Anno nono

Georgii III. Regis.

An Act to rebuild the Shire-Hall of the County of *Nottingham*; and for using the Guild-Hall of the Town and County of the Town of *Nottingham* for the Purposes of a Shire-Hall in the mean Time.

WHEREAS the Shire-Hall of the County of Nottingham, where the Assizes and the General Quarter Sessions of the Peace of the said County have always been held, and other public Business of the said County has been usually transacted, is now, and has for several Years last past, been in a decayed and ruinous Condition: And whereas Part of the Preamble.

the Common Gaol of the ſaid County is ſituate under the ſaid Shire-Hall, and it is abſolutely neceſſary that the ſaid Shire-Hall ſhould be taken down, and a new One erected for the Purpoſes aforeſaid, upon, or contiguous to the Ground where the preſent Hall ſtands: but the ſame cannot be finiſhed and compleated in due Time for the holding of the Aſſizes next enſuing, or of the Aſſizes ſubſequent thereto: And whereas there is no Place ſo convenient for the holding of the ſaid Aſſizes and Seſſions for the ſaid County as the ſaid Town of Nottingham; but the ſaid Town being a County of itſelf, the ſaid Aſſizes and Seſſions cannot, by any Law now ſubſiſting, be held within the ſaid Town: And whereas no Proviſion is made by the Laws in being, to authorize the raiſing of Money, within the ſaid County of Nottingham, 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 from and immediately after the paſſing of this Act, the preſent Shire-Hall in the ſaid County of Nottingham, and the Ground and Soil whereon the ſame ſtandeth, together with the Buildings and Grounds contiguous thereto, which now are the Property of the ſaid County of Nottingham, ſhall be, and the ſame are hereby veſted in the Juſtices of the Peace of the County of Nottingham for the time being; who are hereby appointed Commiſſioners for executing the Purpoſes of this Act; and they, or any Seven or more of them, are hereby authorized and impowered to order and direct the ſaid Shire-Hall and Buildings to be taken down, and to contract and agree with any Perſon or Perſons for the taking down the ſame, and to ſell and diſpoſe of the Materials thereof to ſuch Perſon or Perſons as ſhall be willing to purchaſe the ſame, and to apply the Money ariſing therefrom for the Purpoſes of this Act; and alſo to cauſe a new Shire-Hall to be erected and built upon or contiguous to the Ground where the preſent Shire-Hall ſtands, for the Uſe of the ſaid County of Nottingham; and to contract and agree with any Perſon or Perſons for the building, compleating, and finiſhing, ſuch

Shire-Hall veſted in the Juſtices, &c.

For taking down the preſent Shire-Hall, &c.

such new Shire-Hall, making effectual Provision for such Part of the County Gaol as is situate under Part of the present Shire-Hall, in such Manner as the Commissioners, or any Seven or more of them, shall think most proper.

Provided always, and it is hereby enacted and declared, That all such Persons, who are or shall be in the Commission of the Peace for the said County, and duly qualified to act as Justices of the Peace within the same, shall and may be Commissioners for executing the Purposes of this Act, although they shall not have sued out a Dedimus by virtue of such Commission. Persons in the Commission of the Peace to act as Commissioners.

And be it further enacted, That the said Commissioners, or any Seven or more of them, shall meet at the Swan Inn at Mansfield, in the said County of Nottingham, on the Third Tuesday in August, One thousand seven hundred and sixty nine, and proceed to the executing of this Act; and shall then, and from time to time afterwards, as they shall think proper, chuse a Clerk; and may adjourn themselves to, and meet at such Place or Places in the said County of Nottingham, or in the County of the Town of Nottingham, 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 so often as the Case shall so happen, such Meeting shall be held, at the same Place to which such Meeting was adjourned, on the Seventh Day after the Day appointed for the holding the same; and public Notice in Writing of the Time and Place of all the Meetings of the said Commissioners, held by their Adjournment for the Execution of this Act, shall be affixed on the Market Crosses in the Town of Nottingham, and upon the Doors of the Town-Halls of Newark and East Retford, at least Eight Days before any such Meeting shall be held: And no Order shall be made, or Business transacted, by the said Commissioners, or any Three or more of them, relative to the Execution of this Act, otherwise than at such Meetings as aforesaid; and that the said Commissioners shall, at all such Meetings, defray their own Expences. Time and Place of Commissioners Meeting. In Default of a sufficient Number to act, they are to meet 7 Days after. All Orders made shall be at a publick Meeting. Commissioners to defray their own Expences.

Provided always, That One Commissioner shall be sufficient for the Purpose of Adjournment only: And that if a Meeting of the said Commissioners shall be thought Commissioners may appoint a Meeting between any Adjournment.

thought necessary to be held, for the better Execution of this Act, before the Time appointed by virtue of any Adjournment; then, and in every such Case, the said Commissioners, or any Three or more of them, or the Clerk of the Peace of the said County of Nottingham, at their Request, shall and may call such Meeting, giving Eight Days Notice at least in Writing, to be affixed on the Market Crosses and Town-Halls as aforesaid, of the Time and Place of the holding such Meeting; and in every such Notice shall be specified the particular Business intended to be done and transacted thereat; which Business the said Commissioners, or any Three or more of them, may do and transact, and the Business so done shall have the same Effect as it could have had in case it had been done at a Meeting of Commissioners herein otherwise authorized or directed to be held; but any Business done at such Meeting, other than what shall be so specified, shall be to all Intents and Purposes void and of none Effect.

Commissioners to direct the Manner of building the new Shire-Hall.

And be it further enacted, That the said new intended Shire-Hall shall be built, compleated, fitted up, and furnished, for the convenient carrying on and transacting the publick Business of the said County of Nottingham, in such Manner as the said Commissioners, or any Three or more of them, shall from time to time direct and appoint; and the Expences to be incurred in and upon account of taking down the present Shire-Hall and Buildings as aforesaid, and building a new Shire-Hall, and of making Provision with respect to so much of the County Gaol as is now situate under the Shire-Hall in Manner aforesaid, shall and may be from time to time defrayed and discharged, by and under the Direction and Appointment of the said Commissioners, or any Three or more of them, out of the Monies which shall be raised or received by virtue of this Act.

Commissioners shall certify to the Quarter Sessions the Sums of Money necessary, &c.

And for the raising Money for the effectual Execution and Completion of the Purposes of this Act, be it further enacted, That the said Commissioners, or any Three or more of them, shall and may from time to time, as often as they shall think proper, certify in Writing under their Hands, to the Justices of the Peace of the said County of Nottingham assembled at any General or Quarter Session or Sessions for such County of Nottingham, the Sum or Sums of Money

Money which shall from time to time be necessary to be raised for defraying the Expence of taking down the present Shire-hall and Buildings as aforesaid, and of building, compleating, fitting up, and finishing, the said new Shire-hall, and executing the other Purposes of this Act; and the said Justices so assembled, when any such Certificate shall be produced, shall immediately rate or assess on the said County the Sum and Sums mentioned in every such Certificate; and such Sum and Sums shall be collected, received, levied, and paid, and be accounted for by the Persons making such Collections, in such Manner, and by such Means, and with such Powers of Distress 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 be, 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, 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 Three or more of them, or to such Person or Persons as they the said Commissioners, or any Three or more of them, shall appoint, by Writing under their Hands, to receive the same; and the Receipt of the said Commissioners, or any Three or more of them, or of such Person or Persons as shall be so appointed, shall be a full and sufficient Discharge to the Treasurer or Treasurers for the Payment of such Monies.

who are immediately to assess the Sum on the County.

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 late Majesty's Reign, or any other Act or Acts of Parliament, or any Custom or Usage to the contrary notwithstanding.

The Rates made for this Act to be collected separately.

And

A distinct Rate on each Parish.

And be it further enacted, That the said several and respective parochial Officers, or other Persons, who shall pay, or be liable to pay, the Rates or Assessments which shall be made and rated for the Purposes of this Act, upon any Parish, Town or Place; and also 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 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 Rents.

Time limited for raising the Money.

Provided always, That the Sum of Money which shall be deemed necessary for the Purpose of this Act, shall be, and the same is hereby directed to be raised within the Space of Three Years from the passing of this Act; and that the same in the Whole shall not exceed the Sum of Eight Pence in the Pound of the yearly Value of the Lands, Messuages, Tythes, Tenements, and Hereditaments, lying or being in such respective Parishes or Places, as the same shall be respectively rated to the Poor at the Time of the passing of this Act; and that no greater Proportion of such Sum than Three Pence in the Pound, to be ascertained as aforesaid, shall be raised in any One Year.

And,

And, for the better ascertaining the yearly Value of such Lands, Messuages, Tythes, Tenements, and Hereditaments, as are rated for the Relief of the Poor within the respective Parishes and Places wherein the same do respectively lie; be it further enacted, That the Churchwardens and Overseers of the Poor of each and every such Parish and Place shall, upon Demand, produce and shew such respective Poors Rates to any Two or more of his Majesty's Justices of the Peace for the said County of Nottingham, who shall require the same; and such Churchwardens and Overseers, neglecting or refusing so to do, shall forfeit the Sum of Five Pounds, to be recovered as herein after directed; and if any of such Churchwardens or Overseers shall, in any of the Poors Rates, fraudulently value their or any other Tenements at a lesser Value than they have been usually valued at in the respective Poors Rates, then every such Churchwarden and Overseer so offending shall forfeit and pay the Sum of Twenty Pounds, to be recovered as herein after directed.

Parish Officers to produce the Poors Rates.

And be it further enacted, That the Monies to be received by Sale of the Materials of the said present Shire-Hall and Buildings as aforesaid, as also all other Monies to be raised and received by virtue of this Act, shall, in the first Place, be applied in discharging and paying all Expences of obtaining this Act; and afterwards in defraying the Expences which shall be incurred in, and upon account of, taking down the present Shire-Hall and Buildings as aforesaid, and building, compleating, finishing, fitting up, and furnishing, the said new Shire-Hall, and in defraying the other necessary Expences attending the Execution of this Act, and to no other Use or Purpose whatsoever; and the said Commissioners, or any Three or more of them, shall from time to time examine, and may settle and pass all Accounts relating thereto.

For paying the Expences of this Act.

And be it further enacted, That when the said Shire-Hall shall be built, 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 compleated, the said Commissioners shall cause all Books, Papers, Accounts, and other Writings, Plans,

Accounts, &c. to be deposited with the Clerk of the Peace.

and other Drawings relating to the Execution of this Act, to be depositted with the Clerk of the Peace for the County of Nottingham, to be kept among the Records of each County.

Shire-Hall to be kept in Repair by the County.

And be it further enacted, That when the said Shire-Hall shall be built, compleated, finished, fitted up, and furnished, the same shall be for ever thereafter repaired or altered, supported and maintained, and provided with proper Accommodations and Furniture, from time to time, as Occasion shall require, at the Expence and Charge of the said County of Nottingham, in such Manner as the Gaol, Houses of Correction, or any other public Works or Buildings of the said County, is or may be repaired, supported, or maintained: And that it shall and may be lawful for the said Justices of the Peace, assembled at any such Sessions, 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 late Majesty.

The new Shire-Hall to be all in the County of *Nottingham*.

And be it further enacted and declared, That the said new Shire-Hall, when the same shall be built and finished by virtue of this Act, together with the Grounds, Yards, and Appurtenances thereof, shall thenceforth be deemed and adjudged to be within the County of Nottingham; and shall thenceforth be, and the same are hereby respectively declared to be, vested in the Justices of the Peace for the time being of the said County of Nottingham, for the Use of the said County of Nottingham.

Place for holding Assizes till the Shire-Hall shall be built.

And be it further enacted, That it shall and may be lawful to and for the Justices of Assize for the time being, commissioned to hold Assizes for the said County of Nottingham, and they are hereby authorized and impowered, during such Time as the said Shire-Hall shall be rebuilding, to hold Assizes for the said County of Nottingham, from time to time, within the Town and County of the Town of Nottingham; and all Business there done and transacted by virtue of their respective Commissions shall be as good, valid, and effectual,

effectual, to all Intents and Purposes, as if the same had been done and transacted at any Place or Places within the said County of Nottingham, any Law, Statute, or Usage, to the contrary notwithstanding.

Justices may receive Verdicts at their Lodgings.

And be it further enacted, That it shall and may be lawful to and for such Justices of Assize, for the time being, who shall be commissioned to hold Assizes for the said County of Nottingham, and they are hereby authorized and impowered, as well during such Time as the said Shire-Hall shall be rebuilding, as when the same shall be built, and at all Times thereafter, to do and transact, at their respective Lodgings in the said Town and County of the Town of Nottingham, all Business usually done and transacted at their Lodgings; which Business transacted at such their respective Lodgings shall be as good, valid, and effectual, to all Intents and Purposes, as if transacted at any Place or Places within the said County of Nottingham; any Law, Statute, Custom, or Usage, to the contrary notwithstanding.

Quarter Sessions to be held in *Nottingham* till the Shire-Hall is built.

And be it further enacted, That it shall and may be lawful to and for the Justices of the Peace for the time being for the said County of Nottingham, during such Time as the said Hall shall be building, to hold the General or Quarter Sessions of the Peace for the said County of Nottingham, and to adjourn the same from time to time, and to transact, both during the Time such Hall shall be building and afterwards, every and any Kind of Business out of Session, to their Commissions appertaining, within the Town and County of the Town of Nottingham.

Prisoners to be confined till the new Gaol is built.

And be it further enacted, That it shall and may be lawful to and for the Sheriff of the said County of Nottingham for the time being, from time to time, and at all Times after the passing this Act, until the said Shire-Hall shall be built, or Provision made with respect to so much of the County Gaol, as is under the present Shire-Hall in manner aforesaid, to convey, keep, and detain, in any other publick Prison or Place of sufficient Strength within the said Town and County of the Town of Nottingham, or elsewhere, all or any of the Prisoners, as well Criminals as Debtors, who have been or shall be committed, or who by Law ought to be committed, to the Common Gaol of the said County of Nottingham; any Writ, Order, Warrant, or any Law, Usage, or Custom, to the contrary thereof in any wise notwithstanding:

ſtanding: And that the Removal of all or any of the Priſoners who now are, or hereafter ſhall be, confined in the ſaid preſent Gaol, to ſuch other public Priſon or Place in the mean Time, ſhall not be deemed or conſtrued to be an Eſcape in the ſaid Sheriff of the ſaid County of Nottingham; and the Keeper and Keepers of ſuch Priſon or Priſons reſpectively to which any Perſon or Perſons ſhall, by virtue or in purſuance of this Act, be conveyed by the ſaid Sheriff, ſhall and he is hereby required to receive, keep, and detain, in his Cuſtody, ſuch Perſon or Perſons, until diſcharged by due Courſe of Law.

Priſoners ſo detained, ſhall be deemed in Cuſtody of the Keeper of *Nottingham* Gaol.

Provided likewiſe, and be it further enacted, That all and every Priſoner and Priſoners ſo by virtue of this Act removed to, and detained in, any ſuch Priſon or Place as aforeſaid, ſhall, during ſuch Detainer, be deemed in Law to be in the Cuſtody of the Keeper of the Common Gaol of the County of Nottingham; and all Writs of Habeas Corpus, for the Body or Bodies of any ſuch Priſoner or Priſoners, before any of the Judges of his Majeſty's Courts of Record at Weſtminſter, or for removing any ſuch Priſoner or Priſoners to any other Priſon or Priſons, ſhall and may be directed to the ſaid Keeper of the Common Gaol of the ſaid County of Nottingham; and the Keeper or Keepers of ſuch reſpective Priſon or Places are hereby enjoined, upon Delivery to him or them of ſuch Writ or Writs, to pay due Obedience and make due Returns thereto, in the Name of the Keeper of the Common Gaol aforeſaid, in the ſame Manner as the ſaid Keeper of the Common Gaol aforeſaid would be bound to do, if the Perſon or Perſons mentioned in ſuch Writ or Writs was or were in his Cuſtody.

Perſons to whoſe Cuſtody Priſoners ſhall be committed ſhall be anſwerable for their Eſcape.

Provided moreover, and be it further enacted, That the Perſon or Perſons to whoſe Cuſtody any ſuch Priſoner or Priſoners ſhall be ſo conveyed by the ſaid Sheriff, ſhall reſpectively be anſwerable for the Eſcape of any ſuch Priſoner or Priſoners; any thing herein before contained to the contrary thereof notwithſtanding.

Perſons to be puniſhed for pulling down the Shire-Hall, &c.

And be it further enacted, That if any Perſon or Perſons ſhall wilfully and maliciouſly break, pull down, or deſtroy the ſaid Shire Hall or Gaol-Part ſo to be erected, or any Part thereof, 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

rity either to order such Person or Persons to be transported for 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 by Whipping, or otherwise, or to be punished by Imprisonment, as to the Court before whom such Person or Persons shall be tried shall seem meet; and that the Justices of the Peace for the said County of Nottingham, in Quarter Sessions assembled, are hereby authorized from time to time to order such Offender or Offenders as aforesaid to be prosecuted by Indictment or Indictments, and to direct the Expences of such Prosecutions to be paid by the Treasurer or Treasurers of the said County of Nottingham, out of the Publick Money of and belonging to the said County of Nottingham.

Proceedings to be entered in Books.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Commissioners, and all Contracts and Agreements made or entered into by virtue of this Act, shall be entered by the Clerk in a Book or Books to be provided for that Purpose.

Penalties to be recovered by Distress, &c.

And be it further enacted, That all pecuniary Fines, Penalties, and Forfeitures, hereby inflicted, or authorized to be imposed, shall be recovered by Distress and Sale of the Offenders Goods and Chattles, by a Warrant or Warrants under the Hands and Seals of any Justice or Justices of the Peace for the said County of Nottingham: And in case sufficient Distress shall not be found, it shall and may be lawful for any such Justice or Justices to commit such Offender or Offenders to the Common Gaol or House of Correction of the said County, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until the said Fines, Penalties, or Forfeitures shall be paid; and that all such Fines, Penalties, and Forfeitures, shall be paid into the Hands of the Treasurer or Treasurers of the said County, and be applied for the Purposes of this Act.

Application of Penalties.

Limitation of Actions.

And be it further enacted, 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 said County of Nottingham, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead

General Issue. 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 Treble Costs. 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 further enacted, 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.