Anno tricesimo

Georgii II. Regis.

An Act for Rebuilding and keeping in Repair the Shire Hall of the County of *Warwick*.



WHEREAS the Shire Hall of the County of Warwick was a very antient Edifice, and became so decayed and ruinous, that it was necessary the same should be taken down and rebuilt: And whereas the said Hall was lately taken down, and some Progress hath been made in rebuilding the same, in the Borough of Warwick, in the said County of Warwick; and the completing and finishing thereof will be of great Convenience and Advantage to the said County; but in regard no effectual Provision is made by the Laws in being, for defraying the Expence of taking down and rebuilding the said Hall; 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 the Justices of the Peace and the Commissioners of the Land Tax for the County of Warwick for the time being, who are qualified respectively to act as Justices of the Peace or Commissioners of the Land Tax for the said County, shall be and they are hereby appointed, Commissioners for completing and finishing the said Shire Hall, and for applying the Money which shall be raised and received by virtue of this Act, for defraying the Expence of taking down and rebuilding the same; and for auditing, settling, and passing all Accounts relating thereto, and for executing the other Purposes of this Act.

Preamble.

The Justices of the Peace, and Commissioners of the Land Tax, for the County of *Warwick*, appointed Commissioners for completing the Shire Hall, &c.

Meetings of Commissioners.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall meet at the House known by the Name of the White Swan, in the said Borough of Warwick, on the Twenty fifth Day of June, One thousand seven hundred and fifty seven, and proceed to the Execution of this Act; and shall then and from time to time afterwards, adjourn themselves to and meet at such Place or Places in the said Borough of Warwick, as they shall think proper; and in case a sufficient Number of Commissioners shall not be present at any such Meeting, to act and to adjourn to another Day, then, and as often as the Case shall so happen, such Meeting shall be held at the same Place to which such Meeting was adjourned, on the Fourteenth Day after the Day appointed for holding the same; and that publick Notice in Writing of the Time and Place of all the Meetings of the said Commissioners, for the Execution of this Act, shall be affixed on some conspicuous Part of the Market-house, in the said Borough of Warwick, at least Ten Days before any such Meeting shall be held; and that no Order shall be made, or Business transacted by the said Commissioners, or any of them, relative to the Execution of this Act, otherwise than at such Meetings as aforesaid; and the said Commissioners shall at all such Meetings, defray their own Expences.

10 Days Notice to be given of all Meetings.

Commissioners to bear their own Expences.

Money already received how to be accounted for.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, in whose Hands any Sum or Sums of Money shall have been deposited, for or towards defraying the Expence of taking down and rebuilding the said Shire Hall, shall on the said Twenty fifth Day of June, or at such Time or Times thereafter as the said Commissioners, or any Seven or more of them, shall appoint, deliver to such Commissioners, or any Seven or more of them, a true and perfect Account in Writing, of the Receipt of all such Monies, distinguishing by whom the same were advanced or contributed, the Sums advanced or contributed by each Person, and how much thereof have been applied or expended, and to whom and for what Purposes the same were paid, together with proper Vouchers for such Payments; and shall pay the Residue or remaining Part of such Monies, as shall not have been applied for the Purposes aforesaid, to the said Commissioners, or any Seven or more of them, or to such Person or Persons as they, or any Seven or more of them, shall appoint to receive the same; and the said Commissioners, or any Seven or more of them, are hereby impowered by Writing under their Hands, to allow the Application and Expenditure of all or any Part of the

Monies so applied or expended, as they shall think proper; and the said Commissioners, or any Seven or more of them, shall acknowledge under their Hands, the Receipt of the Residue of such Monies which shall be so paid; and such Allowance and Receipt respectively in Writing, signed as aforesaid, shall be a sufficient Discharge to the said Person or Persons, for such Sum or Sums of Money as shall be therein respectively mentioned; and the Sums of Money so paid, shall be applied by the said Commissioners towards defraying the Expence of completing and finishing the said Shire Hall.

The Commissioners to direct the Manner of completing the Shire Hall.

And be it further enacted by the Authority aforesaid, That the said Shire Hall shall be completed, fitted up, and furnished, for the convenient carrying on and transacting the publick Business of the said County of Warwick, in such Manner as the said Commissioners, or any Seven or more of them, shall, from time to time, direct and appoint; and the Expence thereof, and all necessary Expences already incurred, in and upon Account of taking down or rebuilding the said Shire Hall, and remaining unsatisfied, shall and may be from time to time defrayed and discharged, by and under the Direction and Appointment of the said Commissioners, or any Seven or more of them, out of the Monies which shall be raised or received by virtue of this Act.

Money advanced to be repaid;

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall, and they are hereby authorized and required, out of the Monies to be raised or received by virtue of this Act, to repay, or cause to be repaid, any Sum or Sums of Money, which shall have been advanced or contributed for or towards defraying the Expence of taking down or rebuilding the said Shire Hall, to the Contributor or Contributors of such Sum or Sums, in case the Repayment thereof shall be demanded in Writing, on or before the Twenty ninth Day of September, One thousand seven hundred and fifty seven, by the Person or Persons respectively who advanced or contributed the same, and not otherwise; any thing herein contained to the contrary notwithstanding.

if demanded.

Commissioners to certify to the Quarter Sessions what Money will be necessary.

And, for the raising Money for the effectual Execution and Completion of the Purposes of this Act, be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall and may, from time to time, as often as they shall think proper, certify in Writing under their Hands, or under the Hands of any Seven or more of them, to the Justices of the Peace for the said County of Warwick, assembled at any

General or Quarter Session or Sessions for such County, the Sum or Sums of Money which shall, from time to time, be necessary to be raised, for defraying the Expence of taking down, rebuilding, completing, fitting up, and furnishing, the said Shire Hall, and executing the other Purposes of this Act: And the Justices of the Peace, assembled at every General or Quarter Session, where any such Certificate shall be produced, shall immediately rate and assess on the said County, the Sum and Sums mentioned in every such Certificate; and such Sum and Sums shall be rated and assessed in such and the same Manner, and according to such and the same Proportions, upon every Town, Parish, or Place, within the said County, and be collected, received, levied, and paid, and be accounted for, by the Persons making such Collections, in such Manner, and by such Means, with such Powers of Distress, and for enforcing the Collection and Payment thereof, and for punishing all Persons whose Duty it shall be to collect or account for the same, and shall make Default therein, as the County Rates have been usually, or may, by an Act made in the Twelfth Year of the Reign of his present Majesty, intituled, An Act for the more easy assessing, collecting, and levying of County Rates, or by any other Act or Acts of Parliament, be assessed, collected, received, levied, paid, and accounted for, within the said County; and such Rates or Assessments, when received, shall be, from time to time, paid by the Treasurer or Treasurers of the said County, to the Commissioners appointed by this Act, or any Seven or more of them, or to such Person or Persons as they the said Commissioners, or any Seven or more of them, shall appoint, by Writing under their Hands, to receive the same; and the Receipt of the said Commissioners, or any Seven or more of them, or of such Person or Persons as shall so be appointed, shall be a full and sufficient Discharge to such Treasurer or Treasurers, for the Payment of such Monies.

Money to be assessed upon the County,

and paid to the Commissioners.

Provided always, That the Rates or Assessments which shall be made by such Justices of the Peace at the said General or Quarter Sessions, in pursuance of this Act, shall be made, assessed, collected, received, levied, and paid, separately and distinctly from all the other County Rates assessed and raised upon and within the said County; any thing in the said Act made in the Twelfth Year of his present Majesty's Reign, or any other Act or Acts of Parliament, or any Custom or Usage, to the contrary notwithstanding.

Assessments to be separate from other Rates.

And be it further enacted by the Authority aforesaid, That the several and respective parochial Officers, or

Manner of recovering the Rates by parochial Officers;

other

other Persons, who shall pay, or be liable to pay, the Rates or Assessments which shall be made and rated, for the Purpose of this Act, upon any Parish, Town, or Place; and also all such parochial Officers and Persons, upon whom any such Rate or Assessment shall be levied, shall and may, from time to time, after Notice shall be given of the Amount of the Rate or Assessment, upon such Town, Parish, or Place (either before the Payment thereof by such parochial Officers or Persons, or after the same shall have been actually paid by, or levied upon, such Officers or Persons) rate and levy such Monies, by a separate and distinct Rate and Assessment, upon every such respective Town, Parish, or Place, in such Manner and Proportion, and with such Powers for recovering thereof, as any other County Rate may be assessed or levied: And that every Tenant of any House, Land, Tythe, Tenement, or Hereditament, who shall pay any Rate or Assessment, to be made in pursuance of this Act, by such respective parochial Officers or Persons, within any such Town, Parish, or Place, or upon whom any such Rate or Assessment shall be levied, shall and may deduct the same out of his or her Rent, and shall be acquitted and discharged for so much Money as such Rates or Assessments shall, from time to time, amount unto, as fully and effectually as if such Money had been actually paid to the Person or Persons to whom such Rent is or shall be payable; and such Person and Persons is and are hereby required to allow, from time to time, such Deductions upon Receipt of the Residue of the Rent. and Tenants.

Provided always, That the Sum and Sums of Money to be raised upon the said County for the rebuilding, completing, and finishing, the said Shire Hall, shall not exceed in the Whole the Sum of Four thousand Pounds. Money raised not to exceed 4000 *l.*

And be it further enacted by the Authority aforesaid, That the Monies to be raised and received by virtue of this Act, shall, in the First Place, be applied in discharging and paying all the Expences of obtaining this Act, and afterwards in defraying such necessary Expences as have been already incurred in and upon account of taking down and rebuilding the said Shire Hall, and are remaining undischarged; and in defraying the Expence of completing, finishing, fitting up, and furnishing the said Shire Hall; and also in repaying such Sum and Sums as have been advanced and contributed as aforesaid, and shall be demanded on or before the Time herein before limited, and in defraying the other necessary Expences attending the Execution of this Act, and to no other Use or Purpose whatsoever. Application of Money.

And

Accounts to be kept among the Records of the County.

And be it further enacted by the Authority aforesaid, That when the said Shire Hall shall be finished, fitted up, and furnished, and all Monies due upon account thereof shall be fully paid and satisfied, and all other Matters and Things by this Act directed or authorized to be done and performed by the said Commissioners, shall be completed, the said Commissioners shall cause all Books, Papers, Accounts, and other Writings, Plans, and other Drawings, relating to the Execution of this Act, to be deposited with the Clerk of the Peace for the said County, to be kept among the Records of such County.

The Shire Hall vested in Trustees.

And be it further enacted by the Authority aforesaid, That when the said Shire Hall shall be completed, finished, fitted up, and furnished, the same, and every Matter and Thing appertaining thereto, shall, from thenceforth, be vested in the Right Honourable Francis Earl Brooke, the Right Honourable George Earl of Northampton, the Right Honourable Bazill Earl of Denbigh, the Right Honourable Other Lewis Earl of Plymouth, the Right Honourable George Earl of Cardigan, the Right Honourable Francis Earl of Hertford, the Right Honourable Thomas Lord Viscount Weymouth, the Right Honourable Thomas Lord Leigh, the Right Honourable Fulwar Lord Craven, the Right Honourable Francis Lord Middleton, the Right Honourable Thomas Lord Archer, the Right Honourable Thomas Lord Hyde, the Right Honourable Heneage Finch Esquire, commonly called Lord Guernsey; the Right Honourable the Lord Digby, in the Kingdom of Ireland; the Right Honourable the Lord Luxborough, in the Kingdom of Ireland; the Right Honourable Edward Willes, Lord Chief Baron of Ireland; the Honourable Andrew Archer, the Honourable Wriothesley Digby, the Honourable George Shirley, the Honourable Heneage Legge Esquire, One of the Barons of his Majesty's Court of Exchequer; Sir Charles Mordaunt, Sir Edward Boughton, Sir Roger Newdigate, Sir Listen Holt, Sir Francis Skipwith, Sir Stukeley Shugburgh, Sir Theophilus Biddulph, Sir William Wheler, Sir Robert Burdett, Sir Walter Bagot, Baronets; William Greenwood Doctor in Divinity, John Spencer, William Craven, John Mordaunt, Henry Archer, James West, Samuel Greathead, Joseph Townshend, William Bromley, William Holbech, William Grove, John Harvey Thursby, Francis Stratford, George Lucy, John Harvey Thursby the younger, Matthew Wise, Henry Wise, James Newsam, John Knightly, *alias* Wightwick, John Knightly, *alias* Wightwick the younger, Arthur Gregory, Richard Shugburgh, William Bumstead, Samuel Brawbridge,

Brawbridge, Paul Baine, Benjamin Palmer, Sandford Woolferston, Charles Palmer, Matthew Lister, William Burleton, Simon Lutterell, William Wheler, Charles Palmer, William Palmer, William Bagot, Richard Geast, Sanderson Milier, Esquires; and their Successors, to be elected in Manner herein after-mentioned, upon special Trust and Confidence, and to the End, Intent, and Purpose, that the said Trustees shall and will, from time to time, and at all Times hereafter, peaceably, quietly, and freely, permit and suffer, all the Courts of the Justices of Assize and Nisi Prius, Oyer and Terminer, and General Gaol Delivery for the said County of Warwick; and also the Courts of General Sessions of the Peace, and all other Courts of the Justices of the Peace; and all the Courts of Commissioners for charitable Uses, for the said County; and all the Courts and publick Meetings of all other Justices and Commissioners of His Majesty, His Heirs, and Successors, for the said County; and the County Court for the said County, to be holden in the said Shire Hall, and the Appurtenances thereto belonging, in such Manner as the same have usually been, or of Right might be, held in the said former Shire Hall; with free Liberty for all Persons whom it shall concern to act and officiate in, and to resort to, and attend upon, the said Courts and Meetings, as they shall have Occasion; and also peaceably, quietly, and freely, permit and suffer the Sheriff and Freeholders of the said County of Warwick for the time being, when and as often as there shall be Occasion, in the said Shire Hall, to make Elections of a Knight or Knights to serve in Parliament, and of a Coroner or Coroners for the same County; and also when the said Shire Hall, with the Appurtenances, shall not be used or employed for any of the Purposes aforesaid, peaceably, quietly, and freely, permit and suffer the Mayor, Aldermen, and Burgesses, of the said Borough of Warwick, to assemble, meet, and continue there, to elect, choose, and swear, a fit Person to be Mayor of the said Borough, as often as there shall be Occasion; and also the Mayor and Inhabitants of the same Borough, to assemble, meet, and continue there, to make Elections of a Burgess or Burgesses to serve in Parliament for the said Borough, as often as there shall be Occasion; and also peaceably, quietly, and freely, permit and suffer the General Sessions of Peace, and the Court Leet for the said Borough, and all other Assemblies, for the good Rule and Government of the said Borough, to be there held, in such Manner as the same have usually been, or of Right might be, held in the said former

Assizes, &c. to be held in the Shire Hall.

former Shire Hall; and when the said Shire Hall, with the Appurtenances, shall not be made use of for the Purposes aforesaid, peaceably, quietly, and freely, permit and suffer the Lord of the Manor of Warwick for the time being, and his Stewards and Tenants, to hold the Court Baron of the said Manor in the said Shire Hall, in such Manner as the said Court hath usually been, or might of Right be, held in the said former Shire Hall; and that when the said Shire Hall shall not be used or employed for any of the Purposes aforesaid, the said Trustees, or any Three or more of them, may, and are hereby impowered, from time to time, and at all Times, to permit and suffer the said Shire Hall, and Appurtenances, to be used and employed in and for such Uses and Purposes, and in such Manner, as they the said Trustees, or any Three or more of them, shall think proper; so that the said Trustees, or any of them, shall not demand or take, or allow to be demanded or taken, any Rent, Allowance, or valuable Consideration whatsoever, for the Use of such Shire Hall: And such Trustees, or any Seven or more of them, shall and may, in the Name or Names of any One or more of them, bring Actions, or prefer Bills of Indictment, against any Person or Persons who shall damage or prejudice the said Shire Hall, or damage, prejudice, steal, or take away, any Matter or Thing appertaining thereto: And the said Trustees shall meet Twice in every Year; that is to say, On the Twenty ninth Day of September, and the Twenty fifth Day of March, and may adjourn and meet, from time to time, in such Manner as the said Trustees, or any Seven or more of them, shall think necessary; and also at such other Times as any Seven or more of such Trustees shall think proper to appoint, by Notice in Writing to be affixed on the Market-house of the said Town, at least Seven Days before any such Meeting; and all such Meetings shall be held in the said Shire Hall, or some other Place within the said Borough of Warwick: And as often as any of the said Trustees, or their Successors, shall die, the surviving Trustees, or any Seven or more of them, shall, from time to time, at the said Half-yearly Meetings, choose and elect other Trustees in their Stead, who shall have the same Power and Authority to act in such Trust, as the Persons so dying were invested with.

without any Consideration for the Use of the same.

Penalty on Persons damaging the Shire Hall.

Trustees to meet Twice a Year.

Notice to be given of future Meetings.

On Death &c. of Trustees, others to be chosen.

And be it further enacted by the Authority aforesaid, That when the said Shire Hall shall be completed, finished, fitted up, and furnished, such Hall shall be for ever thereafter repaired or altered, supported and maintained, and provided with proper Accommodations and Furniture, from

The Hall to be supported at the Charge of the County.

from time to time, as Occasion shall require, at the Expence and Charge of the said County of Warwick, in such Manner as the Gaol, Houses of Correction, or any other publick Works or Buildings of the said County, is, are, or may be, repaired, supported, or maintained: And that it shall and may be lawful for the Justices of the Peace for the said County, at any General or Quarter Session of the said County, or for the greater Number of such of them as shall be assembled at any such Session, from time to time, to order the said Shire Hall to be repaired, altered, supported, and maintained, and provided with proper Accommodations and Furniture, in such Manner as they shall think fit; and to order the Expence and Charge thereof to be, from time to time, paid and defrayed 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 said Act of Parliament, made in the Twelfth Year of his present Majesty.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done in pursuance of this Act, such Action or Suit shall be brought and commenced within Six Calendar Months after the Fact committed, and not afterwards; and all such Actions and Suits shall be laid and brought in the County of Warwick, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue such Action or Suit; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for such Costs, as any other Defendant or Defendants hath or have for Costs in any other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and all Judges, Justices, and other Persons, shall take Notice thereof as such, without specially pleading the same.

FINIS.