adjournment thereof, to be holden for each of the said Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland* respectively, to borrow and take up at Interest any Sum or Sums of Money they shall think right and proper, to be applied towards defraying their respective Proportions, as assessed by the said Court of Gaol Sessions under the Authority of this Act, of such Purchase Monies, Expences, Costs, and Charges as aforesaid, and by Writing under the Hands and Seals of the Chairman of such Sessions respectively, and of any Two or more Justices of the Peace present thereat, to mortgage or assign over any such Rates to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security for the Payment of any Money to be advanced for the Purposes of this Act, with Interest as aforesaid; and all Persons to whom any such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums in such Securities mentioned, Creditors on the said Rates equally one with another, without any Preference in respect of the Priority of advancing such Sums of Money, or the Dates of any such Mortgages or Assignments; and every such Mortgage or Assignment shall be good, valid, and effectual in the Law for the Purposes thereby intended, and shall be in the Form or to the Effect following; (that is to say,)

WE, *A. B.* the Chairman, and *C. D.* and *E. F.*, &c., Justices of the Peace assembled at the Court of General or Quarter Sessions of the Peace for the Parts or Division of [*Lindsey, Kesteven, or Holland, as the Case may be*], holden at in the said Parts, in pursuance of the Power given to us in and by an Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled [*here insert the Title of this Act*], do hereby mortgage and charge all the Rates to be raised within the said Parts or Division of [*Lindsey, Kesteven, or Holland, as the Case may be*], under the Description of County Rates by the Laws now in being, with the Payment of the Sum of Pounds, which *G. H.* of, &c. hath agreed to lend, and hath actually now advanced and paid into the Hands of the Treasurer or Treasurers of the said Parts or Division of [*Lindsey, Kesteven, or Holland, as the Case may be*], for the Purposes of the said Act; and we do hereby confirm and establish the same unto the said *G. H.*, his [*or her*] Executors, Administrators, and Assigns, for securing the Repayment of the said Sum of Pounds, and Interest for the same after the Rate of Pounds for every One hundred Pounds for a Year; and we do hereby order the Treasurer or Treasurers of the said Parts or Division of [*Lindsey, Kesteven, or Holland, as the Case may be*] to pay the Interest of the said Sum of Pounds half-yearly, as the same shall become due, until the Principal Sum shall be discharged. Given under our Hands and Seals the Day of in the Year One thousand eight hundred and .

Form of Mortgage.

XIX. And be it further enacted, That it shall be lawful for the respective Persons entitled to any of the Securities to be given for Money advanced for the Purposes of this Act, and their respective Executors, Administrators, or Assigns, at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever, by Indorsement on such Security, or any Writing to be annexed thereto, in the Form or to the Effect following; (that is to say,)

Securities for Money to be transferrable.

I *A. B.* do transfer this Mortgage, with all my Right and Title to the Principal Money hereby secured, and all Interest now due and to become due for the same, to *C. D.* of, &c. his [*or her*] Executors, Administrators, and Assigns. Given under my Hand and Seal the Day of in the Year One thousand eight hundred and .

Form of Transfer.

And all Mortgages and Assignments which shall be made in pursuance of this Act, and Memorials of all Transfers thereof, shall be good, valid, and effectual in Law, and shall be entered in Books to be kept for that Purpose by the respective Clerks of the Peace for the said Parts or Divisions of *Lindsey, Kesteven, and Holland* respectively, which Memorials shall specify and contain the Dates, Names of the Parties, and the Sums of Money thereby secured, to which Books any Persons interested shall at all seasonable Times have Access, and shall have free Liberty to inspect the same, upon Payment of the Sum of One Shilling, and no more, for every such Inspec-

Inspection; and for the Entry of every such Transfer the said respective Clerks of the Peace shall be paid, by the Person to whom the same shall be made, the Sum of Ten Shillings, and no more; and after such Entry made of any Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his, her, and their respective Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Interest to be paid half-yearly by the Treasurers.

XX. And be it further enacted, That the respective Treasurers for the Time being of the said Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland* shall and they are hereby required half-yearly in every Year, until the whole of the Principal Sums herein-before authorized to be borrowed and taken up as aforesaid, and the Interest thereof, shall be fully repaid, with and out of the Monies arising from the said County Stock of the said Parts or Divisions respectively, to pay and discharge such Interest when and as the same shall from Time to Time become due and payable.

Money borrowed to be paid within 14 Years from the Time of borrowing.

XXI. Provided always, and be it further enacted, That the Justices of the Peace for the said Three several Parts or Divisions, in their respective Quarter Sessions, shall and they are hereby required to make Provision by means of the Rates of the said Three Parts or Divisions respectively, and by their Orders and Directions, which they are hereby authorized to give, in such Manner that the whole Money to be borrowed under the Authority of this Act shall be fully paid and discharged within a Time to be limited, not exceeding Fourteen Years from the Time of raising or borrowing the same.

The Judges House, &c. vested in the Sheriff, Custos Rotulorum, and Justices of the County.

XXII. And be it further enacted, That from and immediately after the passing of this Act, the Messuage, Dwelling House, or Tenement which hath been so purchased, fitted up, and furnished, and is now appropriated and used as a Residence for His Majesty's Judges at the Assizes for the said County of *Lincoln*, with all and singular the Offices, Outbuildings, Yards, Gardens, Accommodations, and Appurtenances thereunto belonging, and all the Furniture, Fixtures, and other Matters and Things therein which have been so provided for the Use of His Majesty's Judges at the Assizes as aforesaid, or are otherwise relating or appertaining thereto, shall be and the same are hereby absolutely and entirely divested and for ever taken from and out of the Commissioners chosen or acting under or by virtue of the said in part recited Act of the Forty-ninth Year of the Reign of His said Majesty King *George* the Third, and their Successors, under the said Act; and that in lieu and stead thereof, all and singular the said Messuage, Dwelling House, or Tenement, Offices, Outbuildings, Yards, Gardens, Accommodations, and Appurtenances, and the Fee Simple and Inheritance thereof, and also all and singular such Furniture, Fixtures, and other Matters and Things as aforesaid, shall be and the same and every of them and every Part thereof respectively are and is hereby accordingly vested in and settled upon and shall be held in perpetual Succession by the Sheriff and Custos Rotulorum for the Time being of the said County of *Lincoln*, and His Majesty's Justices of the Peace acting for

for the said Parts or Divisions of *Lindsey, Kesteven, and Holland*, and their Successors for ever; and the said Justices of the Peace in Gaol Sessions are hereby empowered from Time to Time to appoint a proper Person or Persons to have the Care and Charge of the same, and the Furniture and Fixtures accordingly, with a suitable Salary or Salaries to such Person or Persons for his, her, or their Trouble, and to remove him, her, or them at Pleasure, under any Order of the said Court of Gaol Sessions; nevertheless the said Hereditaments, Premises, and Appurtenances shall be held upon and for such or the like Uses, Trusts, Ends, Intents, and Purposes as the same were in and by the said last-mentioned Act respectively vested in the Commissioners thereby appointed, and their Successors, chosen or to be chosen under the same Act, or as near and conformable thereto as may be, any thing in the said Act of the Forty-ninth Year of the Reign of His said Majesty King *George* the Third contained to the contrary notwithstanding.

Person to be appointed to take care of the Judges House, Furniture, &c.

XXIII. And be it further enacted, That all and every the Powers and Authorities which in and by the said recited Act of the Forty-ninth Year of the Reign of His said Majesty King *George* the Third were given to or vested and reposed in the Commissioners thereby appointed to be chosen as therein mentioned, or to the Clerk acting for them under the Authority of the said Act, shall from and immediately after the passing of this Act cease and determine so far as relates to the Execution thereof by the same Commissioners or their Successors, and the Clerk acting for them as aforesaid under the said Act, and all and singular the said Powers and Authorities, or such and so many of them as are now subsisting or remain to be performed, and are not repealed or rendered inapplicable by this Act, shall henceforth and at all Times hereafter be transferred to and remain vested in the Court of Gaol Sessions for the said County of *Lincoln*; and the Justices of the Peace acting for the said Three Parts or Divisions, or any Two or more of them, assembled at the said Court of Gaol Sessions, shall and may from Time to Time and at all Times hereafter act in, perform, and execute the same Powers and Authorities as fully and effectually to all Intents, Effects, Constructions, and Purposes whatsoever, as if they had been expressly named, authorized, or appointed in and by the said Act, for the Purposes aforesaid, in the Room, Place, or Stead of the said Commissioners, or as if they had been originally named or appointed the Commissioners under the said Act; and the Duties imposed by the said recited Act, and thereby directed to be executed by the Clerk to the said Commissioners, shall from and immediately after the passing of this Act devolve upon and be executed by the Clerk of Gaol Sessions, any thing in the same Act or in this Act contained to the contrary thereof in anywise notwithstanding.

Powers of 49 G. 3. c. 75. transferred from the Commissioners under that Act to the Court of Gaol Sessions.

XXIV. Provided always, and be it further enacted, That from and immediately after the passing of this Act all and every the Directions, Rules, and Regulations contained in the said recited Act of the Forty-ninth Year of the Reign of His said Majesty King *George* the Third, with respect to or concerning the Meetings of the Commissioners and the Adjournments thereof, and all Notices and Forms

Certain Regulations of the said Act repealed.

[*Local.*]

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thereby

Execution
of the said
Act placed
under the
Controul of
the Gaol
Sessions.

thereby directed to be given or used for the Purpose of calling or holding such Meetings, and also respecting the Proceedings at the same Meetings, shall wholly cease and determine, and so much and such Part or Parts of the said last-mentioned Act as relate to or concern the same or any of them shall be and is or are hereby declared to be repealed accordingly; and it shall be lawful for the Justices of the Peace, or any Two or more of them, assembled at any Court of Gaol Sessions, to do, perform, and execute all Matters and Things relating to the Execution of the said last-mentioned Act, and to raise and levy all Monies authorized and required for the Maintenance and Support of the said Messuage, Dwelling House, or Tenement, Offices, Outbuildings, Yards, Gardens, Accommodations, and Appurtenances, so used as a Residence for His Majesty's Judges at the Assizes as aforesaid, with the other Monies thereby required and authorized to be from Time to Time raised for the Purposes of the said County Gaol, and without making a distinct or separate Rate for the Purpose, as fully and effectually as the Commissioners thereby appointed might or could have done at any of their Meetings held pursuant to the said Act, but without the Necessity for any further Notice than may be required by this Act or any of the said recited Act for the holding of the said Court of Gaol Sessions.

The Judges
House, &c.
to be deemed
within each
of the Three
Divisions.

XXV. Provided always, and be it further enacted, That the said Messuage, Dwelling House, or Tenement, Offices and Premises, so now used and appropriated as a Residence for His Majesty's Judges at the Assizes as aforesaid, and all Additions to be made thereto or to the said Castle of *Lincoln* under the Authority of this Act, either by Purchase or otherwise, shall, for all Purposes relative to the Jurisdiction of the Justices of the Peace acting for the said Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland*, or any of them, be deemed to be within and taken as Part of each of the same Parts or Divisions respectively; and every Justice of the Peace acting for each or either of the said Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland*, shall have such and the like Power and Authority to execute all Matters and Things appertaining to his Office in the said last-mentioned Messuage, Dwelling House, or Tenement, Offices and Premises, and the Additions to be made thereto or to the said Castle of *Lincoln*, as in any Part of the Division to which his Commission specially extends.

Extending
the Powers of
5 Geo. 4. c. 12.
to the Judges
House,
County Hall,
Courts of
Assize, &c.,
and to other
Matters af-
fecting the
County at
large.

XXVI. And be it further enacted, That from and after the passing of this Act all and every the Powers and Authorities, Matters and Things, which in and by the said recited Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth were vested and reposed in, given to, or directed to be done by the said Justices of the Peace in Gaol Sessions assembled, with respect to or concerning the Common Gaol of the said County of *Lincoln*, and all Matters relating thereto, shall extend, relate, and be applicable to, and the same are hereby declared to extend, relate, and apply as well to the Judges House, County Hall, and Courts of Assize of and for the said County of *Lincoln*, as all other Buildings and Erections whatsoever in or adjoining to the Area or Yard of the said Castle of *Lincoln* and the said Judges House respectively, and also to all the public

public Buildings and Premises which now are or hereafter may be the Property of the said County in or near to the said Castle and the said Judges House, and to the enlarging, improving, and repairing of the same, and to all Costs, Charges, Expences, and Disbursements incident thereto or chargeable upon or affecting the County at large; and the said Justices of the Peace in Gaol Sessions assembled are hereby fully authorized and empowered to perform and execute all the Powers, Provisions, and Regulations of the said last-mentioned Act with respect to the said Judges House, County Hall, and Courts of Assize, and other public Buildings, Erections, and Premises connected therewith in or near to the said Castle of *Lincoln*, and also with respect to the enlarging, improving, and repairing of the same, and to the raising and paying all Charges, Expences, and Disbursements incident thereto or chargeable upon or affecting the County at large, as the said Court of Gaol Sessions is by the same Act, or by the before-mentioned Act of the Fourth Year of the Reign of His said late Majesty King *George* the Fourth, authorized or empowered to do, perform, or execute with respect to the said Common Gaol and the Expences attending the same; and all the Orders and Resolutions to be made by the said Justices of the Peace in Gaol Sessions assembled, pursuant to the Directions of the said recited Act of the Fifth Year of the Reign of His said late Majesty, respecting the said Judges House, County Hall, and Courts of Assize, and other public Buildings and Premises belonging to the said County, and being in or near to the said Castle of *Lincoln*, and all or any of such Charges, Expences, and Disbursements as aforesaid, and all Matters and Things relating thereto, shall be good, valid, binding, and effectual in the Law to all Intents and Purposes whatsoever.

XXVII. And for the better and more speedily raising of the necessary Sums of Money for the Purposes aforesaid, be it further enacted, That when and so often as the said Court of Gaol Sessions shall find it requisite to raise Money for the enlarging, improving, repairing, or maintaining of the said Judges House, County Hall, and Courts of Assize, or the other public Buildings and Premises connected therewith, being in or near to the said Castle of *Lincoln*, or for defraying the Charges and Expences attending the same, or other Purposes relating to or affecting the County at large, or any other Expences or Disbursements lawfully incurred by the Order or under the Direction of the Lord Lieutenant or Custos Rotulorum of the said County for the Time being, and which shall be allowed by the said Court, it shall be lawful for the said Court of Gaol Sessions to make an Order for the Payment thereof accordingly, as well as for the Payment of all other Charges and Expences affecting the County at large which may be lawfully incurred, disbursed, or defrayed by the Justices of the Peace for the said Three Parts or Divisions assembled in Gaol Sessions, by and out of the Public Stock or County Rates of the said several Parts or Divisions of *Lindsey*, *Kesteven*, and *Holland*, in the Proportions and Manner in which the Expences of the County Gaol now are or may be raised; and the Clerk of Gaol Sessions for the Time being shall, upon every such Order being made as aforesaid, forthwith transmit a Copy thereof, signed

Gaol Sessions empowered to raise Monies for defraying Expences affecting the County at large.

signed by the Chairman of the said Court of Gaol Sessions, together with the Amount of the Sum of Money to be paid by virtue thereof by each of the said Parts or Divisions of *Lindsey, Kesteven, and Holland*, according to the Proportions aforesaid, to the Treasurers of the said Parts or Divisions respectively, which Treasurers shall and they are hereby authorized and required forthwith on the Receipt of such Order, or the Copy thereof signed as aforesaid, out of the Monies then in their Hands, or if those Monies shall be insufficient, then so soon as sufficient Monies shall come to their respective Hands, or by a Rate to be made for that Purpose by the said Justices of the Peace of the said several Parts or Divisions, or any of them respectively, to pay the Sum required to the Treasurer of the said County Gaol or Gaol Sessions, and take his Receipt for the same.

No Buildings, &c. to be purchased without previous Notice to the Clerks of the Peace, and through them to the acting Justices of the Three Divisions, and also 21 Days Notice in a County Newspaper.

XXVIII. Provided always, and be it further enacted and declared, That no Order, Resolution, or Direction shall be made or given by the said Court of Gaol Sessions, as to or respecting the contracting for or purchasing of any Houses or other Buildings, Lands, or Hereditaments, nor shall the same be decided upon by the said Court of Gaol Sessions, unless and until Notice thereof in Writing shall have been given or transmitted through the General Post, by or by the Order of the Custos Rotulorum of the said County for the Time being, or the Justices of the Peace in Gaol Sessions assembled, or their Clerk or Treasurer, to the respective Clerks of the Peace for the said Three Parts or Divisions of *Lindsey, Kesteven, and Holland*, for the Information of all and every the Justices of the Peace acting for the said Three Parts or Divisions, stating that the Matter or Business in contemplation is intended to be taken into consideration by the said Court of Gaol Sessions at the then next Quarterly Meeting, or at some Special Meeting to be convened for that Purpose, and of which Meeting Twenty-one Days previous Notice shall be also given by an Advertisement to be inserted in the *Lincoln, Rutland, and Stamford Mercury*, or in some other public Newspaper printed and most generally circulated in the said County of *Lincoln*, stating the Day, Hour, and Place appointed for holding such Meeting, and the Nature of the Business intended to be then taken into consideration.

This Act not to infringe upon the Privileges of the Sheriff, &c.

XXIX. Provided also, and be it further enacted, That neither this Act, nor any thing herein contained, shall extend, or be deemed, construed, or taken to extend, so as in any Manner to weaken, abridge, interfere with, or infringe any of the Rights, Powers, and Privileges heretofore lawfully exercised by the Sheriff of the said County of *Lincoln*, or his Deputy, either in the Custody of Prisoners upon Mesne Process, or in the Appointment of a Keeper or other Officers, or in any other of the Duties appertaining to the said Office, but that the Sheriff of the said County for the Time being shall and may have, use, and exercise all legal Rights, Powers, and Privileges appertaining to his Office as fully and effectually as he might or could have done in case this Act had not been made; nor shall this Act, or any thing herein contained, be held, deemed, construed, or taken so as in any Manner to hinder or prevent any Person or Persons whomsoever from having or claiming free Access to the said Common

Common Gaol or Castle Yard, or either of them, who now is or are or at any Time hereafter may be legally entitled to claim or demand the same, either under or by virtue of the Prison Rules, or the hereinbefore in part recited Acts of the Fourth and Fifth Years of the Reign of His said late Majesty King *George* the Fourth, or any of them.

XXX. And be it further enacted, That the Justices of the Peace for the Time being for the said Three Parts or Divisions 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 the Clerk of Gaol Sessions for the Time being; and no Action or Suit to be brought or commenced by or against the said Justices of the Peace or any of them, by virtue of this Act, in the Name of the said Clerk of Gaol Sessions for the Time being, shall abate or be discontinued by the Death or Removal of such Clerk, or by any Act of the said Clerk for the Time being done without the Consent of the said Justices of the Peace for the Time being, or any Three or more of them, but such Clerk of Gaol Sessions for the Time being shall always be deemed to be the Plaintiff or Defendant in such Action or Suit, nominally, but to be carried on and defended under the Direction of the said Court of Gaol Sessions, and the Expence to be by the said Court of Gaol Sessions ordered to be defrayed in like Manner as other Charges under this Act; and the said Common Gaol, Judges House, County Hall, Courts of Assize, and all other public Buildings and Hereditaments now or hereafter to be erected in or near to the said Castle of *Lincoln*, and all Furniture, Stores, Implements, Materials, Articles, Matters, and Things therein or thereunto belonging, being the Property of the Justices of the Peace of the said Three Parts or Divisions, shall, in any Action, Indictment, Information, or Presentment, be laid, alleged, and described to be the Property of the said Justices of the Peace for the Time being, and under the Style and Description of "The Justices of the Peace for the Three Parts or Divisions of *Lindsey, Kesteven, and Holland* in the County of *Lincoln*," any thing in this Act, in the said recited Acts, or in any other Act or Statute, to the contrary notwithstanding: Provided always, that the Clerk of Gaol Sessions for the Time being in whose Name any such Action, Suit, Indictment, Information, or Presentment shall be brought or defended as aforesaid, shall be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such Costs, Charges, and Expences as he shall be put unto or become chargeable with by reason of his being made a Plaintiff or Defendant as aforesaid.

Justices may sue and be sued, &c. in the Name of the Clerk of Gaol Sessions.

XXXI. Provided also, and be it further enacted, That in all and every Action or Actions, Suit or Suits, Indictment or Indictments, to be brought, preferred, or commenced against any Person or Persons for or in respect of any Matter or Thing made or done by him or them under the Authority of this Act, no Person or Persons whomsoever shall be deemed incompetent to give Evidence by reason of his, her, or their paying or contributing towards the Public Stock of the said Three Parts or Divisions of the said County, or any of them,

Persons paying County Rates not to be deemed incompetent Witnesses.

[*Local.*]

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or

or by reason of his, her, or their being charged with or liable to pay towards the County Rates of the said Three Parts or Divisions, or any of them.

Limitation
of Actions.

XXXII. 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 Ten Days 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 the 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.

Saving the
Rights of
His Majesty.

XXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the King's most Excellent Majesty, His Heirs and Successors, as well in Right of His Crown as in Right of His Duchy of *Lancaster*, except as herein-before specially set forth.

Public Act.

XXXIV. 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 of the Peace, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.