



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. xlviii.

An Act for erecting a County Hall and Courts of Justice, and also for providing Accommodation for His Majesty's Justices of Assize, in and for the County of *Worcester*. [23d August 1831.]

WHEREAS the Guildhall of the City of *Worcester* wherein the Assizes and the General Quarter Sessions of the Peace for the County of *Worcester* have been usually held is too small, and is otherwise inconvenient for holding such Assizes and Quarter Sessions, and for transacting the other public Business of the said County : And whereas, by reason of the said Guildhall not being vested in His Majesty's Justices of the Peace of the said County, it is apprehended that the Powers and Provisions of an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to provide for repairing, improving, and rebuilding Shire Halls, County Halls, and other Buildings for holding the Assizes and Grand Sessions, and also Judges Lodgings, throughout England and Wales*, do not extend to authorize the Erection of a Shire or County Hall for the said County of *Worcester* : And whereas the said Guildhall, and also another Building adjoining thereto used as Lodgings for the Accommodation of His Majesty's Justices of Assizes in and for the County of *Worcester*, were at the *Lent* Assizes and General Sessions of Oyer and Terminer held in and for the said County of *Worcester* on the Eighth Day of *March* One thousand eight hundred

[*Local.*] 8 N

7 G. 4. c. 63.

Justices in Sessions empowered to make Orders for carrying this Act into execution.

hundred and thirty presented by the Grand Jury of the said County as greatly insufficient, inconvenient, deficient, and in want of Improvement; and the said Grand Jury further presented that there was no proper, sufficient, or convenient Shire Hall or other fitting Place in or for the said County wherein the Justices of Assize for the said County could hold their said Assizes, or the Justices of the Peace for the said County could hold their General Quarter Sessions of the Peace: And whereas it is expedient that a distinct County Hall and Courts of Justice, with suitable Offices, together with Lodgings for the Accommodation of His Majesty's Judges when holding the Assizes for the said County of *Worcester*, should be provided: 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 at the General or Quarter Sessions of the Peace for the County of *Worcester* to be held next after the passing of this Act, or at any subsequent General or Quarter Sessions of the Peace for the said County, or at any Adjournment thereof respectively, it shall and may be lawful for the Justices of the Peace of the said County then and there assembled, and they are hereby authorized and empowered, to make from Time to Time such Order or Orders for the purchasing in or near to the said City of *Worcester* a Site or Sites for the Erection of a County Hall and Courts of Justice, with suitable Offices, and also Lodgings for the Accommodation of His Majesty's Justices of Assize for the said County, and for erecting and building the same respectively, or any of them, as to them the said Justices of the Peace so assembled, or the major Part of them, shall appear expedient or necessary, and for paying, defraying, and discharging all the Expences, Costs, and Charges attending the purchasing and building the same.

Power for Justices, &c. to purchase Premises for the Purposes of this Act.

II. And be it further enacted, That it shall be lawful for the Justices for the Time being of the said County of *Worcester* so assembled as aforesaid, or the major Part of them respectively, and they are hereby respectively authorized and empowered, from Time to Time to treat, contract, and agree for the absolute Purchase of any Houses, Buildings, Land or Ground, Hereditaments, and Premises in or near the said City of *Worcester* which they shall judge to be proper and convenient for the Site or Sites of such County Hall, Courts of Justice, Offices, and Judges Lodgings as aforesaid, with any Body Politic, Corporate, Collegiate, or Ecclesiastic, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Trustees or Feoffees in Trust for charitable or other Purposes, Trustees, Executors, Administrators, Husbards, Guardians, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, or with any Femes Covert who are or shall be seised or possessed of or interested in their own Right, or with any other Person or Persons whomsoever, who shall be willing to sell the same, or her, his, or their Right or Interest in the same, for the Uses and Purposes of this Act, and by and out of the Rates to be raised within the said County to pay or cause to be paid for the Purchase of such

such Houses, Buildings, Land or Ground, Hereditaments and Premises, such Sum or Sums of Money as shall be agreed upon between such Owners or other Persons interested as aforesaid and the said Justices, and also the Costs and Charges attending such Agreement and Purchase as aforesaid; and upon Payment of the Purchase Money for any such Houses, Buildings, Land or Ground, Hereditaments, and Premises as aforesaid, to the Parties or Persons respectively entitled thereto, or upon Payment thereof into the Bank of *England* in manner by this Act directed, as the Case may be, it shall be lawful for the said Justices of the Peace, or any Two or more of them respectively, their Surveyors, Workmen, or Agents, at any Time thereafter to enter upon and take possession of the said Houses, Buildings, Land or Ground, Hereditaments, and Premises, for the Purposes of this Act; and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title, Claim and Reversion, to such Houses and Buildings, Land or Ground, Hereditaments, and Premises.

III. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, 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, Trustees and Feoffees in Trust for charitable and other Purposes, Committees, Executors and Administrators, and all Trustees and Persons whomsoever, 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, Issue unborn, Wards, Cestuique Trusts, Lunatics, Idiots, or Persons of unsound Memory and Understanding, and for all Females Covert who are or shall be respectively seised and interested in their own Right, or entitled to Dower or other Interest therein, and for all and every Person and Persons whomsoever, who are or shall be seised or possessed of or interested in any Houses, Buildings, Land or Ground, Hereditaments, and Premises which may be deemed necessary or convenient for the Purposes of this Act as aforesaid, to contract and agree with the said Justices for the Sale thereof or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, or to the same, to the Justices of the Peace for the said County of *Worcester* for the Time being; and all Contracts, Bargains, Sales, and Conveyances which shall be so made by virtue of this Act shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of such Person or Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy,

All Persons enabled to sell, and Persons conveying indemnified.

tancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all such Bodies Politic, Corporate, Collegiate, Ecclesiastic, 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, is and are and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Application
of Purchase
Money if ex-
ceeding 200*l*.

1 G. 4. c. 35.

IV. And be it further enacted, That if any Money shall be contracted or agreed to be paid for the Purchase of any Houses, Buildings, Land or Ground, Hereditaments, and Premises to be purchased by virtue of this Act for the Purposes thereof, which shall belong to any Corporation, Body Politic, Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as herein-before is mentioned, 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 His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* the Justices of the Peace for the County of *Worcester*, pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster, on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward, to the Intent that such Money may 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, Land or Ground, Hereditaments, and Premises, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Land or Ground, Hereditaments, and Premises, or affecting other Houses, Buildings, Land or Ground, Hereditaments, and Premises standing and being settled therewith to the same or the like Uses, Trusts, Intents, or 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 Houses, Buildings, Land or Ground, Hereditaments, and Premises, 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, Land or Ground, Hereditaments, and Premises which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable

capable of taking effect ; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said 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, or on Government or Real Securities ; and in the meantime, and until such Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities 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, Land or Ground, Hereditaments, and Premises so hereby directed to be purchased, in case such Purchase or Settlement were made.

V. And be it further enacted, That if any Money so contracted or agreed to be paid for any Houses, Buildings, Land or Ground, Hereditaments, and Premises to be purchased for the Purposes of this Act, and belonging to any Body Politic, Corporate, Collegiate, or Ecclesiastic, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, 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 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, Land or Ground, Hereditaments, and Premises so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, 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 said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed ; or otherwise the same may 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 so assembled as aforesaid, (such Nomination and Approbation to be signified in Writing under the Hand of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in the Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When less
than 200*l.*
and exceed-
ing 20*l.*

VI. And be it further enacted, That when such Money so contracted or agreed to be paid as aforesaid shall not exceed the Sum of 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, Land or Ground, Hereditaments, and Premises so to be purchased for the Purposes of this Act, in such Manner as the said Justices so assembled as aforesaid shall think fit ; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then the same shall be paid to his, her, or their Guardian or Guardians, Committee or Committees,

When less
than 20*l.*

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to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Purchase Monies in case of not making out a good Title, or where Persons cannot be found, &c.

VII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid for the Purchase of any Ground, Hereditaments, and Premises, or any Messuages, Cottages or Tenements, Erections or Buildings, standing or being thereon, to be purchased, taken, or used for the Purposes of this Act, or of any Estate or Interest in any such Ground, Messuages, Cottages, Tenements, Erections or Buildings, Hereditaments, and Premises, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Justices, or their Counsel or Solicitor, or in case the Person or Persons to whom such Sum or Sums of Money shall be agreed to be paid cannot be found, or if the Person or Persons entitled to the Inheritance of, or any reversionary, vested, contingent, or other Estate or Interest in, any such Ground, Hereditaments, and Premises, Messuages or Tenements, Erections or Buildings, be not known or discovered, then and in every such Case it shall and may be lawful for the said Justices so assembled as aforesaid to order the Sum or Sums of Money so agreed to be paid, to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Ground, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings [describing them], subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making any 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, or otherwise as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Person or Persons making claim thereto, 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 therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

Provision in case of disputed Titles.

VIII. 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 said Court of Exchequer, in pursuance of this Act, for the Purchase of any Grounds, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings, or of any Estate, Right, Title, or Interest in any Ground, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings, to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or

Real

Real Securities to be purchased with any such Money, or the Dividends, Interest, or Produce of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of any such Ground, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings, 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 Ground, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends, Interest, or Produce of the said Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, 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 Ground, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings, or to some Estate or Interest therein.

IX. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation so as aforesaid entitled to any Ground, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings, 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 Ground, Hereditaments, and Premises, Messuages, Cottages or Tenements, Erections or Buildings, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Exchequer 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 to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Justices out of the Monies to be raised or received by virtue of this Act, who shall from Time to Time pay or order to be paid such Sums of Money for such Purposes as the said Court shall direct.

The Court of Exchequer may order reasonable Expences to be paid by the Justices.

X. And be it further enacted, That it shall and may be lawful to and for the said Justices of the said County, or the major Part of them, so assembled as aforesaid, and they are hereby authorized, with all convenient Speed after a convenient Site or Sites shall have been obtained for the Erection of such new County Hall, Courts of Justice, Offices, and Judges Lodgings, or any of them, to make, build, and erect, or cause to be made, built, and erected, on the Ground, Hereditaments, and Premises so to be purchased or provided as aforesaid for the Purposes of this Act, a new County Hall, Courts of Justice, Offices, and Lodgings for the Accommodation of His Majesty's Judges of Assize for the said County, and all such other proper and necessary Erections, Buildings, and Conveniences of every Description, and sufficient Outlets thereto, as the said Justices so assembled, or the major Part of them, shall deem expedient, and also to fit up and furnish,

Justices to build a new County Hall, &c.

furnish, or cause to be fitted up and furnished, in a complete and effectual Manner, with all proper and necessary Furniture, Articles, and Things, the said new County Hall, Courts of Justice, Offices, and Judges Lodgings, as they shall deem meet and expedient for the several Purposes for which the said Buildings shall be respectively designed, and for the doing whereof the said Justices so assembled, or any Two of them as aforesaid, or any Person or Persons by them appointed, are hereby authorized to make and enter into such Contracts and Agreements, and to employ such Surveyors, Artificers, Workmen, Labourers, and others, and to take such Security from every or any such Contractor for the due Performance of his Contract, and to do all such Things as shall in their Discretion appear requisite in the Premises.

No Contract to bind Justices, &c. in their private Capacities.

XI. And be it further enacted, That nothing herein contained shall extend, or be deemed or construed to extend, to charge or subject the said Justices or any of them, or their respective Estates or Property, to any Payment or personal Liability by reason of their signing and sealing any Grants, Assignments, or other Securities to be made by virtue of this Act; nor shall any Contract, Agreement, Order, or other Proceeding, Conveyance, Act, Deed, Matter, or Thing, entered into, made, or done by the said Justices of the Peace for the said County, or any of them, or by the Clerk of the Peace for the said County, or his Deputy, or by any Person or Persons appointed by or for and on the Behalf of the said County, under or by virtue or in pursuance and execution of this Act or any of the Purposes thereof, operate or extend, or be construed, deemed, or taken to operate or extend, to bind, affect, or prejudice them, any or either of them, their, any, or either of their Heirs, Executors, or Administrators, personally, or in their, any, or either of their private or individual Capacities or Capacity.

Justices may build County Hall, &c. adjoining to the Gaol and House of Correction.

XII. And be it further enacted, That, notwithstanding any thing in this Act contained, it shall be lawful for the said Justices of the said County, or the major Part of them, so assembled as aforesaid, to direct and cause the said County Hall, Courts of Justice, Offices, and Judges Lodgings, or any of them, to be built and erected on the Ground or Space adjoining or contiguous to the Gaol and House of Correction of the said County of *Worcester*, (and which is held therewith,) in lieu of purchasing a Site or Sites for the same, in case the said Justices so assembled, or the major Part of them, shall deem it expedient so to do.

Materials vested in the Justices, who are empowered to institute Proceedings to recover same.

XIII. And be it further enacted, That all Timber, Stone, Brick, and other Materials, Furniture, Articles, and Things to be made use of, or to be bought, procured, or provided from Time to Time respectively, by the Order of the said Justices so assembled, or any Two of them as aforesaid, or by any Person or Persons by them appointed or authorized, for the making, erecting, and building of the said new County Hall, Courts of Justice, Offices, and Judges Lodgings, or any of them, or any other Buildings or Work carrying on under this Act, or for the fitting up and furnishing of the same, or otherwise for the Purposes of this Act, and which may not be the immediate

immediate Property of their Agents or Contractors, shall from and after the passing of this Act be vested in the Justices of the Peace for the said County, and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions or prefer or cause to be preferred any Bill or Bills of Indictment, against, or prosecute, in the Name of the Clerk of the Peace for the said County for the Time being, any Person or Persons who shall steal, take away, injure, damage, or destroy any such Timber, Stone, Brick, or other Materials, Articles, and Things as aforesaid; and any Action so to be brought, and every Indictment respectively, wherein any such Timber, Stone, Brick, Materials, Furniture, Articles, or Things shall be laid to be the Property of "The Justices of the Peace for the County of *Worcester*", without the Insertion of the Names of the said Justices or any of them, shall be good and valid in the Law to all Intents and Purposes.

XIV. And be it further enacted, That upon Payment of the Money which may be contracted or agreed to be paid for the Purchase of any Houses, Lands, Buildings, Tenements, and Hereditaments for the Purposes of this Act, to the Party or Parties or Person or Persons respectively entitled to such Money, or his, her, or their Agent or Agents, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in the Manner hereinbefore directed, as the Case may be, and upon the Conveyance of such Houses, Buildings, Lands, Tenements, and Hereditaments to the Justices of the Peace for the said County of *Worcester*, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or Equity, of the Person or Persons or Party or Parties respectively to whom or for whose Use the same shall be paid, in, to, or out of such Houses, Lands, Buildings, Tenements, and Hereditaments, shall vest in His Majesty's Justices of the Peace for the said County of *Worcester* for the Time being for ever; and the said new County Hall, Courts of Justice, Offices, and Lodgings for the Accommodation of His Majesty's Justices of Assize, proposed to be erected on the Site thereof, when built in pursuance of this Act, with their respective Appurtenances, and every or any future Addition thereto, with every Matter and Thing appertaining to the same, shall in like Manner be vested in the Justices of the Peace for the Time being of the said County of *Worcester*, upon Trust, peaceably, quietly, and freely to permit and suffer all the Courts of the Justices of Assize, and Nisi Prius, Oyer and Terminer, and General Gaol Delivery, or Special Commissions for the said County of *Worcester*, and the General or Quarter Sessions of the Peace for the said County of *Worcester*, and the County Courts of the said County of *Worcester*, (whether for the Purpose of Elections to be held therein, or for ordinary judicial Proceedings,) to be holden in the said Courts of Justice, or One of them, or in the said County Hall, as the Occasion may require, and also permit and suffer the said Courts of Justice, County Hall, Offices, and Lodgings provided for the Accommodation of His Majesty's Justices of Assize, to be had, used, and enjoyed for the Purposes for which the same may respectively be designed, and for such other public Uses and Purposes as the Justices

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

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of the Peace for the Time being for the said County of *Worcester*, at the General or Quarter Sessions of the Peace for the said County, or any Two of them, shall from Time to Time direct or appoint.

Powers of
7 G. 4. c. 63.
extended to
this Act.

XV. And be it further enacted, That the said new County Hall and Courts of Justice shall be and shall be deemed and taken to be a County Hall within the Intent and Meaning of an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to provide for repairing, improving, and rebuilding Shire Halls, County Halls, and other Buildings for holding the Assizes and Grand Sessions, and also Judges Lodgings, throughout England and Wales*; and all and every the Powers, Provisions, Clauses, Penalties, Matters, and Things therein contained, expressly and by way of Reference, so far as the same are applicable to this Act, shall (except so far as the same or any of them have been or shall or may by this Act be repealed or altered) be extended to and shall be deemed and taken to be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in this Act, and made Part thereof; and such new County Hall when the same shall be erected and built shall be deemed and taken to be the Place in which the County Court for the Election of Knights of the Shire shall be held, any Law, Statute, or Usage to the contrary notwithstanding.

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

XVI. And be it further enacted, That when the said new County Hall, Courts of Justice, Offices, and Judges Lodgings shall respectively be completely finished and fitted up, the same shall be for ever thereafter insured, supported, repaired, and kept and maintained in repair, and provided with proper Accommodation and Furniture, from Time to Time as Occasion shall require, at the Expence and Charge of the said County of *Worcester*; and that it shall and may be lawful for the Justices of the Peace for the said County, at any General or Quarter Sessions of the said County, or any Two of them then assembled, from Time to Time to order the said new County Hall, Courts of Justice, Offices, and Judges Lodgings to be insured, supported, repaired, and kept and maintained in repair, and provided with proper Accommodations and Furniture, and be repaired and altered in such Manner as they shall think fit; and the said Justices at such Quarter Sessions shall and may from Time to Time appoint One or more Person or Persons to look after and take care of the said Courts, Shire Hall, Offices, Buildings, and Premises, and the several Apartments thereof, and shall and may order such Salary or allow such Fees to such Person or Persons as they the said Justices shall think proper, and also shall and may order the Expence and Charge thereof, and likewise of the Furniture, Insurance, and Repair of the said Courts, Shire Hall, Offices, Buildings, and Premises as aforesaid, (and also the Insurance of the same whilst building, if they think proper so to insure the same,) from Time to Time to be defrayed and paid by and out of the Monies to be raised by the General Rates and Assessments made and to be made, assessed, and levied in the said County by virtue of the several Statutes made and now in force for the assessing, collecting, and levying of County Rates.

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

Punishing
Persons de-
stroying the
Courts, Shire
Hall, &c.

XVIII. And be it further enacted, That it shall be lawful for the said Justices or any Two of them, in General or Quarter Sessions assembled, and they are hereby empowered, in the Event of Lodgings for the Accommodation of His Majesty's Justices of Assize not being built and erected pursuant to the Powers herein-before contained, from Time to Time to treat, contract, and agree with the Owners and Occupiers of and Persons interested in any House, Building, Lands, and Hereditaments within the said City of *Worcester*, or near thereto, which may by such Justices be deemed proper and suitable for the Residence and Accommodation of His Majesty's Judges at the Assizes, or for holding any Special Commission of Oyer and Terminer or Gaol Delivery for the said County (with the necessary Officers and Attendants), and for transacting the Business usually done and transacted at the Lodgings of His Majesty's Judges during the Assizes, for the Purchase, or hiring for any Term of Years, or by the Year, or for any shorter Period than a Year, of any such House, Buildings, Lands, and Hereditaments for the Purposes aforesaid, and by and out of the Monies to be raised by virtue of this Act to pay for the absolute Purchase of such House, Buildings, Lands, and Hereditaments, if such Purchase shall be thought expedient by such Justices, or otherwise to pay such yearly or other periodical Rent or Consideration

Justices em-
powered to
take Lease of
or to rent
Lodgings for
the Judges
of Assize.

Consideration for the same as shall be agreed upon between such Owners and Occupiers or Persons interested as aforesaid and the said Justices, and also the Costs and Charges attending such Agreement, Purchase, or Hiring, or for the granting or renewing of any Lease or Leases, and for the repairing, altering, fitting up, and furnishing of such House and Premises for the Purposes aforesaid; and such Rent and Expences, in the Event of the same becoming payable or being incurred, shall be charged upon and be payable out of the general Rates assessed and levied on the said County of *Worcester*, (exclusive of and in addition to the Rates authorized to be levied by this Act,) in case the said Justices shall so direct; and it shall be lawful for all and every Person and Persons, whether under Disability or otherwise, who are or shall be possessed of or interested in any such House, Buildings, Lands, and Hereditaments, to treat, contract, and agree with the said Justices for the Sale or Letting thereof, and of all or any Part of their Interest therein or in any Part thereof, and to assign or lease the same to the said Justices, or to such Person or Persons, for the Purposes of this Act, and in such Manner as the said Justices shall direct and as Occasion shall require; and all Contracts, Sales, Leases, and Agreements which shall be so made shall be valid to all Intents and Purposes whatsoever, any Law, Statute, Usage, or other Matter to the contrary notwithstanding.

Justices may let the House provided for the Judges Lodgings when not wanted.

XIX. And be it further enacted, That it shall be lawful for the said Justices from Time to Time to let any House, Premises, and Furniture which may be erected, built, and provided under the Authority of this Act for the Accommodation of His Majesty's Justices of Assize, to any Person or Persons from Year to Year, or for any shorter Period than One Year, for the best Rent that can be obtained for the same, nevertheless reserving the Premises for the Use of His Majesty's Judges during the Assizes, or for the holding of any Special Commission of Oyer and Terminer or Gaol Delivery, and also for the Use of the Magistrates assembled at Quarter Sessions; and the Rent to be received or to arise by the letting of such House, Premises, and Furniture, or so much thereof as may be requisite, shall be expended and applied, by Order of the said Justices, in defraying any Expences which may be incurred in cleaning, airing, or repairing the same; and any Surplus which shall remain shall be paid to the Treasurer of the said County for the Time being, and shall be applied and disposed of in aid of any Rate applicable to the Use of the said County, and to or for no other Use or Purpose whatsoever.

Justices empowered to take a Consideration for the Judges Lodgings.

XX. And be it further enacted, That it shall be lawful for the said Justices, or for the Treasurer of the said County for the Time being, to take and receive from the High Sheriff of the said County of *Worcester* for the Time being, as a Consideration for providing such Lodgings and Accommodation for His Majesty's Judges of Assize, or for the holding of Special Commissions of Oyer and Terminer or Gaol Delivery as aforesaid, at each and every Assize holden for the said County, such Sum or Sums of Money as hath or have usually been or shall hereafter be allowed, paid, or issued by or out of His Majesty's Exchequer to the said Sheriff for providing such Lodgings and Accommodation as aforesaid.

XXI. And

XXI. And be it further enacted, That the County Hall, Courts of Justice, Offices, and Judges Lodgings to be erected or purchased under or by virtue of the Powers herein-before contained shall be construed and taken to be within the County of *Worcester* at large, for the Purpose of transacting the Business of the Assizes and Quarter Sessions for the said County of *Worcester*, and all other County Business, notwithstanding such County Hall, Courts of Justice, Offices, and Judges Lodgings shall or may be locally situate within the County of the City of *Worcester*.

XXII. And be it further enacted, That for raising Money for Justices empowered to borrow Money on Mortgage of the County Rates. defraying the Costs and Expences incident to or attending the obtaining and passing of this Act, and in carrying the several Powers thereof into execution, or for any other Purpose whatever authorized by this Act, or which may be necessary for carrying the same into execution, it shall and may be lawful for the said Justices of the Peace in Quarter Sessions assembled, and they are hereby authorized and empowered, from Time to Time to raise, borrow, and take up at Interest, from any Person or Persons whomsoever who shall be willing to advance and lend the same, any Sum or Sums of Money on the Credit of the Rates or Assessments of the said County, not exceeding in the whole the Sum of Twenty-five thousand Pounds, in Sums of not less than One hundred Pounds each, and by Writing under their Hands and Seals, or under the Hands and Seals of the Chairman for the Time being of such Quarter Sessions and of any Two or more of such Justices, to mortgage or assign over such Rates respectively, or any Part thereof respectively, to the Person or Persons who shall lend or advance such Money, or to his, her, or their Trustees or Trustee, as a Security for or for the Repayment of the Money so to be borrowed as aforesaid, together with such Interest as the said Justices respectively so assembled as aforesaid and the Parties lending such Money shall agree upon, without any Liability on the Part of the Person or Persons lending such Money to inquire whether the same will be wanted for the Purposes of this Act, or whether the entire Sum hereby authorized to be borrowed and raised on the Credit of the said Rates shall have been already so borrowed and raised; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed out of the Money advanced upon such Security; and every such Mortgage may be in the Words or to the Effect following, with such Variation therein as shall be agreed upon or as the Circumstances of the Case may render necessary, so nevertheless that the whole Sum borrowed for the Purposes of this Act be secured to be repaid within the Space of Twenty Years from the Time of borrowing the same; (that is to say,)

WE, A. B., One of His Majesty's Justices of the Peace, and Chairman of the Court of Quarter Sessions of the Peace holden at _____ on the _____ Day of _____ for the County of *Worcester*, and C. D. and E. F. Esquires, Two other of His Majesty's Justices of the Peace acting for the said County, and assembled in the said Court, in pursuance of the Powers and Authorities to us given by an Act passed in the First and Second Year of the Reign of His Majesty King *William* the Fourth, intituled
[Local.] 8 Q tuled Form of Mortgage.

' tuled *An Act* [*here insert the Title of this Act*], do hereby in open
 ' Court mortgage and charge all the Rates to be raised within the said
 ' County under the Description of County Rates by the Laws now
 ' in being, or which may hereafter be made for that Purpose, with
 ' the Payment of the Sum of _____ which G. H.
 ' of _____ hath proposed and agreed to lend, and hath
 ' now actually advanced and paid into the Hands of the Treasurer of
 ' the said County for the Purposes of the said Act; and we do hereby
 ' assign and confirm the same Rates unto the said G. H., his Execu-
 ' tors, Administrators, and Assigns, for securing the Payment of the
 ' said Sum of _____ Pounds, together with Interest for
 ' the same after the Rate of _____ for every Hundred
 ' Pounds for a Year; and we do order the Treasurer for the said
 ' County to pay the Interest of the said Sum of _____
 ' Pounds, or of so much thereof as upon each half-yearly Day of
 ' Payment as after-mentioned shall remain due and owing upon this
 ' Security, together with _____ for and towards Payment
 ' and Satisfaction of the said Principal Sum, half-yearly, on the
 ' _____ Day of _____ and the _____ Day of _____
 ' in every Year, until the whole of such Principal Sum and Interest
 ' shall be discharged pursuant to the Directions of the said Act. In
 ' witness whereof we have hereunto set our Hands and Seals the
 ' _____ Day of _____ in the Year of our Lord One
 ' thousand eight hundred and _____

And all such Contracts or Agreements shall be enrolled with the Clerk
 of the Peace of the said County, who shall be entitled to demand and
 take a Fee of Twenty Shillings for every such Enrolment, and for
 providing necessary and proper Books for the Purpose, and for the
 Indorsements on such Contracts or Agreements denoting such Enrol-
 ment, and his the said Clerk of the Peace's Hand thereto.

Mortgages
 may be trans-
 ferred.

XXIII. And be it further enacted, That it shall and may be lawful
 for the several Persons entitled for the Time being to any of the
 Securities for the Money which shall be so advanced, and their re-
 spective Executors, Administrators, or Assigns, at any Time or Times,
 by Writing under their respective Hands and Seals, to assign and
 transfer the same to any Person or Persons whomsoever, in the Form
 or to the Effect following:

Form of
 Transfer of
 Mortgage.

' I A. B. of _____ being entitled to the Sum
 ' of _____ by virtue of a Mortgage bearing Date
 ' the _____ Day of _____ in the Year of our Lord
 ' under the Hands and Seals of _____ on the Credit of the
 ' Rates to be raised within the County of *Worcester*, do hereby, in
 ' consideration of the Sum of _____ to me paid by
 ' of _____ assign and transfer unto the said
 ' _____ his [*or her*] Executors, Administrators, and
 ' Assigns, all my Right and Interest in and to the said Principal Sum
 ' of _____ thereby secured, and all Interest now due and
 ' hereafter to grow due thereon. In witness whereof I have here-
 ' unto set my Hand and Seal the _____ Day of _____ in the Year
 ' of our Lord _____

And

And every such Assignment or Transfer shall, within Twenty-one Days from the Date thereof, be enrolled with the Clerk of the Peace for the said County, who shall be entitled to demand and take a Fee of Ten Shillings for every such Enrolment, and for providing necessary and proper Books for the Purpose, and for the Indorsements on such Assignments or Transfers denoting such Enrolments, and his the said Clerk of the Peace's Hand thereto; and after such Enrolment made, but not before, every such Assignment or Transfer shall entitle the Assignee or Assignees, Transferee or Transferees, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Principal Monies and Interest thereby assigned or transferred respectively, without any further Registry or Memorial thereof; and the Person or Persons to whom any such Principal Money and Interest shall be secured, assigned, or transferred, and their respective Executors, Administrators, or Assigns, shall be Creditors on the said Rates of the said County, and shall not have any Preference by reason of any Priority in Date of any such Mortgage, or on any other account whatsoever.

XXIV. And be it further enacted, That it shall be lawful for the said Justices and they are hereby required to charge the said Rates to be raised upon the said County, not only with the Interest of the Money so borrowed under the Authority and for the Purposes of this Act, but also with the Payment of such further Sum as shall ensure the Payment of the whole Sum borrowed within any Number of Years, not being less than Ten Years nor more than Twenty Years from the Time of borrowing the same; and the Money so to be raised on the Credit of the said Rates shall be assessed on the said County in such Manner as County Rates are directed to be assessed under the Laws in force or hereafter to be made for that Purpose, and shall be paid and applied, under the Direction of the said Justices so assembled as aforesaid, in discharge of the Interest and of so much of the Principal Money from Time to Time due on the Credit or under the Authority of this Act as such Money will extend to discharge in each Year, until the whole of the Money for which such Securities shall be made, and all Interest thereon, shall have been fully paid and discharged; and the said Justices shall and they are hereby required to fix Two or more Day or Days in each Year on which such Payment shall be made; and such Justices shall also appoint some proper Person who shall keep an exact and regular Account of all the Receipts and Payments under the Authority of this Act, separate and apart from all other Accounts, and shall from Time to Time adjust and settle the same in such Manner as shall from Time to Time be directed by the said Justices, and shall deliver such Accounts so adjusted and settled into Court at every General or Quarter Sessions to be held for the said County; and the said Justices shall at every such Sessions carefully inspect all such Accounts, and make Orders for carrying the Purposes of this Act into execution in such Manner as to them shall seem meet; and if at any Time it shall appear to the said Justices that the Person appointed for the Purposes aforesaid has neglected to perform any Matter or Thing required by this Act or by the Order of such Justices, or has not duly or without Delay applied all Money in his Hands to the Purposes directed by this Act, such

Justices may charge the County Rates with Interest on the Money borrowed, and form a Sinking Fund to repay the whole in 20 Years.

such Person shall forfeit and pay for every such Offence any Sum not exceeding Fifty Pounds.

Money may be raised by County Rates instead of borrowing, if Justices think fit.

XXV. Provided always, and be it further enacted, That instead of borrowing and taking up at Interest on the Credit of the Rates or Assessments of the said County the whole of the Money which it may be necessary to raise for the Purpose of defraying the Expences incident to and attending the obtaining and passing this Act, and in carrying the several Powers thereof into execution, it shall be lawful for the said Justices, or the major Part of them, in Quarter Sessions assembled, and they are hereby authorized and empowered, from Time to Time, if they shall think it expedient so to do, but not otherwise, to order any Part of such Money, not exceeding the Sum of Three thousand five hundred Pounds in any One Year, to be raised by a County Rate or Rates of the said County, so nevertheless that the whole Amount or Sum to be raised and levied under the Authority of this Act (exclusive of Interest for Money borrowed) do not exceed the Sum of Twenty-five thousand Pounds.

Tenants at Rack Rent may deduct Two Thirds of the Rate out of their Rents.

XXVI. Provided always, and be it further enacted, That every Tenant at Rack Rent of any House, Land, Tithe, Tenement, or Hereditament in the said County of *Worcester*, who shall pay any Rate or Assessment to be made in pursuance or for the Purposes of this Act, shall and may (subject to the Proviso herein-after contained) deduct and retain out of the Rent or respective Rents payable to the Landlord or Owner of such Premises respectively Two Third Parts of such Money, as shall be acquitted and discharged for so much Money as the said Two Thirds of every such Rate or Assessment shall from Time to Time amount unto, as fully and effectually as if the Amount thereof had been actually paid as Rent to the Person or Persons to whom such Rent or Rents is or shall be payable, and such Person and Persons is and are hereby required to allow from Time to Time such Deductions upon the Receipt or Tender of the Residue of such Rent or Rents, any Contract or Covenant or Agreement between any Landlord and Tenant to the contrary thereof notwithstanding; but if it shall so happen that any of the said Premises shall be rated for the Purposes of this Act at a higher Value than the Sum paid as the Rack Rent for the same, then and in every such Case the Rate in respect of the Excess beyond the Amount of such Rent shall be paid wholly by the Tenant: Provided nevertheless, that nothing in this Act contained shall extend or be construed to extend to make void any Contract, Covenant, or Agreement which may be hereafter entered into between any Landlord and Tenant relating to the Payment of such Rate or Assessment, either expressly or by necessary Implication.

Application of the Money raised by this Act.

XXVII. And be it further enacted, That the Monies to be raised or received by virtue of this Act shall from Time to Time be paid to the Treasurer of the said County, and be applied, by Order of the said Justices or any Two of them as aforesaid, in manner following; that is to say, a sufficient Part thereof shall, in the first place, be applied in paying and satisfying all Charges of and incident or otherwise in relation to the preparing soliciting this Act,

and of making and obtaining Surveys, and preparing, making, and obtaining Plans, Estimates, Valuations, Contracts, Agreements, Conveyances, Assurances, References, Awards, Mortgages, Grants, Assignments, and Transfers, and incident to the same; and then in Payment and Satisfaction of the Sum or Sums of Money to be paid for the Purchase of a Site or Sites whereon the said new County Hall, Courts of Justice, Offices, and Lodgings for the Accommodation of His Majesty's Judges of Assize for the said County may be erected and built, or for the Purchase of any House or other Building for Judges Lodgings; and, in the next place, in Payment and Discharge of all other Costs, Charges, and Expences of and attending or incident or in relation to the erecting and building, fitting up and furnishing, the said new County Hall, Courts of Justice, Offices, and Lodgings for the Accommodation of His Majesty's Judges of Assize, and in paying and satisfying all Salaries, Commissions, and Allowances, and all and every other Sum and Sums of Money, Costs, Charges, and Expences in anywise relating to any Act, Matter, or Thing whatsoever, which by the said Justices so assembled, or any Two of them, as aforesaid, shall be deemed necessary, proper, or expedient in or about the carrying into effect all or any of the Purposes of this present Act, or in any Matter or Thing incident thereto, and not hereby otherwise provided for.

XXVIII. And be it further enacted, That all Penalties, Fines, and Forfeitures inflicted or imposed by this Act, or by any Act hereby made applicable to this Act, may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace for the said County of *Worcester*, or for the County or Place within which the Offence shall be committed, on Complaint to them for that Purpose made, and afterwards be levied (as well as the Costs, if any, of such Proceeding, on Nonpayment,) by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices (which they are hereby empowered and required to grant); and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty, Fine, or Forfeiture, and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained; all which Penalties, Fines, and Forfeitures, not herein directed to be otherwise applied, shall be paid, One Half to the Informer, and the Remainder to the Treasurer of the said County for the Time being, and shall be applied and disposed of in aid of any Rate applicable to the Use of the said County; and in case such Penalties, Fines, and Forfeitures shall not be forthwith paid, it shall be lawful for such Justices and they are hereby required to order the Offender or Offenders so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender or Offenders shall give sufficient Security to the Satisfaction of such Justices for his, her, or their Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress (such Time not being more than Ten Days from the taking of such Security, and which Security any of the said Justices are

Recovery and
Application
of Penalties.

[*Local.*]

8 R

hereby

hereby empowered to take by way of Recognizance or otherwise); but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties, Fines, or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, either upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath not or have not sufficient Goods and Chattels whereupon such Penalties, Fines, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but in such Case it shall be lawful for such Justices and they are hereby required, by Warrant under their Hands and Seals, to commit such Offender or Offenders to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty, Fine, or Forfeiture shall be sooner paid and satisfied, together with all the Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender or Offenders shall be otherwise discharged by due Course of Law.

Justices may proceed by Summons in the Recovery of Penalties.

XXIX. And be it further enacted, That in all Cases in which by this Act, or by any Act herein recited and hereby made applicable to this Act, any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace, before whom Complaint shall be made for any Offence committed against this Act or the said recited Acts, to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Forms of Information and Conviction.

XXX. And be it further enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act, or against any Act herein recited and hereby made applicable to this Act, may cause the Information (whenever an Information shall be taken in Writing or in Print) and the Conviction respectively to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)

Form of Information.

‘ } **BE** it remembered, That on the Day of
‘ to wit. } *A. B.* of informeth me
‘ *C. D.*, one of His Majesty’s Justices of the Peace for
‘ that of [*here describe*
‘ *the Offence, and the Time and Place when and where committed*],
‘ contrary to an Act passed in the First and Second Year of the
‘ Reign of His Majesty King *William* the Fourth, intituled [*here*
‘ *insert the Title of this Act*], which hath imposed a Forfeiture of
‘ for the said Offence. Taken the
‘ Day of before me *C. D.*’

‘ to wit. } **BE** it remembered, That on the Day of
Form of
Conviction.
 ‘ *A. B.* is convicted before me *C. D.*, one of His Majesty’s Justices
 ‘ of the Peace for the County of [specifying the Offence,
 ‘ *and the Time and Place when and where the same was committed, as the*
 ‘ *Case may be*], contrary to an Act passed in the First and Second
 ‘ Year of the Reign of His Majesty King *William* the Fourth,
 ‘ intituled [*here set forth the Title of this Act*]. Given under my Hand
 ‘ and Seal the Day and Year first above written. ‘ *C. D.*’

XXXI. And be it further enacted, That all Bodies Corporate and Persons
 Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any
 aggrieved
 may appeal
 to Quarter
 Sessions.
 Matter or Thing in this Act, or in any Act hereby made applicable
 to this Act, mentioned or contained, and for which no Power of Ap-
 appeal is by this Act or by any such Act specifically given, may, within
 Four Calendar Months next after such Order, Judgment, or Deter-
 mination shall have been made or given, appeal to the Justices of
 the Peace at any General or Quarter Sessions to be held for the
 County or Place where the alleged Cause of Appeal shall arise, first
 giving Fourteen Days Notice in Writing of such Intention to appeal,
 and the Grounds and Nature thereof, to the Party against whom such
 Complaint is intended to be made, and forthwith after such Notice
 entering into Recognizance before some Justice of the Peace, with
 Two sufficient Sureties, conditioned to try such Appeal, and abide
 the Order and Award of the said Court thereon; and the said Jus-
 tices shall in a summary Way either hear and determine the said Com-
 plaint at such General or Quarter Sessions, or, if they think proper,
 may adjourn the Hearing thereof to the following General or Quarter
 Sessions of the Peace to be held for such County or Place; and the
 said Justices may, if they see Cause, mitigate any Penalty or For-
 feiture, and may order any Money to be returned which shall have
 been levied in pursuance of such Order or Determination, and may
 also order any such further Satisfaction to be made to the Party in-
 jured as they shall judge reasonable, and may also order such Costs
 to be paid to the Party aggrieved by the Party aggressing as they
 shall think reasonable; and all such Orders and Determinations of
 the said Justices at such Sessions shall be final, binding, and con-
 clusive on all Parties to all Intents and Purposes whatsoever, and not
 be removable by Certiorari or otherwise in any of His Majesty’s
 Courts of Record at *Westminster*.

XXXII. And be it further enacted, That in any Suit or Action General
 prosecuted against any Person for any thing done in pursuance of this Issue.
 Act, such Person may plead 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 by Authority of this Act; and if a Verdict
 shall pass for the Defendant, or if the Plaintiff shall become Nonsuit,
 or shall discontinue his or her Action after Issue joined, or if upon
 Demurrer or otherwise Judgment shall be given against the Plaintiff,
 the Defendant shall recover his or her Costs, and have the like
 Remedy for the same as any Defendant hath by Law in other Cases;
 and if a Verdict shall be given for the Plaintiff in any such Action,
 such

such Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial shall be shall certify his Approbation of the Action and of the Verdict obtained thereon.

Public Act.

XXXIII. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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