ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. XXXV.

An Act for raiſing a further Sum of Money for the Purpoſe of rebuilding the Common Gaol of the County of *Eſſex*.



WHEREAS by an Act, paſſed in the Tenth Year of the Reign of his preſent Majeſty, (intituled, An Act for rebuilding the Common Gaol of the County of *Eſſex*, it is (amongſt other Things) enacted, That it ſhall and may be lawful for the Juſtices of the Peace for the ſaid County, at their next or any ſubſequent General or Quarter Seſſions to be held for the ſaid County after the paſſing of the ſaid Act, to conclude and agree upon, and to aſſeſs ſuch Sum and Sums of Money as they ſhall, from Time to Time, find neceſſary for the Purpoſes of the ſaid Act, ſo as the whole of ſuch Aſſeſſments ſhall not exceed the Sum of Ten thouſand Pounds: And whereas the ſaid Sum of Ten thouſand Pounds will not be ſufficient

Preamble: Act 10 *Geo.* III. recited,

impowering the Juſtices to borrow Money, not exceeding 10,000*l.*

ficient to answer and defray the Expences of purchasing the adjoining Houses, Tenements, and Ground, proper and sufficient for the Purposes of the aforesaid Act, and for the erecting and finishing such new Gaol and Buildings as by the said Act are directed, and other the Purposes of the same Act, after deducting the Value of the Materials of the present Gaol; 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 it shall and may be lawful to and for the Justices of the Peace for the said County of Essex, at their next General or Quarter Sessions of the Peace to be holden for the said County after the passing of this Act, or at any other subsequent General or Quarter Sessions, to conclude and agree upon, and to assess such further Sum and Sums of Money (over and above the aforesaid Sum of Ten thousand Pounds provided to be raised by the said former Act) as they shall, from Time to Time, find necessary for the Purposes of the said former and this present Act, so as the whole of such Assessments under or by virtue of this Act shall not exceed the Sum of Eight thousand Pounds; and the same shall be rated and assessed in such and the same Manner, and according to such and the same Proportions, upon every Town, Parish, Hamlet, or Place, within the Limits of the said County, and upon the Boroughs, Towns Corporate, and all other Precincts and Liberties 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 Power of levying, 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 late 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,

Power to the Justices to assess a further Sum,

not exceeding 8000 *l.* with like Power of raising and recovering as in the former Act.

and accounted for, within the said County; and such Assessments, when received, shall be, from Time to Time, paid by the Treasurer or Treasurers of the said County to the said Justices so assembled as aforesaid, or to such Person or Persons as they shall, by Order or Orders of Court, from Time to Time, appoint to receive the same; and the Receipt of such Justices, or of such Person or Persons as shall be so appointed, shall be a full and sufficient Discharge to such Treasurer or Treasurers for the Payment of such Monies.

Parochial Officers, &c. may make the Rates distinct upon the several Parishes, &c.

And be it further enacted by the Authority aforesaid, That the several Parochial Officers, or other Persons, who shall pay, or be liable to pay, the Rates or Assessments which shall be made and rated by virtue or in pursuance of this Act, upon any Parish, Town, Borough, Liberty, 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, Town Corporate, or Place, in such Manner and Proportion, and with such Powers for recovering thereof, as any other County Rate may be assessed or levied.

In Places where the Justices for the County have no Power, they may nevertheless ascertain the Proportions of this Rate thereon.

And whereas there are several Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions, within the County of Essex aforesaid, in which the Justices acting in the Commission of the Peace for the said County have no Power or Authority; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace for the said County, at their said next General or Quarter Sessions to be holden for the said County after the passing of this Act, or at any subsequent General or Quarter Sessions, to conclude and agree upon, order, direct, and ascertain the Shares and Proportions, which the Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions

aforesaid, shall respectively raise and pay of such Sum and Sums of Money as the Justices of the County shall, from Time to Time, find necessary for the Purposes of the said former and this present Act, in the same Proportion, as near as may be, to the whole Sum which shall be raised under, or by virtue of the said former and this present Act, as the yearly Value of the Lands, Tenements, and Hereditaments, lying and being within such Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions aforesaid, bears to the yearly Value of the Lands, Tenements, and Hereditaments, lying and being within the rest of the said County at large.

And the Magistrates of such Places shall assess and raise the Money so assessed.

And be it also enacted by the Authority aforesaid, That the Justices or other Magistrates acting in and for the Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions aforesaid, shall, and they are hereby authorised and required to assess and raise the Sum or Sums of Money which shall be so ordered and directed by the Justices of the said County to be raised and paid by such Boroughs, Towns Corporate, Liberties, and other distinct Jurisdictions respectively, as aforesaid, in the same Manner, and with the same Powers, Authorities, and Methods, as in and by the said former and this Act are given or prescribed to the Justices of the Peace for the said County at large; for assessing and raising Monies for the Purposes of the said former and this Act; and in like Manner, when collected and received, shall pay the same to the Treasurer or Treasurers of the County aforesaid, who shall account for it to the Justices of the County, in the same Manner, as for the Money received in the County at large; and that nothing in this Act shall give the Justices of the said County any Power or Authority in the Boroughs, Towns Corporate, Liberties, or other distinct Jurisdictions, which they had not before.

Application of the Money.

And be it further enacted by the Authority aforesaid, That all such Charges and Expences as have been or shall be sustained or expended in or about procuring this present Act of Parliament, shall (in the First Place) be satisfied and paid out of the Monies to be raised by virtue or in pursuance of the said former or this present Act; and

and that after such Charges and Expences, and the Charges of erecting, completing, and finishing the said Gaol and Buildings, and all Debts incurred thereby, and all other Monies to be paid in pursuance of the said former and this present Act, shall be fully paid and satisfied, the Surplus of the Monies to be raised and levied by virtue of the said former and this present Act, shall, by Order of the said Justices assembled in their General or Quarter Sessions as aforesaid, be paid into the publick Stock of the said County, and be deemed and taken, and shall and may be applied and paid as Part of the Common Stock, to and for such Uses as the said County Stock can or may be applied.

Accounts of Receipts and Expenditures to be made up.

And be it enacted by the Authority aforesaid, That some Time between the First Day of October and the last Day of the said Month in every Year, a fair and just Account shall be made and wrote out of all Monies received and paid by virtue and in pursuance of the said former and this present Act, and how, and to whom, and when, and for what Purposes the same have been laid out, paid, and expended; a Copy or Duplicate of which Account, signed by the Justices, or the major Part of them, so assembled as aforesaid, shall be deposited with the Clerk of the Peace of the said County for the Time being, to be kept among the Records of the Sessions of the Peace, who shall permit any Person so taxed as aforesaid to inspect the same at all seasonable Times, paying One Shilling for such Inspection; and shall, upon Demand, forthwith give Copies of the same, or any Part thereof, to such Person, paying at the Rate of Two-pence for Seventy-two Words, and so in proportion for any greater or lesser Number.

Persons aggrieved may apply to the next Session.

Provided always, and be it enacted, That all Persons who shall apprehend themselves overcharged, or otherwise aggrieved, by any Assessment or other Act to be made or done by virtue of this present Act, may appeal to the Justices of the Peace assembled at their next Quarter-sessions held for the said County, after Demand of the Monies assessed, or after such other Act done, who shall

shall and may make such Order therein as to them, or the major Part of them, then and there present, shall seem meet.

Limitation of Actions. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced 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 next after the Fact committed, and not afterwards, and shall be laid and brought in the County of Essex, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall

General Issue. and may plead the General Issue, and give this Act, and 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

Treble Costs. 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.

Publick Act. And be it 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.

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FINIS.