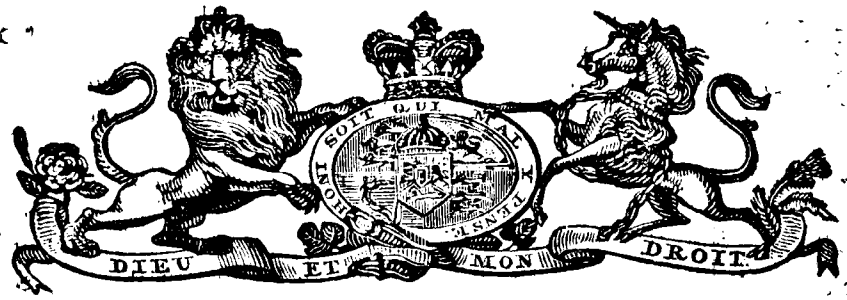


ANNO SEXTO

GEORGII IV. REGIS

CAP. XL.

An Act to enable Justices of the Peace in *England*, in certain Cases, to borrow Money on Mortgage of the Rate of the County, Riding, or Place, for which such Justices shall be then acting.

[10th *June* 1825.]

WHEREAS by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in* England *and* Wales, Justices of the Peace in Quarter Sessions assembled have in certain Cases Authority from Time to Time to borrow and take up, on Mortgage of the Rate of the County or Riding, or of the Division of the County, or of the District, City, Town, or Place for which such Quarter Sessions are holden, such Sum or Sums of Money as to the said Justices shall appear necessary and expedient for carrying into effect the Provisions of the said recited Act, as far as regards the building or rebuilding, repairing or enlarging the Gaol, or the House or Houses of Correction of the said County, Riding, Division, District, City, Town, or Place, in Sums not less than Fifty Pounds, nor exceeding One hundred Pounds each, and to charge the said Rate with the Interest of the Money so borrowed, and with the Payment of such further Sum as shall ensure the Payment of the whole of the Sum so borrowed, within Fourteen Years from 4 G. 4. c. 64.

from the Time of borrowing the same: And whereas by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled 5 G. 4. c. 85. *An Act for amending an Act of the last Session of Parliament, relating to the building, repairing, and enlarging of certain Gaols and Houses of Correction, and for procuring Information as to the State of all other Gaols and Houses of Correction in* England *and* Wales, Justices of the Peace in Quarter Sessions assembled are, for the Purpose of facilitating the Reduction of the Rate of Interest, in like Manner empowered, in the Cases therein mentioned, to borrow on Mortgage of the said Rate any Sum or Sums of Money, not exceeding in the whole the Principal Sum of Money that may then be outstanding on the Securities theretofore granted under the Provisions of the said recited Act, and therewith to discharge the Whole or any Part of the Money for which such Securities shall have been given: And whereas by an Act passed in the Forty-eighth Year of the Reign of His late Majesty, intituled *An Act for the better Care and Maintenance of Lunatics, being Paupers or Criminals, in* England, Justices of the Peace in Quarter Sessions assembled have Authority, in Manner set forth in the said Act, to borrow and to take up, on Mortgage of the County Rate, such Sums as to them or the major Part of them shall appear to be necessary and expedient for the Purpose of carrying into effect the Provisions of the said recited Act: And whereas it may be expedient for the Purpose of facilitating the Reduction of the Rate of Interest on Money borrowed in like Manner, but under the Provisions of any Act or Acts other than the said recited Acts or either of them, that the Justices of the Peace should have Power to borrow on Mortgage of the said Rate any Sum or Sums of Money, not exceeding in the whole the Principal Sum of Money that may then be outstanding, on any Securities so granted under any such Act or Acts other than the said recited Acts or either of them, and therewith to discharge the Whole or any Part of the Money for which such last-mentioned Securities shall have been given: And whereas it may enable Justices of the Peace, when at any Time hereafter they shall treat with any Person or Persons for the Loan of any Sum or Sums of Money to be secured as directed by the said recited Acts or either of them, or by any other such Act or Acts as aforesaid, to contract for such Loan or Loans upon Terms more advantageous to the County, Riding, Division, District, City, Town, or Place, for which such Justices shall be then acting, than at present are likely to be obtained, if such Justices have Power so as aforesaid to borrow any such Sum or Sums of Money, and therewith to discharge the Security or Securities held by any Person or Persons who shall be desirous that such Security or Securities so held by him, her, or them, shall be in whole or in part paid off and discharged; 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 whenever it shall appear to the Justices of the Peace, assembled at any General or Quarter Sessions to be holden for any County, Riding, Division, District, City, Town, or Place, for which any Debt or Debts shall have been contracted under the Provisions of the said recited Acts of the Fourth and Fifth Years of the Reign of His present Majesty or of either of them, or under the Provisions

Justices empowered to borrow Money on Mortgage of County Rates, to pay off any

of the said recited Act of the Forty-eighth Year of the Reign of His late Majesty, or under the Provisions of any other Act or Acts, and which Debt or Debts shall be then remaining due in whole or in part, that Advantage or Convenience may arise to such County, Riding, Division, or Place, from paying off the same, or any Part thereof, and that whenever any Person or Persons holding any such Security or Securities shall wish and desire that the Security or Securities so held by him, her, or them, shall be paid off and discharged, it shall be lawful for the Justices so assembled, if they shall think fit, to borrow on Mortgage of the Rate of the County, Riding, Division, District, City, Town or Place, for which such General or Quarter Sessions shall be holden, by Instrument in the Form directed by the said first recited Act, any Sum or Sums of Money not exceeding in the whole the Principal Sum of Money that may then be outstanding on the Securities thereto granted, and therewith to pay off and discharge the Whole or any Part of the Money for which such Securities shall have been given: Provided always, that it shall not be lawful to use or apply any Portion of the Money to be borrowed under the Provisions of this Act, for any Purpose other than the Payment and Discharge of the Whole or Part of the Principal Sum then due, on the Securities granted as aforesaid: Provided also, that the Money to be borrowed under the Provisions of this Act shall be borrowed on such Terms and under such Conditions as shall in no way interfere with or prevent the full Payment and Discharge of the Money borrowed under the Provisions of this Act, or of any other Act or Acts, within Fourteen Years from the Time or Times that the Security or Securities so to be paid off and discharged with the Money borrowed under the Provisions of this Act shall have been so granted as aforesaid; and so that the Rate to be raised in such County, Riding, Division, District, City, Town, or Place, shall, within Fourteen Years from the Time when the Money was originally borrowed, be discharged and released from all Securities which shall have been given for the due Discharge of such Debt.

Mortgage under recited Acts.

Money not to be applied for any other Purpose.

Rates to be discharged within 14 Years.

II. And be it further enacted, That whenever the Justices assembled as aforesaid shall have determined that the Whole or any Part of the Principal Sum so outstanding as aforesaid shall be paid off and discharged, they are hereby required to direct that the Clerk of the Peace shall give Notice of such their Determination to the Person or Persons holding such Security or Securities, as the said Justices shall have so determined to be paid off and discharged; and whenever any Person or Persons shall wish and desire that the Security or Securities so held by him, her, or them shall be paid off and discharged, such Person or Persons shall give to the Justices so assembled as aforesaid Notice in Writing of such his, her, or their Wish and Desire: Provided always, that no such Security or Securities shall be so paid off and discharged until after the Expiration of Six Months from the Day on which such Notice or Notices shall have been so given.

Justices to give Notice of their Intention to pay off Securities.

III. And be it further enacted, That the Delivery of such Notice of the Clerk of the Peace at the House or Houses, or at the usual Place or Places of Residence of the Person or Persons holding such Security

Delivery of Notice to be deemed sufficient Service.

Security or Securities as shall have been determined as aforesaid to be paid off and discharged, shall be taken and deemed to be a good and sufficient Service of such Notice.

Interest to cease on the Day specified in such Notice.

IV. And be it further enacted, That all Interest payable on any Security or Securities ordered to be paid off and discharged, shall cease and determine on the Day specified in such Notice or Notices, as being the Day on which such Security or Securities is or are to be paid off and discharged; provided always, that every Person upon whom such Notice of the Clerk of the Peace shall have been so served as aforesaid, and that every Person whose Security or Securities shall in conformity to his or her Wish and Desire, notified as aforesaid, have been ordered to be paid off and discharged, shall be entitled, upon Application made at any Time after the Expiration of the said Six Months to the Treasurer of the County, by himself or herself, or by his or her Attorney, to receive the Principal Sum or Sums for which such Security or Securities shall have been granted, together with all Interest due thereon.

So much of recited Act as directs that the Money borrowed shall be taken up in Sums not exceeding 100*l.* each, shall be repealed.

V. And whereas Inconvenience and unnecessary Expence is occasioned by Justices of the Peace not being authorized to borrow and take up, on the Mortgage of the Rate of the County or Riding, or of any Division of the County, or of the District, City, Town, or Place, such Sum or Sums of Money as may be required for carrying into Effect the Provisions of the said recited Acts of the Fourth and Fifth Years of the Reign of His present Majesty, in Sums exceeding One hundred Pounds each; be it enacted, That so much of the said recited Acts as directs that such Sum or Sums of Money so to be borrowed and taken up shall be borrowed and taken up in Sums not exceeding One hundred Pounds each, be and the same is hereby repealed.

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