ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

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C A P. XXXII.

An Act to alter and amend the Laws enabling Justices of the Peace in certain Cases to borrow Money on Mortgage of the County Rates, so far as the same relate to the County of *Middlesex*.

[30th *June* 1845.]

WHEREAS by an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating* 4 G. 4. c. 64. *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 were authorized, under the Restrictions therein mentioned, from Time to Time to borrow and take up on Mortgage of the Rate of any County such Sum of Money and for such Purposes as therein mentioned, and to secure every such Sum of Money so borrowed upon the Credit of the said Rate: And whereas by an Act passed in the Fifth Year of the Reign of His said Majesty King *George* the Fourth, intituled *An Act for amending an Act of* 5 G. 4. c. 85. *the last Session of Parliament, relating to the building, repairing, and enlarging of certain Gaols and Houses of Correction; and the procuring Information as to the State of all other Gaols and Houses of*

Correction in England *and* Wales, the Justices of the Peace assembled at any General or Quarter Sessions to be holden for any County were authorized, in certain Cases, and under the Restrictions therein mentioned, to borrow on Mortgage of the Rate of such County any Sum or Sums of Money not exceeding in the whole the Principal Sum of Money that might then be outstanding on the Securities theretofore granted under the said first-recited Act, and therewith to discharge the whole or any Part of the Money for which such Securities should have been given: And whereas by an Act passed in the Sixth Year of the Reign of His said Majesty King *George* the Fourth, intituled
6 G. 4. c. 40. *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*, the Justices of the Peace assembled at any General or Quarter Sessions to be holden for any County were authorized, in certain Cases, and under the Restrictions therein mentioned, to borrow on Mortgage of the Rate of such County any Sum or Sums of Money not exceeding in the whole the Principal Sum of Money that might then be outstanding on the Securities theretofore granted under the Provisions of the said recited Acts of the Fourth and Fifth Years of the Reign of His said Majesty King *George* the Fourth, or of either of them, or under the Provisions of an Act passed in the Forty-eighth Year of the Reign of His
48 G 3. c. 96. Majesty King *George* the Third, intituled *An Act for the better Care and Maintenance of Lunatics, being Paupers or Criminals, in* England, or under the Provisions of any other Act or Acts, and therewith to pay off and discharge the whole or any Part of the Money for which such Securities should have been given; and by the same now reciting Act some of the Restrictions imposed by the said herein-before recited Acts upon the Power thereby given to borrow Money on Mortgage of the Rate of any County as aforesaid were repealed: And whereas by an Act passed in the Seventh Year of the Reign of
7 G 4. c. 63. His said 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, the Justices of the Peace in Quarter Sessions assembled were authorized, under the Restrictions therein mentioned, from Time to Time to borrow and take up on Mortgage of the Rate of any County such Sum of Money and for such Purposes as therein mentioned, and to secure every such Sum of Money so borrowed upon the Credit of the said Rates; and by the now reciting Act the said recited Act of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, and the several Clauses, Powers, and Provisions therein contained relating to the paying off of any Debt or Debts, and the borrowing of any Money for such Purposes, were made applicable to the paying off any Money borrowed under the Provisions or for the Purposes of the now reciting Act: And whereas by an Act passed in the Ninth Year of the
9 G. 4. c. 40. Reign of His said Majesty King *George* the Fourth, intituled *An Act to amend the Laws for the Erection and Regulation of County Lunatic Asylums, and more effectually to provide for the Care and Maintenance of Pauper and Criminal Lunatics, in* England, the Justices of the Peace within the respective Limits of their Commission, assembled in

their Quarter Sessions, were authorized, under the Restrictions therein mentioned, from Time to Time to borrow and take up on Mortgage of the Rates for any County such Sum of Money and for such Purposes as therein mentioned, and to secure all and every such Sum and Sums of Money so borrowed upon the Credit of the Rates to be raised upon such County respectively: And whereas by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act to provide for repairing, improving, and rebuilding County Bridges*, the Justices of the Peace in Quarter Sessions assembled were authorized, under the Restrictions therein mentioned, from Time to Time to borrow and take up on Mortgage of the Rate of any County such Sum of Money and for such Purposes as therein mentioned, and to secure every such Sum of Money so borrowed upon the Credit of the said Rate; and by the now reciting Act the said recited Act of the Sixth Year of the Reign of His said Majesty King *George* the Fourth, and the several Clauses, Powers, and Provisions in the said recited Act contained, relating to the paying off of any Debt or Debts, and the borrowing of any Money for such Purpose, were made applicable to the paying off any Money borrowed under the Provisions or for the Purposes of the now reciting Act: And whereas by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws concerning Prisons*, some of the Restrictions imposed by the said recited Act of the Fourth Year of the Reign of King *George* the Fourth upon the Power thereby given to borrow Money on Mortgage of the Rate of any County, for the Purposes therein mentioned, were repealed, and in lieu thereof other Restrictions were imposed upon the Power given by the said last-mentioned Act to borrow Money for the Purposes therein mentioned: And whereas the Rates of the County of *Middlesex* are now charged with the Payment of a large Amount of Money, under the Provisions of the several herein-before recited Acts, or some of them, and of certain other Acts: And whereas it may from Time to Time be necessary to borrow on Mortgage of the same Rates further Sums of Money, to be applied for the Purposes mentioned in the said several recited Acts of the Fourth, Seventh, and Ninth Years of the Reign of His said Majesty King *George* the Fourth, and the said Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty; but such of the Restrictions imposed by the same several Acts respectively, and by the said recited Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, upon the Powers given to borrow Money for the Purposes aforesaid, as still remain unrepealed, make the borrowing of Money on Mortgage of the Rates of the said County of *Middlesex* for the Purposes aforesaid unnecessarily burdensome to the Rate-payers of the said County; and the Provisions contained in the said several recited Acts of the Fifth, Sixth, and Seventh Years of the Reign of His said Majesty King *George* the Fourth, and in the said recited Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, enabling Justices of the Peace to borrow Money for the Purpose of paying off

4 & 5 Vict. c. 49.

5 & 6 Vict. c. 98.

off or discharging Money borrowed under the Provisions or for the Purposes of the said recited Acts, or some of them, may render it difficult for the Justices of the Peace of the said County of *Middlesex* to borrow Money on Mortgage of the Rates of the same County, for the Purposes aforesaid, upon Terms advantageous to the said Rate-payers; and it is therefore expedient that so much of the said several recited Acts as authorizes the Justices of the Peace to borrow Money on Mortgage of County Rates for any other Purpose than that of paying off or discharging Money which at the Time of the passing of this Act hath been borrowed on Mortgage of the Rates of any County should be repealed, so far as relates to the County of *Middlesex;* and that the Justices of the Peace for the same County should be authorized to borrow on Mortgage of the Rates of the same County such Sums of Money as may be hereafter required for the Purposes mentioned in the said several herein-before recited Acts of the Fourth, Seventh, and Ninth Years of the Reign of His said Majesty King *George* the Fourth, and the said Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty respectively, (other than for paying off or discharging Money hereafter to be borrowed on Mortgage of the Rates of the same County,) without being subject to the Restrictions by the same several Acts and the said recited Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty respectively imposed upon the Powers thereby given to borrow Money for the Purposes aforesaid, but subject to such other Restrictions as are herein-after imposed: Be it therefore enacted by the Queen'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 so much of the said several recited Acts as authorizes the Justices of the Peace for any County to borrow Money on Mortgage of the Rates to be raised upon such County for any Purpose (other than the Purpose of paying off or discharging any Money which at the Time of the passing of this Act hath been borrowed on Mortgage of the Rates of such County), so far as the said several recited Acts respectively relate to the said County of *Middlesex*, shall be and the same is hereby repealed.

So much of the recited Acts as authorizes the borrowing of Money on Mortgage of the Rates repealed, so far as relates to the County of Middlesex.

II. And be it enacted, That from Time to Time, when any Estimate shall have been approved by the Justices of the Peace for the said County of *Middlesex* in General or Quarter Sessions assembled, for the building or rebuilding, repairing or enlarging any Gaol or House of Correction in and for the said County, under the Powers of the said recited Act of the Fourth Year of the Reign of His said Majesty King *George* the Fourth, and also when any Estimate shall have been approved by the Justices of the Peace for the said County in General or Quarter Sessions assembled, for the building or rebuilding, repairing, improving, or enlarging any Shire Hall, County Hall, or other Building in and for the said County, under the Powers of the said recited Act of the Seventh Year of the Reign of His said Majesty King *George* the Fourth, and also when it shall seem necessary and expedient to the Justices of the Peace for the said County in

Justices for the County of Middlesex empowered to borrow Money on Security of the County Rate, for building or repairing Gaols, &c.;

in General or Quarter Sessions assembled to borrow and take up on Mortgage of the Rates to be raised upon the said County any Money, in order to defray the Charge and Costs of carrying the said recited Act of the Ninth Year of the Reign of His said Majesty King *George* the Fourth, relating to County Lunatic Asylums, into execution, so far as the same relates to the said County, and also when any Estimate shall have been approved by the Justices of the Peace for the said County in General or Quarter Sessions assembled for the upholding, maintaining, supporting, altering, widening, repairing, improving, or rebuilding of any County Bridge or Bridges, or the Approaches thereto, or the Land Arches connected therewith, which the said County is legally bound to repair or maintain, it shall and may be lawful for the Justices of the Peace for the said County in General or Quarter Sessions assembled from Time to Time to borrow and take up at Interest on Mortgage of the Rate of the said County, by Instrument in the Form contained in the Schedule to this Act annexed, or to the like Effect, any Sum or Sums of Money, not exceeding the Amount of such Estimates or of such Charge and Costs as aforesaid respectively (as the Case may be), as to the said Justices shall appear necessary and expedient for the Purposes aforesaid, and to secure every such Sum of Money so borrowed upon the Credit of the said Rate.

and to charge the County Rate with the Interest, and so much more as will repay the Principal in Thirty Years.

III. And be it enacted, That from Time to Time when the Justices of the Peace for the said County shall borrow any Money under the Powers of this Act, the said Justices shall charge the Rate to be raised upon the said County, not only with the Interest of the Money so borrowed, but also with the Payment of such further Sum as will ensure the Payment of the whole Sum borrowed within Thirty Years from the Time of borrowing the same; and such Sums shall be assessed on the said County in such Manner as County Rates are directed to be assessed under the Laws in force for that Purpose, and shall be paid and applied, under the Direction of the said Justices, in discharge of the Interest and of so many of the Principal Sums on the said Securities as such Money will extend to discharge in each Year, until the whole of the Money for which such Securities shall be made, and the Interest thereof, shall be fully paid and discharged; and the said Justices shall and they are hereby required to fix One or more Day or Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide for the regular Payment thereof; and such Justices shall also and they are hereby required to appoint a proper Person to keep an exact and regular Account of all the Receipts and Payments under the Authority of this Act in a Book or Books separate and apart from all other Accounts, and the same to adjust and settle in such Manner as that it may easily be seen what Interest is growing due, and what Principal Money has been discharged, and what remains due, and the Book or Books so adjusted and settled to deliver into Court at every General or Quarter Sessions to be held for the said County; and the said Justices shall also and they are hereby required at every such Sessions carefully to inspect all such Accounts, and to make Orders for carrying the several Purposes of this Act into execution, in such Manner as to them shall seem meet.

Expences of Act.

IV. And be it enacted, That the Costs and Expences of preparing, obtaining, and passing this Act, and all other Charges incident or relating thereto, shall be paid by the Treasurer of the said County of *Middlesex* out of the first Monies which shall be in his Hands on account of the County Rates.

Public Act.

V. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such.

Alteration of Act.

VI. And be it enacted, That this Act may be amended or repealed by any Act or Acts to be passed in this present Session of Parliament.

The

The SCHEDULE referred to in this Act.

WE, One of Her Majesty's Justices of the Peace, and Chairman of the Court of General [*or* Quarter] Sessions of the Peace for the County of Middlesex, holden at the Sessions House situate at in and for the said County on the Day of and Two others of Her Majesty's Justices of the Peace acting for the said County, and assembled in the said Court, in pursuance of the Powers to us given by an Act passed in the Year of the Reign of Her present Majesty Queen Victoria, intituled [*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 with the Payment of the Sum of of lawful Money of Great Britain and Ireland, which hath proposed and agreed to lend and hath now actually paid to the Treasurer of the said County of Middlesex, upon the Credit of the said Rates, to defray the Expence of [*state the Purpose to which the Money is to be applied*]; and we do hereby confirm and establish the same unto the said his Executors, Administrators, and Assigns, for securing the Repayment of the said Sum of and Interest for the same after the Rate of for every One hundred Pounds for a Year; and do order the Treasurer for such County of Middlesex to pay the Interest of the said Sum of or of so much thereof as shall from Time to Time remain undischarged, half-yearly on the Day of and the Day of in every Year, as the same shall become due, until the Principal shall be discharged, pursuant to the Directions of the said Act; and to pay One equal Thirtieth Part or Share of the said Principal Sum of to the said his Executors, Administrators, and Assigns, on the Day of which will be in the Year of our Lord One thousand eight hundred and and One other equal Thirtieth Part or Share of the said Principal Sum on the Day of in each and every succeeding Year, until the whole of the said Sum of shall be fully paid and discharged, pursuant to the Directions of the said Act. As witness our Hands and Seals, the Day and Year first above written.

Signed, sealed, and delivered in the Presence of }

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