



ANNO PRIMO

GEORGII IV. REGIS.

Cap. lxxvii.

An Act for erecting a new Sessions House and House of Correction at *Ely* in the *Isle of Ely*, and for reimbursing to the Inhabitants of a Part of the said Isle the Charges of a Sessions House and House of Correction lately erected at *Wisbech* in the said Isle. [15th July 1820.]

WHEREAS the General Quarter Sessions of the Peace, and the Assizes for the *Isle of Ely*, in the County of *Cambridge*, are holden alternately in the Sessions Houses at *Ely* and *Wisbech* in the said Isle, and the Houses of Correction at *Ely* and *Wisbech* aforesaid are Places for the Confinement of Offenders within the said Isle: And whereas the present Sessions House at *Ely* aforesaid is very small, incommodious, and unfit for the due Administration of Justice, and the present House of Correction at *Ely* aforesaid is very decayed, insecure, and unfit for the safe Custody of Prisoners committed thereto, and it will be of great public Utility if a new Sessions House and House of Correction are erected at *Ely* aforesaid, for the Service of the said Isle: And whereas a new Sessions House and House of Correction have been lately erected at *Wisbech* aforesaid for the Service of the said Isle, the Charges whereof have been unadvisedly levied upon and paid by the Inhabitants of the Hundred of *Wisbech*, and North Part of the Hundred

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of *Witchford* in the said Isle, instead of the Inhabitants of the whole of the said Isle, and it is expedient and just that the said Inhabitants of the Hundred of *Wisbech*, and North Part of the Hundred of *Witchford*, should be reimbursed such Charges out of the Public Rates of the said Isle: And whereas the several Purposes aforesaid cannot be fully and legally carried into effect without the Aid and Authority of Parliament: 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 any Two or more of His Majesty's Justices of the Peace for the Time being, acting within and for the *Isle of Ely* aforesaid, shall and lawfully may, and they are hereby fully authorized and empowered, from Time to Time, by or under any Order or Orders of Court to be made at any General Quarter Sessions or General Special Sessions of the Peace to be holden in and for the said Isle, or at any Adjournment thereof, or otherwise, according to the Directions of this Act, to execute, perform, and carry into effect, and cause to be executed, performed, and carried into effect this Act, and the several Enactments, Powers, and Provisions which are herein-after directed or authorized to be executed, performed, and carried into effect by His Majesty's Justices of the Peace for the said Isle, or any of them.

Power to
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II. And be it further enacted, That it shall and may be lawful for His Majesty's Justices of the Peace for the said Isle, and they are hereby authorized and empowered to take down the present Sessions House and House of Correction at *Ely* aforesaid, and to make, erect, and build, either upon the Scites of the same, or either of them, or in or upon some other convenient Place or Places in or adjoining to the City of *Ely* aforesaid, a new Sessions House, for holding therein the Courts of the Sessions of the Peace and the Assizes for the *Isle of Ely*, in such and the same Manner as the said Courts are now held in the said present Sessions House at *Ely* aforesaid, and for transacting therein the other public Business of the said Isle to which the said present Sessions House is now lawfully applicable, and a new House of Correction for the safe Custody and Confinement of Felons, Vagrants, and other Offenders, who shall be lawfully committed thereto, in such and the same Manner and for all such Purposes as the present House of Correction at *Ely* aforesaid is now lawfully applicable; and also to make, and provide all such Offices, Apartments, Chapels, Cells, Courts, Yards, Wells, Walls, Passages, Approaches, and other Conveniences, attached and detached, within or adjoining to, and to and from the said intended new Sessions House and House of Correction; and each of them, as to them the said Justices shall from Time to Time seem expedient and proper; and also to fit up and furnish the said intended new Sessions House and House of Correction and each of them, with proper and sufficient Furniture, Utensils, and other Matters and Things which shall be necessary for the safe and convenient Use thereof; and from Time to Time maintain, repair, improve, enlarge, and alter the said intended new Buildings; and the Appurtenances thereto belonging, and to repair, alter, renew, and re-
place

place the Furniture, Utensils, and Materials thereof, when and as Occasion shall require.

III. And be it further enacted, That it shall be lawful for the said Justices either to sell and dispose of the Materials of the said present Sessions House and House of Correction at *Ely* aforesaid, or any of them, or to use and employ the same, or any of them, in and about the said intended new Sessions House and House of Correction, or any of the Works thereto belonging; and also to sell and dispose of the Scites of the said present Sessions House and House of Correction at *Ely* aforesaid, and the Buildings thereon, or any of them, and the Yards, Gardens, Ground, and Appurtenances thereto respectively belonging, or any Part thereof, either together or in Parcels, by public Auction or private Contract, and in such Manner as to the said Justices shall seem meet; and that, upon every such Sale of the said Premises, or any Part thereof, a Conveyance thereof by Bargain and Sale, inrolled in any of His Majesty's Courts of Record at *Westminster*, or by Lease and Release, or Feoffment, from the Clerk of the Peace for the said *Isle of Ely*, by the Direction of any Two or more of the said Justices, to be testified in Writing, to the Purchaser or Purchasers thereof, or to such Person or Persons, and in such Manner as he, she, or they shall direct, shall be effectual to vest the said Premises, or such Part or Parts thereof as shall be thereby conveyed, in the Person or Persons to whom the same shall be so conveyed as aforesaid, as Freehold of Inheritance, in Fee Simple in Possession, and shall be held and enjoyed as such, by such Person and Persons, and his, her, or their Heirs and Assigns, for ever; and that such Purchaser or Purchasers, or other Person or Persons as aforesaid, paying the Purchase Money or Monies for the said Premises, or any Part or Parts thereof, to the Treasurers for the said *Isle of Ely* for the Time being, or either of them, and obtaining the Receipt or Receipts of the said Treasurers, or either of them, for the same, and his, her, and their Heirs, Executors, Administrators, and Assigns, shall be thenceforth for ever acquitted and discharged from such Purchase Money or Monies, and from all Liability to see to the Application of the same, or any Part thereof.

Power to sell the present Sessions House and House of Correction at *Ely*.

IV. And be it further enacted, That all the Monies which shall arise by the Sale of the Materials of the said present Sessions House and House of Correction at *Ely* aforesaid, or of the Scites thereof respectively, or any of the Buildings, Yards, Gardens, Ground, or Appurtenances thereto respectively belonging, shall be paid, applied, and disposed of for the several Purposes of this Act, in such and the same Manner as the Rates herein-after authorised to be charged and levied are herein-after directed to be paid, applied, and disposed of.

Monies arising by Sales to be applied for the Purposes of the Act.

V. And be it further enacted, That it shall be lawful for the said Justices to treat, contract for, and agree with the several Owners and Occupiers of and other Persons interested in any Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever, which may be conveniently used or shall be deemed necessary for any of the Purposes of this Act, for the Purchase thereof; and likewise with the

Power to agree for Purchases and Compensations,

the Owners and Occupiers of and other Persons interested in any other Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever, for the Compensation to be made for any Loss or Injury which any such Owners, Occupiers, or Persons last-mentioned shall sustain by or in the Execution of any of the Powers of this Act, and to pay for the Purchase of all such Messuages, Buildings, Lands, Tenements, and Hereditaments as aforesaid, and for the Compensation for all such Losses or Injuries as aforesaid, such Sum or Sums of Money as shall be agreed upon between the said Justices and such Owners, Occupiers, and other Persons interested as aforesaid respectively, or as shall be assessed by a Jury, in the Cases and Manner herein-after mentioned; and also all and singular the Costs and Charges attending such Agreements, Purchases, Compensations, and Assessments respectively, out of the Monies to be charged and levied under the Authority of this Act.

Corporations
and others
authorised to
sell.

VI. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and for all Husbands, Guardians, Feoffees, Trustees, and Committees, not only on Behalf of themselves respectively, and of their respective Successors and Heirs, but also on Behalf of all Persons entitled in Reversion, Remainder, or Expectancy, after them respectively, and also on Behalf of their respective Wives, Infants, Wards, Cestuique Trusts, Lunatics, Idiots, or Persons otherwise incapacitated, and for all Femes Covert who shall be seised or interested in their own Right, and for all other Bodies and Persons whomsoever, who shall be seised of or interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be deemed necessary or convenient for the Purposes of this Act as aforesaid, and they are hereby severally authorized and required to contract and agree with the said Justices for the Sale thereof, or of their respective Interests therein, and to convey the same in Manner herein-after mentioned; and all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be valid and effectual to all Intents and Purposes whatsoever without Fine or Recovery, and shall be a complete Bar to all prior and adverse Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Settlement, Will, Limitation, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all such Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, Husbands, Guardians, Trustees, Committees, Feoffees, Femes Covert, and other Persons as aforesaid, shall be and they are hereby severally indemnified for making any such Contract, Agreement, Sale, or Conveyance as aforesaid, and for any Matter or Thing to be done by them respectively in relation thereto, pursuant to any of the Directions or Provisions of this Act.

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VII. And be it further enacted, That in case such Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail or for Years, Husbands, Guardians,

dians, Feoffees, Trustees, Committees, and Femes Covert as aforesaid, or any of them, or any other Bodies or Persons interested in any such Messuages, Buildings, Lands, Tenements, or Hereditaments as aforesaid, shall, for the Space of Thirty Days next after Notice in Writing shall have been given to them respectively, or to their respective principal Officers; or left at their respective Places of Abode, or at the Places of Abode of such respective principal Officers, or at the Dwelling House of any Tenant in Possession, refuse or neglect to treat, or be prevented from treating, or not agree with the said Justices for the Purchase Money or Compensation to be paid by the said Justices for any such Messuages, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or for any such Loss or Injury as aforesaid, then and in every such Case the said Justices shall cause such Purchase Money or Compensation to be inquired into, ascertained, and determined by a Jury of Twelve indifferent Men of the said *Isle of Ely*, who shall be summoned, impannelled, and sworn in the usual Way for that Purpose, and the said Justices shall adjudge and order the Amount of every such Purchase Money and Compensation as aforesaid, according to the Inquisition and Verdict of the said Jury, to be paid to the Bodies or Persons who shall be entitled thereto, or in such other Manner as is directed and authorized by this Act; and every such Inquisition, Verdict, Judgment, and Order shall be final and conclusive to all Intents and Purposes whatsoever, against all Persons and Parties who shall be interested therein, and their several Heirs, Successors, Executors, Administrators, and Assigns.

and Compensation to be determined by a Jury.

VIII. And be it further enacted, That in case any such Jury as aforesaid shall give and deliver a Verdict for a greater Sum of Money to be paid by the said Justices for the Purchase of any such Messuages, Buildings, Lands, Tenements, or Hereditaments, or for any such Loss or Injury as aforesaid, than shall have been agreed to or offered by or on the Part of the said Justices before the Reference of the Matter in question to the said Jury, then and in such Case the Costs and Expences of referring the said Matter to the said Jury, and of obtaining such Verdict, Inquisition, Judgment, and Order as aforesaid, shall be borne and paid by the said Justices, out of the Monies to be charged and levied under the Authority of this Act; but if such Jury shall give and deliver a Verdict for no more or for no greater Sum of Money to be paid as aforesaid than shall have been agreed to or offered by or on the Part of the said Justices before the Reference of the Matter in question to the said Jury, then and in such Case such Costs and Expences as aforesaid shall be borne and paid by the Person or Persons who shall claim to be entitled to the Money to be paid by the said Justices for such Purchase or Compensation as aforesaid; and that the said Justices shall and may cause such Costs and Expences to be deducted out of the Money to be paid for the said Purchase or Compensation, and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Money which shall be adjudged to be paid according to such Verdict as aforesaid: Provided always, that in Cases where any Person or Persons shall be, by reason of Absence, prevented from treating in any of the Matters aforesaid, such Costs and Expences shall be borne and paid

Direction for Payment of Charges of referring to a Jury.

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by the said Justices out of the Monies to be charged and levied under the Authority of this Act.

Application of Money belonging to Corporations and others if amounting to 200l. or upwards.

IX. And be it further enacted, That all and singular the Monies which shall be agreed or adjudged to be paid by the said Justices under the Authority of this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall belong wholly or in part to any Body Politic or Corporate, Ecclesiastical or Civil, or to any Tenant for Life, or in Fee-tail General or Special, or for Years determinable on any Life or Lives, or to any Husband, Guardian, Feoffee, Trustee, or Committee, on behalf or in right of any Feme Covert, Infant, Ward, Lunatic, Idiot, or other Person being under any legal Disability or Incapacity whatsoever, or for the Purchase of any Right or Interest in any such Messuages, Buildings, Lands, Tenements, or Hereditaments, or as a Compensation for any Loss or Injury to be sustained by any such Body or Person as aforesaid, shall, in case the same respectively shall amount to the Sum of Two hundred Pounds or upwards, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery; and the Receipt of any one of the Cashiers of the said Bank for such Monies shall be a sufficient Discharge to the said Justices, or other Person or Persons paying the same; and that the said Monies shall be there placed to the Account of the said Accountant General *ex parte* the Justices of the Peace for the *Isle of Ely*, and shall be applied under the Order and Direction of the said Court of Chancery, upon a Petition to be preferred in a summary Way by or on the Part of the Body or Bodies or Person or Persons who, for the Time being, would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, or other Right or Interest as aforesaid, in the Purchase or Redemption of Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the said Messuages, Buildings, Lands, Tenements, or Hereditaments, or any other Messuages, Buildings, Lands, Tenements, or Hereditaments, subject to the same or the like Title or Uses, or otherwise, in the Purchase of any other Messuages, Buildings, Lands, Tenements, or Hereditaments, to be conveyed and settled to, upon, and for the same Uses, Trusts, and Purposes as the said Messuages, Buildings, Lands, Tenements, or Hereditaments, or Right or Interest therein, which shall have been so purchased as aforesaid, stood settled upon, or liable to, at the respective Times of the Purchase thereof; and in the meantime until such Monies shall be so applied as aforesaid, the same shall, under the Order and Direction of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Proceeds of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid under the Order and Direction of the said Court, to the Body or Bodies or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments,

ments, or Right or Interest therein; which shall have been so purchased as aforesaid, in case the same had not been purchased or interfered with by the said Justices under the Authority of this Act.

X. And be it further enacted, That all and singular the Monies which shall be so agreed or adjudged to be paid by the said Justices under the Authority of this Act, for the Purchase of any such Messuages, Buildings, Lands, Tenements, or Hereditaments, or Right or Interest, as last aforesaid, in case the same respectively shall not amount to the Sum of Two hundred Pounds, and shall amount to the Sum of Twenty Pounds or upwards, shall, at the Option of the Body or Bodies or Person or Persons for the Time being entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, or other Right or Interest as aforesaid, or of his, her, or their respective Husbands, Guardians, Reoffees, Trustees, or Committees, to be testified in Writing under his, her, or their Corporate Seal or Hand; or respective Corporate Seals or Hands, either be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, in which Case such Receipt as is herein before mentioned shall be a sufficient Discharge for the same; and shall be there placed to the Account of the said Accountant General, and applied in the Manner herein before mentioned, or be paid to Two Trustees, to be nominated by the Body or Bodies or Person or Persons making such Option as aforesaid, and to be approved by the said Justices; such Nomination and Approbation to be testified in Writing under the respective Corporate Seals or Hands of the nominating and approving Parties, in order that the Principal Money and the Dividends or Interest arising therefrom, may be applied and disposed of in the same Manner or to the same Persons, or for the same Purposes as is herein before directed, concerning Sums amounting to Two hundred Pounds or upwards, so far as the Case shall be applicable and Circumstances will permit, without any Application to or Direction from the Court of Chancery touching the same.

The like if less than 200l. and not less than 20l.

XI. And be it further enacted, That all and singular the Monies which shall be so agreed or adjudged to be paid as aforesaid, in case the same respectively shall not amount to Twenty Pounds, shall be paid or applied to or for the Use of the Person or Persons for the Time being entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, or other Right or Interest as aforesaid, in such Manner as the said Justices shall think fit and direct.

The like if less than 20l.

XII. And be it further enacted, That when by reason of any Disability or Incapacity of the Party or Parties entitled to any Messuages, Buildings, Lands, Tenements, or Hereditaments, or other Right or Interest which shall be purchased by the said Justices under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and to be applied in the Purchase or Redemption of Land Tax, or in or towards the Discharge of any Debt or Incumbrance, or in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, pursuant

Power for Court of Chancery to order Expences to be paid by the Justices.

suant to the Directions herein before in that Behalf contained, it shall be lawful for the Court of Chancery to order so much and such Proportion of the Costs and Expences which shall be thereby incurred as the said Court shall deem reasonable to be paid by the said Justices, and the same shall be accordingly paid by the said Justices out of the Monies to be charged and levied under the Authority of this Act.

Application
of Monies in
case of de-
fective Titles,
&c.

XIII. And be it further enacted, That in case the Body or Bodies or Person or Persons to whom any Sum or Sums of Money shall be agreed or adjudged to be paid for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments under the Authority of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Justices, or shall not be known or cannot be found, then and in every such Case it shall be lawful for the said Justices to cause such Sum or Sums of Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there, *ex parte* the Justices of the Peace for the *Isle of Ely*, and the Receipt of any one of the Cashiers of the said Bank for such Sum or Sums of Money shall be a sufficient Discharge to the said Justices, or other Person or Persons paying the same; and that the said Court, on the Petition of any Body or Bodies or Person or Persons claiming to be interested in such Sum or Sums of Money shall, in a summary Way or otherwise as to the same Court shall seem meet; order such Sum or Sums of Money to be paid over or to be laid out and invested in any of the Public Funds, and the Stock which shall be therewith purchased, and the Dividends thereof to be distributed and disposed of according to the Interest or respective Interests of the Person or several Persons making Claim, and appearing to the said Court to be entitled thereto, and to give and make such Directions and Orders in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

Persons in
Possession to
be deemed
entitled,
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XIV. And be it further enacted, That in case any Question shall arise touching the Title of any Body or Bodies, or Person or Persons, to any Messuages, Buildings, Lands, Tenements, or Hereditaments, or Right or Interest which shall be purchased by the said Justices under the Authority of this Act, or to any of the Monies which shall be agreed or be adjudged to be paid for the same, or to any Stock to purchased with any such Monies, or to the Interest or Dividends of any such Monies or Stock, the Body or Bodies, or Person or Persons, who shall have been in Possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or other Right or Interest, at the Time of the Purchase thereof, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, or Right or Interest, according to such Possession, until the contrary shall be shewn to the Satisfaction of

the said Court of Chancery; and the said Monies, Stock, Interest, and Dividends shall be paid, applied, and disposed of accordingly, under the Direction and Order of the said Court, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Body or Bodies, or Person or Persons, was or were lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, or Right or Interest as aforesaid.

XV. And be it further enacted, That upon Payment, Investment, or Tender, by or on Behalf of the said Justices, of the Money or Monies which shall have been agreed or adjudged to be paid for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Right or Interest therein, or as a Compensation for any Loss or Injury to any Person or Persons, in the Manner herein-before directed, applicable to the several Cases herein-before respectively mentioned or referred to, it shall be lawful for the said Justices, and their Agents, Officers, Workmen, and Servants, to enter upon and take Possession and make use of such Messuages, Buildings, Lands, Tenements, or Hereditaments respectively, and to apply and dispose of the same for the Purposes of this Act; and the several Owners and Occupiers thereof shall thenceforth deliver up Possession of the same Premises respectively, and be divested of all Right and Title in and to the same; and the said Messuages, Buildings, Lands, Tenements, or Hereditaments, or Right or Interest therein respectively, shall vest in the Clerk of the Peace for the Time being for the said *Isle of Ely*, and his Successors, Clerks of the Peace of the said Isle for the Time being, in Trust nevertheless for the Justices of the Peace for the said *Isle of Ely* in the Manner herein-after directed.

Power for Justices to take Possession on Payment of Purchase Monies.

XVI. And be it further enacted, That all such Messuages, Buildings, Lands, Tenements, and Hereditaments, as shall be purchased by the said Justices under the Authority and for any of the Purposes of this Act, shall be conveyed to the Clerk of the Peace for the said *Isle of Ely* for the Time being, and his Successors, Clerks of the Peace for the said *Isle of Ely*, in Trust for His Majesty's Justices of the Peace for the said Isle, and their Successors, Justices of the Peace for the said Isle for the Time being, and that the present Sessions House, and House of Correction at *Wisbech* aforesaid, from and immediately after the passing of this Act, and the said intended new Sessions House and House of Correction of *Ely* aforesaid, from and immediately after the Erection thereof, together with the scites of the said respective Sessions Houses and Houses of Correction, and all and singular the Buildings, Yards, Gardens, and Appurtenances thereto respectively belonging, shall become, and at all Times thereafter remain and be vested in the Clerk of the Peace for the said *Isle of Ely* for the Time being, and his Successors, Clerks of the Peace for the said *Isle of Ely*, in Trust for His Majesty's Justices of the Peace for the said Isle, and their Successors Justices of the Peace for the said Isle for the Time being; and that the said respective Sessions Houses and Houses of Correction, together with all and singular the Buildings, Yards, Gardens, and Appurtenances thereto respectively belonging, shall from Time to Time upon or after every Death,

Purchased Estates to be conveyed to, and Sessions Houses and Houses of Correction to be vested in the Clerk of the Peace in Trust.

Resignation, or Removal of the Clerk of the Peace for the said Isle, be vested in the succeeding Clerk of the Peace for the said *Isle of Ely*, in Trust in like Manner, and so from Time to Time as often as the Case shall happen; and that the said Premises and every of them shall at all Times be at the Disposal of the said Justices of the Peace for the said Isle for the Time being, for the several Purposes for which the same are by this Act respectively directed or authorized, or may be otherwise lawfully applied or used.

Persons destroying Sessions Houses, &c. to be guilty of Felony.

XVII. And be it further enacted, That if any Person or Persons shall wilfully and maliciously in any Manner destroy or injure the said Sessions Houses and Houses of Correction, or any or either of them, or any Part or Parts thereof respectively, or any of the Walls, Gates, Appurtenances, or Materials thereunto respectively belonging, such Person or Persons being lawfully convicted of any such Offence, shall be adjudged guilty of Felony, and the Court by or before whom such Person or Persons shall be convicted, shall and may adjudge or order such Person or Persons to be transported for the Term of Seven Years, to such Place and in such Manner as other Felons may by Law be transported, or to suffer such corporal Punishment, or such other Punishment by Fine, Imprisonment, or otherwise, as the said Court shall think fit; and the said Justices are hereby authorized to order or direct the Prosecution of any such Offender or Offenders as aforesaid, and to direct the Expences of any such Prosecution to be paid out of the public Stock or Rates of the said Isle; and upon every such Prosecution, the said Sessions Houses, Houses of Correction, Offices, Buildings, Walls, Gates, Appurtenances, and Materials respectively, may be respectively alledged and described, and deemed and taken to be the Premises or Property respectively of 'The Clerk of the Peace for the *Isle of Ely*,' without specifying or setting forth therein the Name of the said Clerk of the Peace.

The Sessions Houses, &c. to be supported at the Charge of the Isle.

XVIII. And be it further enacted, That the said present Sessions House and House of Correction at *Wisbech* aforesaid, from and immediately after the passing of this Act, and the said intended new Sessions House and House of Correction at *Ely* aforesaid, when the same shall have been erected and completed, and all the Buildings thereto respectively belonging, shall be from Time to Time insured, and, together with the Offices, Yards, Gardens, and Appurtenances thereto respectively belonging, supported, repaired, enlarged, altered, improved, and maintained, and fitted up and provided with proper Accommodations and Furniture, Utensils and Materials, as Occasion shall require, by and under the Order of the said Justices, at the Charge of the said *Isle of Ely*, out of the public Stock or Rates of the said Isle.

Property of Furniture, &c. vested in the Justices.

XIX. And be it further enacted, That all and singular the Furniture, Utensils, and Materials of, within, or belonging to the said Sessions Houses, and Houses of Correction, and every of them, and all and singular the Cloathing and Provisions, and other Goods, Chattels, and Effects, to be from Time to Time found or provided within or for the same respectively, or for the Use of any of the Keepers of or Prisoners within the said Houses of Correction, or either

either of them, or to be from Time to Time found or provided by or under the Order of the said Justices, for any of the Purposes of this Act, and the whole Property of and in the same respectively, are and is hereby and shall be severally vested in the Justices of the Peace for the said *Isle of Ely* for the Time being; and that in every Action, Suit, Indictment, or other Proceeding at Law or in Equity, the said Furniture, Utensils, Materials, Clothing, Provisions, Goods, Chattels, and Effects respectively, may be alledged and described, and deemed and taken to be the Goods, Chattels, or Property of 'The Justices of the Peace for the *Isle of Ely*,' without specifying or setting forth the Names or Name of the said Justices, or any of them.

XX. And be it further enacted, That if any Person or Persons shall knowingly secrete, buy, receive, or take into Pawn any of the said Furniture, Utensils, Materials, Clothing, Provisions, Goods, Chattels, or Effects, otherwise than under the Order or with the Approbation of the said Justices, and shall be convicted thereof before any Two of the said Justices, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds, at the Discretion of the said Justices before whom such Offender shall be convicted.

Penalty on
secretory
Furniture,
&c.

XXI. And be it further enacted, That the said Justices shall and may from Time to Time appoint such Officers and other Persons as they shall think proper for assisting in the Execution of this Act, or of any of the Powers or Provisions hereof, or for executing any Rules, Orders, or Regulations to be made in pursuance of the same; or for managing, keeping, or taking Care of the said Sessions Houses, and Houses of Correction, or any of them, or any of the Apartments thereof, or any of the Prisoners therein; and also from Time to Time to suspend or remove any of such Officers or other Persons, and to appoint another or others in the Room of such of them as shall be suspended or removed, or shall die, and to discontinue any of such Officers or other Persons so to be appointed as aforesaid, when and as often as the said Justices shall think expedient and proper.

Power to
appoint
Officers.

XXII. And be it further enacted, That it shall be lawful for the said Justices, and they are hereby authorized and empowered, from Time to Time to make such Rules, Orders, and Regulations for admitting, receiving, classing, dieting, clothing, employing, managing, and treating the several Offenders and Prisoners in the said Houses of Correction, or either of them, and also for directing the Aid and Relief to be given to such Offenders and Prisoners or any of them, as well during their Confinement, as on their being released, as to the said Justices shall seem fit and proper; and also for restraining Persons from supplying improperly any such Offender or Prisoner with Money, Clothing, or Diet, or any other Thing whatsoever, during his or her Confinement, or from having improper Access to any such Offender or Prisoner, and for settling and determining the several Fees and Allowances to be taken by the Keepers or Keeper of the said Houses of Correction, or either of them, and from Time to Time

Power for
Justices to
make Rules
for Houses
of Correction.

Time to fix and impose such reasonable Penalties and Forfeitures as the said Justices in their Discretion shall think fit, for the Breach, Neglect, or Non-observance of the said Rules, Orders, and Regulations, or any of them, not exceeding the Sum of Five Pounds for any one Offence; and from Time to Time to annul, suspend, or alter all or any of such Rules, Orders, Regulations, Penalties, or Forfeitures, and to make, fix, and impose others, when and so often, and in such Manner as the said Justices shall from Time to Time think necessary or expedient; and that the said Justices shall cause a Copy or List of all such Rules, Orders, Regulations, Fees, Penalties, and Forfeitures to be from Time to Time affixed or put up and renewed when necessary in some conspicuous Part of the said respective Sessions Houses, and Houses of Correction, and every of them: Provided always, that it shall not be lawful for the Keeper or Keepers of the said Houses of Correction, or either of them, to take or demand any Fee or Allowance from any Person who shall be discharged in consequence of his or her being acquitted of any Offence with which he or she shall have been charged.

Power to ascertain Monies paid by each Division of the Isle, and to order Payment thereof.

XXIII. And be it further enacted, That it shall be lawful for the said Justices and they are hereby authorized and required to enquire into, ascertain, and determine, by such Ways and Means as to them shall seem expedient, all and singular the Costs, Charges, and Expences which shall have been incurred, sustained, and paid by the Inhabitants or Occupiers of or within that Division of the said *Isle of Ely* which comprises the Hundred of *Wisbech* and North Part of the Hundred of *Witchford*, by or under any Rate or Rates, Assessment or Assessments, towards the public Charge of the said Isle, or any of them, within Twenty Years next immediately preceding the passing of this Act, in, about, or for the erecting, completing, repairing, fitting up, or furnishing of the present Sessions House and House of Correction at *Wisbech* aforesaid, or either of them, or any of the Offices, Buildings, Chapels, Cells, Apartments, Yards, Walls, Passages, or Appurtenances thereto respectively belonging; and also all and singular or any other the Costs, Charges, and Expences which shall have been exclusively incurred, sustained, or paid by the Inhabitants or Occupiers of or within the Two several Divisions of the said Isle, comprising the Hundred of *Wisbech* and North Part of the Hundred of *Witchford*, and the Hundred of *Ely*, and South Part of the Hundred of *Witchford* respectively, within Twenty Years next immediately preceding the passing of this Act, or within such shorter Space of Time next immediately preceding the passing of this Act as the said Justices shall think fit, by or under any Rate or Rates, Assessment or Assessments, towards the public Charges of the said Isle within the said Twenty Years, or within such shorter Space of Time as aforesaid, and to which the Inhabitants or Occupiers of or within the other of the said Divisions ought, in the Judgment of the said Justices, to have contributed; and that the said Justices shall, within Twelve Calendar Months next after the passing of this Act, ascertain, determine, and declare the Amount in the whole of the several Monies which shall have been paid during the said Time by the Inhabitants or Occupiers of or within each of the said Divisions respectively and exclusively for such several Costs, Charges, and Expences,

Expences as aforesaid; and shall direct and order the Amount of such several Monies to be paid or reimbursed to the Inhabitants or Occupiers of or within the said several Divisions of the said Isle respectively, by whom such several Monies shall have been so paid as aforesaid, out of any of the Monies to be charged and levied by the said Justices under the Authority of this Act; and that the Amount of such several Monies, when the same shall have been so ascertained, determined, and declared as aforesaid, or any Part or Proportion thereof, shall and lawfully may be deducted and allowed by the Churchwardens or Overseers of the Poor of any Parish, Township, or Place within the said Isle, to the Inhabitants or Occupiers whereof such several Monies, or any Part or Proportion thereof, shall be lawfully due, from and out of the Proportion of such Parish, Township, or Place, of or towards any Rate or Rates, Assessment or Assessments, hereafter to be charged or levied by or under the Order of the said Justices, under the Authority or for the Purposes of this Act; and that in case such several Monies shall not be paid and reimbursed as aforesaid, within Six Calendar Months next after the passing of this Act, then it shall and may be lawful for the said Justices to direct and order Interest upon such several Monies, at the Rate of Five Pounds *per Centum per Annum*, to be computed from the Expiration of the said Six Calendar Months, to be paid, together with the Amount of such several Monies, to the Inhabitants or Occupiers entitled thereto; and that such Interest shall be accordingly paid in the same Manner as the Amount of such several Monies is hereby directed or authorized to be paid as aforesaid, and may be deducted in the same Manner as is herein-before mentioned in regard to such several Monies.

XXIV. And be it further enacted, That all and singular the Costs, Charges, and Expences of obtaining and passing this Act, together with Interest for such Monies as shall have been advanced by any Person or Persons for or towards the same, and also all and singular the Costs, Charges, and Expences of taking down the said present Sessions House and House of Correction at *Ely* aforesaid, and of erecting the said intended new Sessions House and House of Correction at *Ely* aforesaid, with the Buildings, Offices, and Appurtenances thereto belonging, and of fitting up and furnishing the same respectively, and of making such Purchases or Compensations as are herein-before respectively authorized to be made, and of altering, enlarging, repairing, maintaining, supporting, and renewing the said Sessions Houses and Houses of Correction, at *Ely* and *Wisbech* aforesaid, and each of them, and the several Buildings, Offices, and Appurtenances thereto respectively belonging, and the Furniture and Effects thereof respectively, and of paying or reimbursing to any of the Inhabitants or Occupiers of or within the said *Isle of Ely* any Sum or Sums of Money which shall appear to be due to them or any of them, pursuant to the Directions herein-before in that Behalf contained, and of executing, performing, and carrying into Effect this Act and the several Powers and Provisions hereof, according to the true Intent and Meaning of the same, shall be paid, discharged, and satisfied by the said Justices, with and out of the public Stock or Rates of the said Isle, which shall be in the Hands of or due to the Treasurers of the said Isle, or either of them, at the Time of

Provision for
Payment of
Charges to
be incurred.

the passing of this Act, as far as such public Stock or Rates will extend, to pay, discharge, and satisfy the same, after satisfying the several other Charges to which such public Stock or Rates shall be liable; and then, with and out of the special yearly Rate herein-after authorized to be charged and levied by the said Justices, upon the several Parishes, Townships, and Places within the said Isle, or the Inhabitants or Occupiers thereof; and when and after the said special yearly Rate shall have ceased and determined, then and at all Times thereafter with and out of the General Public Stock or Rates of the said Isle, to be from Time to Time charged and levied by or under the Authority of the said Justices.

Power to charge a special yearly Rate not exceeding One Penny in the Pound.

XXV. And be it further enacted, That for paying, discharging, and satisfying the several Costs, Charges, and Expences herein-before mentioned, and for answering the several Purposes of this Act, it shall be lawful for the said Justices yearly, between the Months of *May* and *November* in every Year, to charge and levy upon the several Parishes, Townships, or Places within the said *Isle of Ely*, or upon the Inhabitants or Occupiers thereof, a special yearly Rate or Assessment in the Nature of an Isle or County Rate, not exceeding One Penny in the Pound, on the yearly Value of the several Messuages, Buildings, Lands, Tenements, and Hereditaments within the said several Parishes, Townships, or Places; and to charge and levy the first of the said yearly Rates or Assessments before the Month of *November* next after the passing of this Act; and to direct and cause the said yearly Rates or Assessments to be from Time to Time raised and enforced by all such Ways and Means as are or lawfully may be used or employed for raising and enforcing Payment of the General Public Rates within the said Isle, or General or Public County Rates within any County, which said yearly Rate or Assessment shall be from Time to Time paid to the Treasurers of the said Isle for the Time being, or One of them, who shall keep a separate and distinct Account thereof, and shall from Time to Time apply and dispose of the same under the Order and Direction of the said Justices, for the several Purposes of this Act; and when the said several Purposes of this Act shall be fully answered and satisfied, the said special yearly Rate or Assessment shall thenceforth, in the Discretion of the said Justices, either cease and be no longer charged or levied, or otherwise go and be paid into the Public Stock of the said Isle, to be applied and disposed of as Part of the said Public Stock, and for such Uses and Purposes as the said Public Stock is or may be lawfully applied; and that from thenceforth and at all Times thereafter all and singular the Costs, Charges, and Expences of carrying this Act, or any of the Provisions hereof into Effect, shall be from Time to Time paid, discharged, and satisfied, under the Order and Direction of the said Justices, out of the General Public Stock or Rates of the said Isle.

Power to borrow Money on the Credit of the special Rate.

XXVI. And be it further enacted, That it shall be lawful for the said Justices to borrow and take up at Interest upon the Credit of the said special yearly Rate or Assessment herein-before authorized to be charged and levied, any Sum or Sums of Money which to them shall appear necessary or expedient for the Purposes of this Act, and for carrying

carrying the same into Execution, and by Writing or Writings under their Hands and Seals, or the Hands and Seals of any Two or more of them, to demise, grant, or assign by way of Mortgage, the said special yearly Rate or Assessment, or any Part or Portion thereof, to any Person or Persons, as a Security or Securities for the Money or Monies which shall be so borrowed and taken up as aforesaid, and the Interest thereof; and that every such Mortgage shall be in the Words following, or in any other Words to the like Purport or Effect; that is to say,

BY virtue of an Act passed in the First Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act*], we the undersigned Justices of the Peace, acting in and for the said *Isle of Ely*, in consideration of the Sum of
 advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do demise, grant, and assign unto the said *A. B.* his Executors, Administrators, and Assigns, all, so much, and such Proportion of the special yearly Rate or Assessment of One Penny in the Pound charged and levied, and to be charged or levied by virtue of the said Act, and of the Monies to be raised thereby, as the said Sum of doth or shall bear to the whole Sum which hath been or shall be borrowed or taken upon the Credit and for the Purposes of the said Act, to be had and holden by the said *A. B.* his Executors, Administrators, and Assigns, until the said Sum of with Interest for the same after the Rate of *per Centum per Annum*, shall be repaid and satisfied by the said *A. B.* his Executors, Administrators, or Assigns. Witness our Hands and Seals the Day of in the Year of our Lord One thousand eight hundred and

And that every such Mortgage shall be registered by the Clerk of the Peace for the said *Isle of Ely*, or his Deputy, for the Time being.

XXVII. And be it further enacted, That every Person to whom any such Mortgage as aforesaid shall be made or assigned, or who shall be entitled to the Money thereby secured, may from Time to Time transfer or assign over such Mortgage, and the Principal and Interest Money thereby secured, to any Person or Persons whomsoever; and that every such Transfer or Assignment shall be produced to and registered by the Clerk of the Peace for the said *Isle of Ely*, or his Deputy for the Time being; for which Registry the Sum of Five Shillings and no more shall be paid; and until the same shall be so registered no Benefit shall arise therefrom to any Person or Persons claiming under or by virtue of the same.

Power to transfer Mortgages.

XXVIII. And be it further enacted, That all Persons to whom such Mortgages as aforesaid shall have been made, and their respective Executors, Administrators, and Assigns, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said special yearly Rate or Assessment to be so mortgaged as aforesaid, in an equal Degree one with another; and that any One or more of them shall not have any Preference over any of the others of them,

Mortgagees to be Creditors in equal Degree.

on

on account of the Priority of the Dates of their said respective Mortgages, or otherwise: Provided always, that the said Justices shall nevertheless have full Power and Authority to order and direct in what Order and Course such Mortgages respectively shall be discharged.

Treasurers to discharge the Interest of Mortgages.

XXIX. And be it further enacted, That the Treasurers for the Time being of the said *Isle of Ely* shall, and they are hereby required in very Year, until the whole of the principal Sums herein-before authorized to be borrowed and taken up shall be fully repaid, with all Interest for the same, with and out of the Monies arising by the said special yearly Rate or Assessment herein-before authorized to be charged and levied, to pay and discharge such Interest when and as the same shall from Time to Time become due:

Power to appoint Committees.

XXX. And be it further enacted, That the said Justices may, if they shall think fit, from Time to Time nominate and appoint One or more Committee or Committees, consisting of any Number of their own Body, to superintend, regulate, and control such Officers, Artificers, Workmen, and Servants, as shall be from Time to Time employed by or under the Order or Direction, or with the Approbation of the said Justices, and to see to the due Performance of such Contracts or Works as shall be entered into or contracted for, for the Purpose of carrying this Act into Execution, or any of them; and also to do and execute all such other Business, Service, and Commission as shall be committed or entrusted to the Care, Management, or Superintendance of the said Committee or Committees, for any of the Purposes of this Act, and to nominate and appoint several such Committees, if necessary, for separate Departments of the said Contracts or Works, or with separate Objects and Powers, and to give Instructions to such Committee or several Committees accordingly; and all Acts, Instructions, Orders, and Directions, signed, done, or given by the Majority of any such Committee, provided they do not exceed the Limits of the Orders or Instructions given to them, respectively by the said Justices, shall be, binding on all such Officers, Artificers, and Workmen as aforesaid, and all other Persons concerned therein, and shall be good, valid, and effectual for the several Purposes to which the same shall respectively relate.

Conviction of Offenders.

XXXI. And be it further enacted, That the Justice or Justices before whom any Person or Persons shall be convicted of any Offence against this Act, or against any Rule, Order, or Regulation to be made in pursuance or under the Authority thereof, shall and may cause the Conviction of such Person or Persons to be drawn up in the following Form of Words, or in other Words to the same Effect; that is to say,

Isle of Ely, or County of [as the Case may be.] A. B. } BE it remembered, That on the Day of in the Year of the Reign of His Majesty King now convicted before of His

His Majesty's Justices of the Peace acting within and for the said
Isle of Ely [or, County of _____, as the Case may be] by
 virtue of an Act of Parliament passed in the First Year of the
 Reign of His Majesty King George the Fourth, intituled [here
 insert the Title of this Act] [specifying the Offence, and the Time
 and Place when and where the same was committed, as the Case shall
 be], contrary to the said Act, [or, as the Case may be, contrary to a
 certain Rule, Order, or Regulation made on the _____ Day
 of _____ One thousand eight hundred and _____
 pursuant to the said Act], for which Offence _____ adjudged the
 said _____ to have forfeited the Sum of _____
 [and (if mitigated) which Sum _____ do hereby mitigate to the
 Sum of _____], to be paid by the said
 to the Treasurers for the said *Isle of Ely*, or One of them, for the
 Purposes of the said Act. Given under _____ Hand and Seal, the
 Day and Year first above written.'

XXXII. And be it further enacted, That all Penalties and Forfeitures imposed by virtue of this Act, or to be imposed by the said Justices under any Power or Authority hereby given to them, shall, in case of Non-payment thereof, be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, under a Warrant for that Purpose to be issued by the Justice or Justices before whom such Offender or Offenders shall have been convicted, together with all such Costs and Charges as shall be incurred in or about such Conviction, Distress, and Sale; and in case such Penalties or Forfeitures, and Costs and Charges respectively, shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give a sufficient Security, to the Satisfaction of such Justice or Justices, for his or their Appearance before him or them, on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Five Days from the Time of taking any such Security, and which Security the said Justice or Justices is or are hereby empowered to take by way of Recognizance, or otherwise; but if upon the Return of such Warrant, it shall appear that no sufficient Distress can be had thereupon, then such Offender or Offenders shall be committed by such Justice or Justices to any Gaol or House of Correction in and for the Isle, County, or Jurisdiction, within which the Offence shall have been committed, there to remain for such Time as the said Justice or Justices shall direct, not exceeding Six Calendar Months, unless such Penalties or Forfeitures, and all Costs and Charges shall be in the meantime paid and satisfied; and that all such Penalties and Forfeitures shall be paid to the Treasurers of the said Isle for the Time being, or one of them, and shall be by them applied and disposed of for the Purposes of this Act, or as Part of the public Stock or Rates of the said Isle.

Recovery and Application of Penalties.

XXXIII. Provided always, and be it further enacted, That it shall be lawful for the Justice or Justices by or before whom any Person
 [Local.] _____ 25 H _____ of

Power to mitigate Penalties.

or Persons shall be convicted of any Offence against this Act, or against any Rule, Order, or Regulation to be made by virtue or under the Authority thereof, to mitigate or reduce the Penalty which shall have been thereby incurred by such Person or Persons to such Sum as the said Justice or Justices in his or their Discretion shall think fit.

Proceedings
not to be
vitiated for
Want of
Form.

XXXIV. And be it further enacted, That no Adjudication, Conviction, Order, or Proceeding, under or by virtue of this Act, shall be quashed or vitiated for Want of or Defect in Form, or be removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, and that when any Distress shall be made for any Sum or Sums of Money authorized to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Want of or Defect in Form in any of the Proceedings relating thereto; nor shall any such Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards take place in any of the Proceedings relating thereto, but the Person or Persons aggrieved by any such Irregularity shall and may recover full Satisfaction for the special Damage, if any, which shall have been sustained by him, her, or them, in an Action upon the Case, to be commenced and prosecuted by him, her, or them, for that Purpose.

Power of
Appeal.

XXXV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done or omitted to be done in the Execution of this Act, or of any of the Powers or Provisions thereof, or of any Conviction or Order in pursuance of this Act, or of any Rule, Order, or Regulation to be made under the Authority thereof, it shall be lawful for such Person or Persons to appeal to the Justices of the Peace for the said *Isle of Ely*, at their next General Quarter Sessions of the Peace, to be holden in and for the said Isle, after the Cause of Complaint shall have arisen; but if such Quarter Sessions shall happen to be held within Ten Days next after such Cause of Complaint shall arise, then it shall be lawful for such Person or Persons to appeal to the said Justices at the General Quarter Sessions of the Peace then next following, such Appellant or Appellants, in every Case, first giving or causing to be given to the Party or Parties, against whose Act, Omission, Conviction, or Order such Appeal shall be intended, Ten Days Notice at the least, in Writing, of his or her Intention to make such Appeal, and within Five Days after such Notice entering into a Recognizance before some Justice of the Peace for the said *Isle of Ely*, with Two sufficient Sureties, in such reasonable Sum as such Justice shall direct, conditioned to try such Appeal, and abide such Order as shall be made, and to pay such Costs, if any, as shall be awarded against such Appellant or Appellants, by the Justices at the said Quarter Sessions at which the said Appeal shall be tried or heard; and the said Justices at such Quarter Sessions, or at some Adjournment thereof, shall, in every such Case, hear and finally determine such Appeal in a summary Way, and shall award such Restitution, Damages, and Costs to the Party or Parties appealing or appealed against,

against, as the said Justices shall think proper; and the Determination of such Justices, at such Quarter Sessions, or Adjournment thereof, shall be final, binding, and conclusive to all Intents and Purposes whatsoever.

XXXVI. And be it further enacted, That no Action shall be brought or commenced against any Person or Persons, for any thing done or omitted to be done in pursuance of this Act, after the Expiration of Six Calendar Months next after the alleged Cause of Action shall have arisen; nor shall the Plaintiff or Plaintiffs in any such Action recover therein, unless Notice in Writing of such intended Action shall have been given to the Defendant or Defendants therein, or left at his, her, or their last or usual Place or Places of Abode, Fourteen Days at the least before such Action shall be commenced, which Notice shall be signed by the intended Plaintiff or Plaintiffs, or by his, her, or their Attorney or Attornies, and shall specify the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney or Attornies, before such Action shall be commenced; nor if Tender of sufficient Amends shall be made at any Time after the Action shall be commenced, and before the Trial thereof, together with the Costs of Suit to the Time of such last-mentioned Tender; and in case no Tender shall have been made, it shall be lawful for the Defendant or Defendants, in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Orders, and Judgments shall be had, made, and given, in and by such Court, as in other Actions where any Defendant is allowed to pay Money into Court, and that every such Action shall be brought, laid, and tried in the County or Place where the Cause of such Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action 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 that the Act complained of, or the Subject-matter of such Action, was done by virtue and under the Authority of this Act; and if, on the Trial of such Action, it shall appear to have been so done, or that such Action has been commenced or continued contrary to the several Directions and Provisions herein-before contained, then, and in every of the said Cases, the Jury on the Trial of such Action shall find a Verdict for the Defendant or Defendants therein; and in all Cases where a Verdict shall be found for the Defendant or Defendants, in any such Action as aforesaid, or the Plaintiff or Plaintiffs therein shall discontinue the same, after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if upon Demurrer, Judgment shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants in such Action shall have Treble Costs, and shall have such and the like Remedy for recovering the same, as any Defendant or Defendants hath or have for recovering his, her, or their Costs in any other Case by Law.

XXXVII. And

Justices to
sue and be
sued in the
Name of One
Justice, or of
the Clerk of
the Peace.

XXXVII. And be it further enacted, That the said Justices, or any of them, for any Matter or Thing done or to be done, or omitted to be done under the Authority of this Act, shall and may sue and be sued in the Name of One of the said Justices, or of the Clerk of the Peace for the said *Isle of Ely* for the Time being, and that no Action to be brought or commenced by or against the said Justices, or any of them, for any such Matter or Thing as aforesaid, in the Name of One of the said Justices, or of the said Clerk of the Peace, shall abate or be discontinued by the Death, Resignation, or Removal of such Justice or Clerk of the Peace, or by the Act of the said Justice or Clerk of the Peace, without the Consent of the said Justices, but such Justice or Clerk of the Peace shall always be deemed the Plaintiff or Defendant in such Action, as the Case may be: Provided always, that every such Justice or Clerk of the Peace shall be reimbursed and paid from and out of the Public Stock or Rates of the said *Isle*, all such Costs, Charges, Damages, and Expences as he shall be put unto or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid.

Justices,
Inhabitants,
and Occu-
piers, not
disqualified
as Witnesses.

XXXVIII. And be it further enacted, That in all Actions, Prosecutions, Informations, Appeals, Causes, and Proceedings whatsoever, by reason of any Matter or Thing done or omitted to be done by virtue of this Act, or in any Manner relating to or concerning the Execution of this Act, or of any Rule, Order, or Regulation to be made in pursuance thereof, no Justice of the Peace, or Inhabitant or Occupier of or within the said *Isle of Ely*, shall be an incompetent Witness, by reason of his or her being such Justice, Inhabitant, or Occupier.

Premises be-
longing to
the See not
to be taken
without
Consent of
the Bishop.

XXXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the said Justices to take, for any of the Purposes of this Act, any of the Buildings, Lands, Yards, Gardens, or Grounds of or belonging to the Palace of the See of *Ely*, or of or belonging to the Common Gaol at *Ely* aforesaid, without the Consent of the Bishop of the Diocese; any thing in this Act contained to the contrary thereof notwithstanding.

Public Act.

XL. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.